
STATUTORY INSTRUMENTS

2000 No. 412

**LONDON GOVERNMENT
PUBLIC PASSENGER TRANSPORT**

The Greater London Authority Act 1999 (Hackney
Carriages and Private Hire Vehicles) (Transitional
and Consequential Provisions) Order 2000

<i>Made</i>	- - - -	<i>21st February 2000</i>
<i>Laid before Parliament</i>		<i>21st February 2000</i>
<i>Coming into force</i>	- -	<i>13th March 2000</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 255, 405(2), 406, 415(9) and 420 of the Greater London Authority Act 1999⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Greater London Authority Act 1999 (Hackney Carriages and Private Hire Vehicles) (Transitional and Consequential Provisions) Order 2000 and shall come into force on 13th March 2000.

Interpretation

2. In this Order—

“the 1847 Act” means the Town Police Clauses Act 1847⁽²⁾;

“the 1869 Act” means the Metropolitan Public Carriage Act 1869⁽³⁾;

“the 1976 Act” means the Local Government (Miscellaneous Provisions) Act 1976⁽⁴⁾;

“the 1999 Act” means the Greater London Authority Act 1999;

(1) 1999 c. 29.

(2) 10 & 11 Vict. c. 89. Section 37 was amended by the Transport Act 1985 (c. 67), section 16(a), Schedule 8; section 46 was amended by the Local Government, Planning and Land Act 1980 (c. 65), Schedule 6, paragraph 1.

(3) 32 & 33 Vict. c. 115. Section 6 was amended by the Statute Law (Repeals) Act 1976 (c. 16) and by the Transport Act 1981 (c. 56), section 35(1), Schedule 12, Part III; section 8 was amended by the Statute Law (Repeals) Act 1976, by the Transport Act 1981, section 35(1), Schedule 12, Part III and by the Statute Law (Repeals) Act 1993 (c. 50).

(4) 1976 c. 57. Sections 48 and 51 were amended by the Road Traffic (Consequential Provisions) Act 1988 (c. 54), Schedule 3, paragraph 16(1) and (3).

“the appointed day” means 1st April 2000 being the day on which section 323 of the 1999 Act comes into force⁽⁵⁾;

“excluded district” means a wholly excluded district or a partially excluded district;

“partially excluded district” means a district part of which ceases to be within the metropolitan police district on the appointed day;

“excluded part” in relation to a partially excluded district means the part of the district which ceases to be within the metropolitan police district on the appointed day;

“wholly excluded district” means a district the whole of which ceases to be within the metropolitan police district on the appointed day.

Hackney carriage byelaws having effect in a partially excluded district

3. Any byelaws made or having effect as if made by the council of a partially excluded district under section 68 of the 1847 Act and in force in part of the district shall, from the appointed day, have effect as if made in relation to the whole of that district.

Anticipatory powers of excluded district councils

4.—(1) The powers conferred by this article shall be exercisable by the council of an excluded district for the purpose of securing that—

- (a) hackney carriages and their drivers; and
- (b) private hire vehicles, their drivers and operators,

may be licensed and able to operate lawfully in relation to the whole of that district from the appointed day.

(2) The council of a wholly excluded district may at any time before the appointed day—

- (a) license hackney carriages under section 37 of the 1847 Act to ply for hire in its district;
- (b) license persons under section 46 of the 1847 Act to drive hackney carriages licensed to ply for hire in its district.

(3) Section 48 of the 1976 Act shall apply in relation to applications for vehicle licences made at any time before the appointed day to the council of a wholly excluded district or the council of a partially excluded district to which Part II of the 1976 Act did not apply before the coming into force of this order.

(4) Section 55 of the 1976 Act shall apply in relation to applications made at any time before the appointed day to the council of an excluded district for licences to operate private hire vehicles in any part of its district to which the 1976 Act will not apply until the appointed day.

(5) Section 51 of the 1976 Act shall apply in relation to applications for licences to drive private hire vehicles made at any time before the appointed day to the council of a wholly excluded district or the council of a partially excluded district to which Part II of the 1976 Act did not apply on the coming into force of this Order.

(6) A licence granted pursuant to paragraph (2), (3), (4) or (5) shall not come into force before the appointed day.

(7) Subject to the foregoing provisions of this article, the council of an excluded district, may at any time before the appointed day—

- (a) issue any disc, plate or badge in relation to any licence issued pursuant to this article on such terms as to its use and display before that day as it may think fit;

(5) By [S.I. 1999/3271](#).

