



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER XI

HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

[^{F1}252A Committee to keep railways matters under review

- (1) It shall be the duty of the Committee, so far as it appears to it expedient from time to time to do so—
- (a) to keep under review matters affecting the interests of the public in relation to railway passenger services provided wholly or partly within the London railway area;
 - (b) to keep under review matters affecting the provision of station services within that area;
 - (c) to make representations to, and to consult, such persons as it thinks appropriate about the matters mentioned in paragraphs (a) and (b); and
 - (d) to co-operate with other bodies representing the interests of users of public passenger transport services provided wholly or partly within that area.
- (2) In this section—
- (a) references to the London railway area are references to the area for which the Committee fell, immediately before the repeal of section 2 of the Railways Act 1993 (Rail Passengers' Committees), to be treated as the Rail Passengers' Committee for the purposes specified in subsection (4) of that section;
 - (b) references to railway passenger services include references to bus substitution services; and
 - (c) subject to that, expressions used in this section and in Part 1 of the Railways Act 1993 have the same meanings in this section as in that Part.]

Changes to legislation: Greater London Authority Act 1999, Chapter XI is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F1 S. 252A inserted (24.7.2005) by [Railways Act 2005 \(c. 14\), s. 60\(2\)](#), [Sch. 6 para. 2](#); S.I. 2005/1909, [art. 2](#), [Sch.](#)

[^{F2}252B References to Committee in relation to railways

- (1) It shall be the duty of the Committee to investigate any matter relating to a relevant railway matter if—
 - (a) it is the subject of a representation made to the Committee by a user or potential user of railway passenger services;
 - (b) it is referred to the Committee by the Secretary of State, [^{F3}the Office of Rail and Road], the [^{F4}Passengers’ Council], the London Assembly or Transport for London; or
 - (c) it appears to the Committee that it is a matter that it ought to investigate.
- (2) A matter is a relevant railway matter for the purposes of subsection (1) if it relates to—
 - (a) the provision of railway passenger services wholly or partly within the London railway area; or
 - (b) the provision of station services within that area in a case in which the operator of the station is authorised by a licence under Part 1 of the Railways Act 1993.
- (3) The Secretary of State may also refer the following matters to the Committee for the purpose only of requiring the Committee to prepare a report on them—
 - (a) matters relating to the quality of railway passenger services provided wholly or partly within the London railway area; and
 - (b) matters relating to the quality of station services provided in that area.
- (4) The Committee must also assist the Secretary of State, to such extent and in such manner as he may require, in ascertaining whether the franchise operator in the case of a particular franchise agreement is attaining the standards set for the provision of the franchised services.
- (5) The Committee is not required to investigate a matter in a case falling within subsection (1)(a) if it appears to the Committee that the representation is frivolous or vexatious.
- (6) Subsection (2) of section 252A applies for the purposes of this section as it applies for the purposes of that section.

Textual Amendments

- F2** Ss. 252B-252D inserted (24.7.2005) by [Railways Act 2005 \(c. 14\), s. 60\(2\)](#), [Sch. 6 para. 3](#); S.I. 2005/1909, [art. 2](#), [Sch.](#)
- F3** Words in s. 252B(1)(b) substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), [reg. 1\(2\)](#), [Sch. para. 4\(n\)\(v\)](#)
- F4** Words in s. 252B(1)(b) substituted (E.W.S.) (25.2.2010) by [The Passengers’ Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), [art. 1](#), [Sch. para. 7\(2\)](#)

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252C Action on investigation under section 252B

