



# Ryedale District Council

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**REPORT TO:** Community Services & Licensing Committee

**DATE:** 31 January 2008

**REPORTING OFFICER:** Taxi Licensing Officer  
Laural Huntington

**SUBJECT:** Repeal of Section 75  
Seven day contract exemption - Taxi Licensing

**WARDS AFFECTED:** All

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## 1.0 PURPOSE OF REPORT

To inform members of changes to legislation effective from 28 January 2008 governing the licensing of private hire and hackney and to ensure that this new legislation is placed in the public domain to raise awareness to all who may be affected.

**Repeal of Section 75 (1)(b) of The Local Government (Miscellaneous Provisions) Act 1976 by Section 53 of The Road Safety Act 2006.**

## 2.0 RECOMMENDATIONS

It is recommended that Members

1. note the Repeal of Section 75 (as above) affecting seven day contracts and
2. endorse the actions identified in section 4 of the report and the transitional licensing arrangements waiving the minimum 5 year age limit for vehicles affected by the new legislation.

## 3.0 BACKGROUND

Currently, vehicles are allowed to engage in contracts lasting not less than seven days hire without the vehicle or driver being licensed with the local authority.

## 4.0 REPORT

With effect from 28<sup>th</sup> January 2008, the Repeal of Section 75 will require certain vehicles and drivers to be licensed who previously did not need to be under the exemption.

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The types of vehicles affected by the new legislation are likely to be hospital cars, airport transfer services, hotel cars and chauffeur vehicles.

The Council is unlikely to be significantly affected by this change as the Taxi Licensing Section is not aware of any operators who have relied upon the exemption rules in section 75, however the following steps have been taken to effectively communicate the change in legislation: -

- Public Notice in the Gazette & Herald on 16 January 2008
- Media release
- Website feature
- Fact sheet
- Written notification to all current licensed drivers

Anyone who is affected will need to apply for a Private Hire driver, vehicle and operator licence in the usual way.

### **Transitional Licensing Arrangements – Age Limits on Vehicles**

It is recommended that a degree of flexibility be allowed with regard to vehicle age limits when processing new vehicle licence applications for vehicles that need to be licensed by 28<sup>th</sup> January 2008 under the new legislation.

Currently the Council's Taxi Licensing Policy requires a vehicle to be less than 5yrs old from registration at first test.

It is proposed that transitional arrangements are agreed to 'waive' the 5-year age limit from first registration at first test to ensure smooth implementation of the legislation. All other licensing requirements will be in accordance with existing policy.

#### **5.0 FINANCIAL IMPLICATIONS**

There are no material financial implications. Based on current information the changes are unlikely to generate any additional income or require additional resources.

#### **6.0 CONCLUSION**

The Council needs to ensure appropriate actions have been taken to effectively communicate and implement the Repeal of Section 75 (1)(b) of The Local Government (Miscellaneous Provisions) Act 1976 by Section 53 of The Road Safety Act 2006.

The proposed recommendations in this report seek to raise awareness and implement transitional vehicle licensing arrangements to enable the change to be smoothly administered.

**OFFICER CONTACT:** Please contact Laural Huntington, Taxi Licensing Officer if you require any further information on the contents of this report. The officer can be contacted at Malton Depot, Tel 01653-600666 ext 474 and e-mail: laural.huntington@ryedale.gov.uk

