
TRANSPORT ACT 2000

1 SUMMARY

- 1.1 Members to consider the admission of vehicles used for School Contracts currently licensed as small PCVs (Passenger Carrying Vehicles) with the Traffic Commissioner as Private Hire Vehicles by derogation to ensure continuation of Contracts held with Local Education Authorities.

2 INTRODUCTION

- 2.1 Section 265 of the Transport Act 2000 will come into force on 1st July 2001 requiring vehicles with less than nine passenger seats to be licensed by Local Authorities. An exception would occur if the use of a vehicle satisfies Section 2 of the Transport Act 1985 when used to provide a local services with stopping places (or a start and finish point) less than fifteen miles apart. Such operations are defined as Local Services that must be registered with the Traffic Commissioner under Section 6 of the 1985 Act.
- 2.2 The majority of small PCVs within the Rochford District are dedicated to the performance of contracts with Local Education Authorities and some have been adapted for those passengers having special needs.
- 2.3 The Council has set Pre-Licensing Standards for Hackney Carriages and Private Hire Vehicles including a six year age limit for the initial introduction of vehicles into the licensing process. The age of, and adaptations made to, some vehicles may not comply with the Standards set by the Council and in order to ensure the continued performance of the Education Contracts a derogation is required to allow those vehicles to be licensed.
- 2.4 The Council's vehicle examination procedures, and technical knowledge available to the Hackney Carriage Office, ensure that Public Safety would not be compromised in respect of those vehicles likely to be submitted for licensing. If a vehicle were to be deemed unsatisfactory a Licence would not be issued.
- 2.5 The appropriate category within which those vehicles covered by this Report should be licensed is that for Private Hire Vehicles. Discussions with the section of the Trade that is most affected by the changes in legislation indicates the vehicles concerned are primarily Contract Specific and not, therefore, available for hire in the manner of a Hackney Carriage.

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- 2.6 In order to ensure the continuity of Educational Contracts licensing of those vehicles currently operated as PCVs can be achieved by classifying them as being within a sub category designated Private Hire (Education Contract) Vehicles.

3 FINANCIAL & RESOURCES IMPLICATIONS

- 3.1 The cost of licensing and implementation will be met from the standard fees charged on a unit cost basis.

4 RECOMMENDATION

- 4.1 It is proposed that this Committee RESOLVES:
- (1) To create a category of Private Hire (Educational Contract) Vehicles to accommodate those vehicles used specifically for the performance of Education Authority Contracts.
 - (2) That a derogation be given to license those vehicles currently operating as small PCVs on Education Authority Contracts for an initial period of one year from 1st July 2001, subject to satisfactory inspection, thereby ensuring the continuance of existing contracts pending formulation of specific Standards, Condition and guideline in association with the Taxi Working Group.
 - (3) That such existing Standards and Conditions be applied as appropriate in respect of signage and provision of fire extinguisher.
 - (4) That Officers be authorised to implement the licensing of those vehicles appropriate to this Report on application under Delegated Powers with immediate effect.

S J Clarkson

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Background Papers:

Transport Act 2000

Letter from Traffic Commissioner to Operators dated March 2001

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