- (1) On investigating a matter under section 252B the Committee must, if it considers it appropriate to do so—
 - (a) in every case, make appropriate representations to the person providing the service;
 - (b) in the case of a service provided under a franchise agreement by a person other than the franchisee, make appropriate representations to the franchisee; and
 - (c) in the case of a secured service (within the meaning of Part 4 of the Railways Act 2005), make appropriate representations to the Secretary of State.
- (2) In subsection (1) “appropriate representations” means representations about—
 - (a) any matter appearing to the Committee to be relevant to the subject-matter of the investigation; and
 - (b) any other matter to which a matter so appearing relates.
- (3) Subject to subsection (4), where the Committee—
 - (a) having made representations under subsection (1), is of the opinion that it is unable to obtain a satisfactory resolution by that means,
 - (b) on investigating a matter, has reason for believing that the holder of a licence under Part 1 of the Railways Act 1993 is contravening a condition of the licence, or is likely to do so, or
 - (c) on investigating a matter, has reason for believing that a franchisee in relation to a franchise agreement is contravening the provisions of the agreement, or is likely to do so,the Committee must refer the matter to the Secretary of State (or if he referred it to the Committee, back to him) with a view to his exercising such of his powers as he considers appropriate in the circumstances of the case.
- (4) Subsection (3) does not apply in a case where representations under subsection (2) have been made to the Secretary of State.
- (5) If the Secretary of State considers that it would be more appropriate for a matter referred to him by the Committee under subsection (3) to be referred to [F5the Office of Rail and Road], he must—
 - (a) refer it to that Office, or
 - (b) if it was referred to the Committee by that Office, refer it back to that Office, with a view to that Office exercising such of its powers as it considers appropriate in the circumstances of the case.
- (6) The Committee must not—
 - (a) include a proposal for the taking of any steps in representations made by it under this section, or
 - (b) make a reference under this section to the Secretary of State by reason only of the failure of a person to take any steps,unless the test in subsection (7) is satisfied.
- (7) That test is satisfied if, on the basis of the information available to the Committee, it considers that, balancing each of the following against the other—
 - (a) the costs of taking the steps, and
 - (b) the benefits that will be enjoyed by persons in consequence of the taking of those steps,

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the expenditure involved represents good value for money.

- (8) In this section “franchise agreement” and “franchisee” have the same meanings as in Part 1 of the Railways Act 1993.

Textual Amendments

- F2** Ss. 252B-252D inserted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 6 para. 3**; S.I. 2005/1909, art. 2, Sch.
- F5** Words in s. 252C(5) substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 4(n)(vi)**

Modifications etc. (not altering text)

- C1** S. 252C modified (25.6.2010) by The Rail Passengers Rights and Obligations Regulations 2010 (S.I. 2010/1504), regs. 1(2), **18(4)**
- C2** S. 252C(3) applied (with modifications) (28.11.2005) by The Railway (Licensing of Railway Undertakings) Regulations 2005 (S.I. 2005/3050), regs. 1(1), **19**

252D Reports on investigation etc.

- (1) Where the Committee investigates a matter under section 252B—
- (a) it may prepare a report of its findings; and
 - (b) it must do so if required to do so by the Secretary of State in relation to any matter falling within section 252B(3) that was referred to it by him for the purposes of that requirement.
- (2) The Committee must not include a proposal for the taking of any steps in a report prepared by it under this section unless, on the basis of the information available to it, it considers that, balancing each of the following against the other—
- (a) the costs of taking those steps, and
 - (b) the benefits that will be enjoyed by persons in consequence of the taking of those steps,
- the expenditure involved represents good value for money.
- (3) The Committee—
- (a) must send a copy of every report prepared under this section to the [^{F6}Passengers’ Council]; and
 - (b) may publish the report;
- but the Committee may publish a report relating to findings on a matter referred to the Committee by the Secretary of State only if required to do so by him under this section.
- (4) Where—
- (a) the Committee prepares a report relating to a matter referred to it by the Secretary of State, but
 - (b) the report is not a report that the Secretary of State has required under subsection (1)(b),
- the Committee must publish the report if it is required to do so by him.
- (5) The Secretary of State may arrange for the publication of any report by the Committee the preparation of which he has required under subsection (1)(b).

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- (6) The publication of a report by the Committee or the Secretary of State may be in any manner that the Committee or (as the case may be) the Secretary of State thinks appropriate.
- (7) References in this section to a matter referred to the Committee by the Secretary of State include references to a matter in relation to which he has required the Committee's assistance under section 252B(4).]

Textual Amendments

- F2** Ss. 252B-252D inserted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), Sch. 6 para. 3; S.I. 2005/1909, art. 2, Sch.
- F6** Words in s. 252D(3)(a) substituted (E.W.S.) (25.2.2010) by The Passengers' Council (Non-Railway Functions) Order 2010 (S.I. 2010/439), art. 1, Sch. para. 7(3)

[^{F7}252E Power to make exclusions from duties under sections 252A to 252D

- (1) The Secretary of State may by order—
 - (a) exclude services from one or more of the duties imposed by sections 252A to 252D;
 - (b) provide that one or more of those duties applies to services of a particular class or description, particular services or services provided by a particular person only to such extent as is specified in the order; or
 - (c) provide that one or more of those duties applies with specified modifications in the case of services of a particular class or description, particular services or services provided by a particular person.
- (2) Before making an order under this section the Secretary of State must consult the Committee and the [^{F8}Passengers' Council].
- (3) The power to make exclusions by an order under this section includes—
 - (a) power to exclude services of a particular class or description, particular services or services provided by a particular person; and
 - (b) power to provide that services are excluded subject to compliance with specified conditions.
- (4) An order under this section may not revoke an exclusion except—
 - (a) for breach of a condition; or
 - (b) in accordance with the order that made it.]

