



# Sheffield City Council Act 1975

## CHAPTER xv

### ARRANGEMENT OF SECTIONS

#### Section

1. Short title.
2. Interpretation.
3. Provisions as to motor vehicles let for hire.
4. Commencement of section 3 of Act.
5. Liability of directors, etc.
6. Saving for certain vehicles.
7. Appeals.
8. Duration of Act.

ELIZABETH II



1975 CHAPTER xv

An Act to confer further powers on the Council of the city of Sheffield in relation to private hire vehicles; and for other purposes. [3rd July 1975]

**W**HEREAS—

(1) The city of Sheffield (hereinafter referred to as “ the city ”) is under the management and local government of the Sheffield City Council (hereinafter referred to as “ the Council ”):

(2) It is expedient to confer further powers on the Council in relation to private hire vehicles:

(3) It is expedient that the other provisions contained in this Act should be enacted:

(4) The objects of this Act cannot be attained without the authority of Parliament:

(5) In relation to the promotion of the Bill for this Act the requirements of section 239 of the Local Government Act 1972 1972 c. 70. have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title. 1. This Act may be cited as the Sheffield City Council Act 1975.

Interpreta- 2.—(1) In this Act, unless the subject or context otherwise  
tion. requires—

“ the city ” means the city of Sheffield;

“ contravention ” includes a failure to comply;

“ the Council ” means the Sheffield City Council;

1952 c. 55. “ magistrates’ court ” has the same meaning as in the  
Magistrates’ Courts Act 1952;

“ operate ” means operate as a private hire vehicle and  
references to driving a private hire vehicle are references  
to driving it while it is so operated;

1972 c. 20. “ private hire vehicle ” means a motor vehicle (within the  
meaning of the Road Traffic Act 1972) not being a  
hackney carriage licensed under the provisions of the  
1847 c. 89. Town Police Clauses Act 1847 which is constructed or  
adapted to seat not more than seven passengers and is  
kept for the purpose of being let out for hire with a  
driver for the carrying of passengers.

(2) Except where the context otherwise requires, any reference  
in this Act to any enactment shall be construed as a reference to  
that enactment as applied, extended, amended or varied by, or  
by virtue of, any subsequent enactment including this Act.

Provisions as  
to motor  
vehicles let  
for hire.

3.—(1) It shall be unlawful in the city—

(a) to drive a private hire vehicle without a driver's licence  
under this section;

(b) to operate or to cause or permit to be operated or to  
drive a private hire vehicle unless a vehicle licence has  
been granted with respect to it under this section.

(2) The Council may grant upon such terms and conditions  
and subject to such restrictions, and for such periods, as they  
think fit driver's and vehicle licences for the purposes of this  
section.

(3) (a) An application for any licence under this section shall be made in writing to the Council and shall be accompanied by the payment of such fee or fees (if any) as the Council may determine.

(b) Where the Council refuse to grant a licence under this section they shall repay to the person who made the application therefor the amount of any fee paid by him as aforesaid except, in the case of an application for a driver's licence, the amount of any expenses incurred by the Council on a medical examination of the applicant by a registered medical practitioner.

(4) Every person who shall without reasonable excuse act in contravention of subsection (1) of this section or of any term, condition or restriction attached to a licence issued under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

(5) A person aggrieved by the refusal of the Council to issue or renew a licence under this section or by any term or condition of a licence issued under this section, may appeal to a magistrates' court.

4.—(1) Section 3 (Provisions as to motor vehicles let for hire) of this Act shall come into operation on such day as may be fixed by resolution of the Council subject to and in accordance with the provisions of this section. Commence-  
ment of  
section 3  
of Act.

(2) The Council shall cause to be published in a local newspaper circulating in the city notice—

(a) of the passing of such resolution and of the date fixed thereby; and

(b) of the general effect of the provisions of the said section 3; and the date so fixed shall not be earlier than the expiration of twenty-eight days from the date of publication of the said notice.

(3) Either—

(a) a copy of any such newspaper containing any such notice; or

(b) a photostatic or other reproduction certified by the chief executive of the Council or other official appointed by the Council for that purpose to be a true reproduction of a page, or part of a page, of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

(4) It shall be lawful for any person who—

(a) immediately before the coming into operation of the said section 3 was operating or causing or permitting to be operated or driving a private hire vehicle; and

(b) had before the coming into operation of the said section 3 duly made application for the necessary licence required by that section in respect thereof;

to continue to operate, cause or permit to be operated or, as the case may be, to drive that vehicle until he is informed of the decision with regard to the application and if the decision is adverse during such further time as is provided under section 7 (Appeals) of this Act.

Liability of directors, etc.

5.—(1) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members the provisions of subsection (1) of this section shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Saving for certain vehicles.

6. Nothing in this Act shall apply to—

- (1) a motor vehicle used for carrying passengers within the city in pursuance of a contract for the hire of a vehicle whereby the passenger's journey begins outside the city or to a motor vehicle proceeding without passengers to a destination outside the city upon the termination of such a contract;
- (2) a vehicle carrying passengers for hire or reward under a contract for the hire of such vehicle by the week or for longer periods of hire;
- (3) a vehicle of a funeral director used wholly or mainly for the purpose of funerals.

Appeals.  
1936 c. 49.

7.—(1) Sections 300 to 302 of the Public Health Act 1936, which relate to appeals, shall have effect as if this Act were part of that Act.

(2) If any requirement, refusal or other decision of the Council against which a right of appeal is conferred by this Act would, apart from the provisions of this section, make it unlawful for any person to operate or cause or permit to be operated a private hire vehicle or to act as the driver of a private hire vehicle which he was lawfully so doing up to the time of the requirement,

refusal or decision, then, until the time for appealing has expired, or, when an appeal is lodged, until the appeal is disposed of or withdrawn or fails for want of prosecution that person may lawfully continue to operate or cause or permit to be operated a private hire vehicle the licence for which is the subject of the appeal or to act as the driver of a private hire vehicle, as the case may be.

8. Subsections (9) to (13) of section 262 of the Local Government Act 1972 (which relates to local Acts and instruments) shall have effect as if this Act had been in force immediately before 1st April, 1974. Duration of Act.  
1972 c. 70.

---

PRINTED IN ENGLAND BY OYEZ PRESS LIMITED  
FOR HAROLD GLOVER

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

18p net

ISBN 0 10 511575 4