

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Licensing Committee 5th July 2004
AUTHOR: Chief Environmental Health Officer

INTRODUCTION OF LICENSING CONDITIONS FOR STRETCH LIMOUSINES

Purpose

1. To seek the Committee's approval for recommendation to Cabinet for the introduction of new conditions of Licensing applicable to stretch limousines licensed as Private Hire vehicles.

Effect on Corporate Objectives

2. The introduction of new conditions will ensure high quality, accessible cost effective services and offer a safe means of transport for residents of South Cambridgeshire.

Background

3. Under the Local Government (Miscellaneous Provisions) Act 1976 Part II, South Cambridgeshire District Council has a statutory duty to license both Hackney Carriage and Private Hire vehicles to operate within the defined boundaries of our District.
4. Under sections 47 and 48 of the Local Government (Miscellaneous Provisions) Act 1976 a District Council may attach to the grant of license such conditions as may be considered necessary to promote a safe and accessible part of the public transport system. Public safety is paramount to prevent danger to the passenger and other members of society from the vehicle itself.
5. As part of the ongoing improvements in the standards of vehicles licensed as Private Hire and Hackney Carriage vehicles within our District a number of aspects have and are being considered. One such improvement relates to the licensing of stretch limousines of which we currently have 2 such vehicles licensed.
6. The current conditions used by South Cambridgeshire District Council address the general requirements for licensing standard vehicles and make no provision for more specialised vehicles (current conditions of licensing attached as **Appendix A**)
7. There has been a noticeable increase in the numbers of stretch limousines being imported into this country over recent years, due primarily to a change of legislation in New York, America, which now prevents the licensing of vehicles over 5 years of age. It is therefore felt to be prudent to address the issues of safety in relation to such vehicles by the way of introducing conditions before unsuitable vehicles are presented for licensing.
8. At present over 90% of imported limousines are Lincoln Towncars, the base vehicle being manufactured by the Ford Motor Company. This vehicle is not ordinarily designed to be stretched and unless the original fittings such as rear brake drums, tyres etc are removed and replaced with heavy duty items it can pose a potential risk to passengers.

9. The Ford Motor Company and the Cadillac Motor Company which together account for over 95% of stretch limousines have introduced an assessment and control system for approved converters and make available specially adapted heavy duty chassis from which the conversion can be based. In June 2002 this resulted in the State of New York banning all vehicles that have been converted outside the scheme from working in their state. In addition the United States Insurance Federation will in general (subject to individual representations) no longer insure stretch limousines that are over 5 years of age.
10. A stretch limousine when it is imported into this Country is limited to a maximum of eight passengers if used for hire and reward. No stretch limousine would be permitted to carry above that number because it would not meet the stringent criteria and tests involved in Public Service Vehicle Licensing which applies to all vehicles that can carry more than eight passengers.
11. There are no detailed inspections of limousines when imported into this country. The only check is that known as a S.V.A (Single Vehicle Approval) this is an engineering assessment limited to the parts of the vehicle which can be readily seen without dismantling any part of the vehicle, this includes even lifting the carpet! Comparatively in the United States there are no tests whatsoever before a vehicle is granted the right to go on an open road, there only exists a statutory requirement for the person registering the vehicle to declare its fitness to be driven.
12. The recommendations put forward fall into line with those of the Ford and Cadillac conditions imposed on vehicle converters that wish to obtain the appropriate accreditation.

Considerations

13. When considering what measures are relevant to promote public safety through the Taxi and Private Hire Licensing regime, Local Authorities must also have consideration to the fact that the trade employs a great number of people who also expect to be treated in a fair and reasonable manner. Any changes to conditions may have a knock-on effect to such people. It is the role of the Local Authority to carefully consider the benefits and the effects for both the public and the trade before making a decision. The recommendations made in this report will not affect existing license holders who already have vehicles that comply with the proposed conditions.
14. Any decision made by an Authority in respect of licensing matters could be subject to an appeal on an individual basis by any person who is aggrieved by a decision of the Council Licensing Committee.

Financial Implications

15. None arising from this report.

Legal Implications

16. Any vehicle proprietor who upon presenting a vehicle for licensing is aggrieved by a decision made in line with any licensing policy or its conditions would have a right of appeal to a Magistrates Court.

Staffing Implications

17. None arising from this report.

Consultations

18. Officers have consulted with proprietors who currently have stretch limousines and no objections to the recommendations have been received as existing vehicles meet the proposed conditions.

Conclusions/Summary

19. The licensing of the hackney carriage and private hire trades is a duty carried out by the Local Authority with a view to ensuring the safety of public when using such vehicles. Hackney Carriages and Private Hire trades fulfil a vital role. The range of vehicles used within the trade is ever increasing and therefore additions or changes to existing conditions should reflect this.

Recommendations

20. That the Licensing Committee recommends to the Portfolio Holder for Environmental Health and Cabinet that a new paragraph be introduced entitled:- "Stretch Limousines" and the following conditions be introduced as additional to those currently in place for normal vehicles. These conditions will be read as:-
- (a) All stretch limousines should meet the Q.V.M (Quality Vehicle Modifier) issued by the Ford Motor Company or the C.M.C (Cadillac Mastercoach Builder) or have relevant approval documentation of the originating chassis supplier approving the conversion as presented for licensing.
 - (b) No vehicle will be licensed if that part of the vehicle converted exceeds a length of 10' in part or whole.
 - (c) Passenger capacity will be determined by how many forward or rear facing seatbelts are within the vehicle. (Side facing seatbelts will not be considered for licensing purposes.)
 - (d) Correct tyres as recommended by the manufacturer must be fitted to include appropriate weight loading of the converted vehicle.
 - (e) That no stretch limousine over 6 years of age from the date of its first registration shall be licensed.
 - (f) The maximum weight of any converted vehicle shall not exceed 7100lbs (3220Kg).

Background Papers: None

Contact Officer: Myles Bebbington – Licensing Officer
Telephone: (01954) 713132 or myles.bebbington@scambs.gov.uk