



DERBY CITY COUNCIL

TAXI LICENSING AND APPEALS COMMITTEE
11 July 2007

Report of the Interim Director of Environmental Services

Removal of 'Contract Hire' Exemption - The Road Safety Act 2006 (England and Wales) Order 2007

RECOMMENDATION

- 1.1 To note the information set out in this report.
- 1.2 To approve the work the Taxi Licensing team intends to carry out to provide information about the changes in legislation and identify the potential increase in workload.

SUPPORTING INFORMATION

- 2.1 At present, in England and Wales (outside London) a vehicle is exempt from the requirement to be licensed as a private hire vehicle if it is used for contract work which lasts for more than seven days. This is commonly known as 'the contract exemption'. Neither the driver of the vehicle nor the operator who arranges the hire needs to be licensed.
- 2.2 Section 53 of the Road Safety Act 2006 repeals the contract exemption and will come into force in January 2008. Examples of vehicles that may be affected by this change include those commonly used for school & hospital contracts, limousines, airport transfers, chauffeur-driven services and volunteer vehicles. The vehicles, drivers and operators will need to be licensed.
- 2.3 Contact will need to be made with all those affected by the changes. This will allow currently unlicensed drivers, vehicles and operators to become licensed or for those people/organisations that use these existing services to arrange alternative contract arrangements where necessary.
- 2.4 Over the summer, taxi licensing officers in Environmental Health & Trading Standards will make contact with all those involved to inform them of the changes. This exercise will also try and establish the additional workload likely to result from the changes. This information will be reported back to committee at a future meeting.
- 2.5 This change in legislation will also be tabled as an agenda item at forthcoming hackney carriage and private hire trade meetings.

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Background papers: None
List of Appendices: Appendix 1 - Implications

IMPLICATIONS

Financial

1. Any extra revenue, from the increase in licences received, will be offset by the additional staffing required to deal with the new workload.

Legal

- 2.1 At present, Section 75 (1) (b) of the Local Government (Miscellaneous Provisions) Act 1976 provides that nothing in the 1976 Act shall 'apply to a vehicle used only for carrying passengers for hire or reward under a contract for the hire of the vehicle for a period of not less than seven days.'
- 2.2 From the date of commencement, any vehicle which falls within the definition of 'private hire vehicle' in the Local Government (Miscellaneous Provisions) Act 1976 must be licensed by the Council in which the person who arranges the bookings is located (known in the legislation as the 'controlled district'). Any person who drives a licensed private hire vehicle must hold a private hire vehicle driver's licence and any person who arranges the hire of a licensed private hire vehicle must hold a private hire vehicle operator licence. The only exemptions from licensing will be for vehicles used solely for weddings and funerals.

Personnel

3. Additional staffing may be required.

Equalities impact

4. None

Corporate priorities

5. Taxi Licensing contributes to the priority of **delivering excellent services, performance and value for money.**