Textual Amendments

- F7** S. 252E inserted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), Sch. 6 para. 4(1); S.I. 2005/1909, art. 2, Sch.
- F8** Words in s. 252E(2) substituted (E.W.S.) (25.2.2010) by The Passengers' Council (Non-Railway Functions) Order 2010 (S.I. 2010/439), art. 1, Sch. para. 7(4)

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253 Hackney carriages.

Schedule 20 to this Act (which makes provision about hackney carriages) shall have effect.

254 The Private Hire Vehicles (London) Act 1998.

- (1) Except as provided by the following provisions of this section, the functions of the Secretary of State under the ^{M1}Private Hire Vehicles (London) Act 1998 are transferred by this subsection to Transport for London.
- (2) Subsection (1) above does not apply to any functions of the Secretary of State under section 37, 38 or 40 of that Act (transitional provisions, financial provisions and commencement etc).
- (3) Schedule 21 to this Act (which makes amendments to the ^{M2}Private Hire Vehicles (London) Act 1998 in consequence of subsections (1) and (2) above) shall have effect.
- (4) Any regulations made, licence issued, authorisation granted, or other thing done under the Private Hire Vehicles (London) Act 1998, other than section 37, 38 or 40, by or in relation to the Secretary of State before the coming into force of this section shall have effect as from the coming into force of this section as made, issued, granted or done by or in relation to Transport for London.

Commencement Information

II S. 254 wholly in force at 7.11.2001; s. 254 not in force at Royal Assent see s. 425(2); s. 254 in force at 22.1.2001 for specified purposes by [S.I. 2000/3145, art. 2\(a\)](#); s. 254 in force insofar as not already in force at 7.11.2001 by [S.I. 2001/3603, art. 2](#)

Marginal Citations

M1 1998 c. 34.
M2 1998 c. 34.

255 Provisions consequent on alteration of metropolitan police district.

- (1) Where, by virtue of the coming into force of section 323 below, the whole or any part of the area of a district council ceases to be within the metropolitan police district, the following provisions of this section shall have effect.
- (2) The provisions of the ^{M3}Town Police Clauses Act 1847 with respect to hackney carriages, as incorporated in the ^{M4}Public Health Act 1875, shall apply throughout the council's area.
- (3) The council's area shall constitute a single licensing area for the purposes of those provisions, without the passing of any resolution under Part II of Schedule 14 to the ^{M5}Local Government Act 1972 (extension resolutions).
- (4) The provisions of Part II of the ^{M6}Local Government (Miscellaneous Provisions) Act 1976 (hackney carriages and private hire vehicles) shall also apply throughout the council's area, without the passing of any resolution under section 45 of that Act (application of Part II).

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- (5) Where an order is made under section 425 below bringing section 323 below into force, the provision that may be made by virtue of section 420 or 425 below includes provision enabling or facilitating—
- (a) the making of byelaws,
 - (b) the issuing of licences, discs or plates, and
 - (c) the establishment and operation of a licensing system,
- in relation to hackney carriages or private hire vehicles by a district council falling within subsection (1) above in preparation for the coming into force of this section.
- (6) The provision that may be made by virtue of subsection (5) above includes provision for the application of any enactment with or without modification.
- (7) Subsections (5) and (6) above are without prejudice to the provision that may be made by virtue of sections 420 and 425 below.

Commencement Information

- I2** S. 255 wholly in force at 1.4.2000; s. 255 in force for specified purposes at Royal Assent, see s. 425(2); s. 255 in force (1.4.2000) in so far as not already in force by [S.I. 2000/801](#), art. 2(2)(a), [Sch. Pt 1](#)
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Marginal Citations

- M3** 1847 c. 89.
M4 1875 c. 55.
M5 1972 c. 70.
M6 1976 c. 57.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)