- (b) do anything appearing to it to be appropriate or expedient for the purpose of establishing and operating a licensing system; or
- (c) do anything else which it considers appropriate to fulfil the purpose specified in paragraph (1).

Hackney carriage or hackney carriage driver licences in force in the metropolitan police district before the appointed day

5. Notwithstanding the provisions of section 415 of the 1999 Act a licence in force immediately before the appointed day and granted—

- (a) under section 6 of the 1869 Act (hackney carriage licences); or
- (b) under section 8 of that Act (hackney carriage driver licences),

shall, on the appointed day, cease to have effect in relation to any excluded district.

Hackney carriage standings in partially excluded districts

6.—(1) Any standings for hackney carriages appointed by the Commissioner of Police of the Metropolis under section 4 of the London Hackney Carriages Act 1850⁽⁶⁾ (“the 1850 Act”) in any highway in the excluded part of a partially excluded district shall from the appointed day be deemed to have been appointed by the council of that district under section 63 of the 1976 Act⁽⁷⁾.

(2) So far as any provisions of regulations made under section 4 of the 1850 Act by the Commissioner of Police of the Metropolis relating to any such standings fix—

- (a) the boundaries of the standings;
- (b) the number of carriages that may wait there; or
- (c) the times of day at which they may wait,

those provisions of the regulations shall have effect as if they had been determined by the council of the district in appointing the standings under section 63 of the 1976 Act, but the regulations shall otherwise cease to have effect in relation to the standings.

(3) In this article “standings” include stands.

Consequential modification of the 1976 Act

7.—(1) The 1976 Act shall be amended as follows.

(2) In section 74—

- (a) for “a day fixed by resolution under section 45 of this Act” there shall be substituted “the relevant day”; and
- (b) at the end there shall be inserted the following paragraph—

“In this section “the relevant day” means—

- (a) in relation to a district the whole or part of which ceased to be within the metropolitan police district by virtue of the coming into force of section 323 of the Greater London Authority Act 1999 (alteration of the metropolitan police district), 1st April 2000;
- (b) in any other case, a day fixed by resolution under section 45 of this Act.”

⁽⁶⁾ 13 & 14 Vict. c. 7; section 4 was amended by the Statute Law Revision Act 1891 (c. 67).

⁽⁷⁾ Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 was amended by the Transport Act 1985, Schedule 1, paragraph 2, by the Transport Act 1980, Schedule 5, Part II and by the Public Passenger Vehicles Act 1981, Schedule 7, paragraph 19.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In section 80(1) of the 1976 Act for the definition of “controlled district” there shall be substituted—

““controlled district” means any area for which this Part of this Act is in force by virtue of—

- (a) a resolution passed by a district council under section 45 of this Act; or
- (b) section 255(4) of the Greater London Authority Act 1999;”.

Signed by authority of the Secretary of State

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

21st February 2000

EXPLANATORY NOTE

(This note is not part of the Order)

On 1st April 2000 (in this Order called “the appointed day”), in consequence of the coming into force of section 323 of the Greater London Authority Act 1999, the boundary of the metropolitan police district will be changed so as to exclude all parts of that district lying outside Greater London. Section 255 of that Act provides that on the appointed day the licensing of hackney carriages and private hire vehicles to operate in those areas will become the responsibility of the relevant district councils in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

This Order makes transitional and consequential provisions in relation to the licensing of taxis and private hire vehicles in the affected districts.

Article 2 contains definitions and in particular distinguishes between wholly excluded districts and partially excluded districts, according as the whole or part only of a district ceases to be within the metropolitan police district. The wholly excluded districts are Epsom and Ewell, Hertsmere and Spelthorne. The partially excluded districts are Broxbourne, Elmbridge, Epping Forest, Reigate and Banstead and Welwyn Hatfield.

Article 3 provides that, where a council of a partially excluded district has byelaws in force under the Town Police Clauses Act 1847 in part of its area, those byelaws are to apply to the whole area from the appointed day. Article 4 provides for the granting of licences in anticipation of the appointed day and enables the councils generally to do anything else appropriate for the purpose of securing that taxis and private hire vehicles can operate lawfully in their areas on the appointed day.

Article 5 provides that licences granted to ply for hire in the metropolitan police district cease to have effect on the appointed day in areas no longer included in that district. Article 6 provides for taxi standings designated in such areas under the legislation applying to the metropolitan police district to continue to have effect under the corresponding provisions of the Local Government (Miscellaneous Provisions) Act 1976. Article 7 makes consequential amendments to section 74 of that Act (saving for businesses) and to the definition of “controlled district” in section 80(1).