



# Local Government (Miscellaneous Provisions) Act 1976

## 1976 CHAPTER 57

### PART II

#### HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

#### 51 Licensing of drivers of private hire vehicles.

- (1) Subject to the provisions of this Part of this Act, a district council shall, on the receipt of an application from any person for the grant to that person of a licence to drive private hire vehicles, grant to that person a driver's licence:

Provided that a district council shall not grant a licence—

- (a) unless they are satisfied [<sup>F1</sup>—
- (i) that the applicant is a fit and proper person to hold a driver's licence; [<sup>F2</sup>and
  - (ii) that the applicant is not disqualified by reason of the applicant's immigration status from driving a private hire vehicle; or]
- (b) [<sup>F3</sup>to any person who has not for at least twelve months been authorised to drive a motor car, or is not at the date of the application for a driver's licence so authorised.]

[<sup>F4</sup>(1ZA) In determining for the purposes of subsection (1) whether an applicant is disqualified by reason of the applicant's immigration status from driving a private hire vehicle, a district council must have regard to any guidance issued by the Secretary of State.]

[<sup>F5</sup>(1A) .....

- [<sup>F6</sup>(1) For the purposes of subsection (1) of this section a person is authorised to drive a motor car if—
- (a) he holds a licence granted under Part III of the Road Traffic Act 1988 (not being a provisional licence) authorising him to drive a motor car, or

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 51. (See end of Document for details)*

- (b) he is authorised by virtue of section 99A(1) [<sup>F7</sup>or section 109(1)] of that Act to drive in Great Britain a motor car.]
- (2) A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary.
- (3) It shall be the duty of a council by which licences are granted in pursuance of this section to enter, in a register maintained by the council for the purpose, the following particulars of each such licence, namely—
- (a) the name of the person to whom it is granted;
  - (b) the date on which and the period for which it is granted; and
  - (c) if the licence has a serial number, that number,
- and to keep the register available at its principal offices for inspection by members of the public during office hours free of charge.

#### Textual Amendments

- F1** Words in s. 51(1)(a) renumbered as s. 51(1)(a)(i) (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 5 para. 18\(2\)\(a\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), [reg. 5\(i\)](#) (with [reg. 6](#))
- F2** S. 51(1)(a)(ii) substituted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 5 para. 18\(2\)\(b\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), [reg. 5\(i\)](#) (with [reg. 6](#))
- F3** S. 51(1)(b) substituted (1.1.1997) by [S.I. 1996/1974](#), [reg. 5](#), [Sch. 4 para. 2\(2\)](#)
- F4** S. 51(1ZA) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 5 para. 18\(3\)](#) (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), [reg. 5\(i\)](#) (with [reg. 6](#))
- F5** S. 51(1A) repealed (1.4.1998) by [1997 c. 50](#), s. 134(1)(2), [Sch. 9 para. 34](#), [Sch. 10](#); [S.I. 1998/354](#), [art. 2\(2\)\(ay\)](#)
- F6** By [S.I. 1996/1974](#), [reg. 5](#), [Sch. 4 para. 3](#), it is provided that in s. 51 after subsection (1A) there shall be inserted (1.1.1997) subsection (1)
- F7** Words in s. 51(1)(b) inserted (5.9.1998) by [S.I. 1998/1946](#), [art. 2](#)

#### Modifications etc. (not altering text)

- C1** S. 51: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853](#), [reg. 2\(1\)](#), [Sch. 1 Table B3](#)  
 S. 51 extended (13.3.2000) by [S.I. 2000/412](#), [art. 4\(5\)](#)
- C2** Ss. 48-54 modified (27.11.2009) by [The Local Services \(Operation by Licensed Hire Cars\) Regulations 2009 \(S.I. 2009/2863\)](#), [regs. 1, 4 Table](#) (with [reg. 3](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 51.