



The Section 19 Permit system is changing

This leaflet sets out the main changes that the Local Transport Act 2008 will make to the operation of the Section 19 Permit system.

Department for
Transport

This leaflet sets out the main changes that the Local Transport Act 2008 ("the 2008 Act") will make to the operation of the Section 19 Permit system. The document is primarily aimed at the Designated Bodies who issue permits - including many Local Authorities - although much of its content will also be of interest to those who are permit holders and others in the vehicle operating industry.

This leaflet is not intended as a full guide to the permit system, but just focuses on the changes being implemented this year. Further details of the permit

system can be found in VOSA's PSV385 booklet - "Passenger Transport by Voluntary Groups under the Section 19 or 22 permit system". A revised version will be produced later in 2009.

The implementation of the measures in the 2008 Act will mean several changes to the ways that the Section 19 Permit system is run. As a part of these changes, responsibility for the day to day administration of the system will move from the Department for Transport (DfT) to the Vehicle and Operator Services Agency (VOSA).

Who are VOSA and what do we do?

VOSA was created in 2003 by the merger of the Traffic Area Network and Vehicle Inspectorate and is an executive agency of the DfT. VOSA has wide-ranging responsibilities for enforcing vehicle safety and environmental standards, as well as providing support to the Traffic Commissioners. The Traffic Commissioners are responsible for the regulation of many areas of vehicle operation including section 19 permits. The Traffic

Commissioners are appointed by the Secretary of State but remain independent of VOSA and the DfT.

One of VOSA's key functions is to administer the section 19 permit scheme - including those issued by Designated Bodies (including Local Authorities). In addition, VOSA is able to issue permits, on behalf of the Traffic Commissioner, for all applicable vehicle types.

Responsibilities of Designated Bodies

Designated Bodies have important responsibilities and obligations, and they need to ensure that their systems support the following:

- Ensure that they have systems in place to ensure that they only issue permits to organisations who are:
 - wholly not-for-profit as an organisation
 - will not be operating any service with a view to profit
 - will not operate any services that benefit or contribute to another organisation, which itself is profit making
- Ensure that the permit holder will be able to operate vehicles safely - maintaining all vehicles in a roadworthy condition with safety inspections taking place
- Where a designated body issues permits to itself, there should be evidence of an internal management separation between staff issuing permits and staff responsible for operating vehicles.
- Staff responsible for issuing permits should be fully trained in the requirements of the Transport Act 1985 and the changes introduced by the Local Transport Act 2008.

Permit holders have a responsibility to ensure that their services are operated within the law, with vehicles properly maintained and using drivers with the appropriate qualifications. If permit holders are in any doubt about their obligations in operating their vehicles safely and legally, and their ongoing entitlement to operate with the permit, then it is suggested they discuss with the body that issued the permit or VOSA.

What is changing, and why?

There are several provisions within the 2008 Act that affect the current permit system. These changes are to take place with effect from 6th April 2009 and the changes are summarised below.

The Act includes several provisions to ensure that the permit system can be better managed (such as time-limiting of permits) and we are also using these changes as an opportunity to improve the way that the scheme is administered. The effect of these changes will be that we have a robust and streamlined administrative system to ensure that those entitled to operate with these permits can do so without unnecessary burden, but those who are attempting to abuse the system can be effectively identified and excluded from the system. The legal details will be contained in new Regulations, which should be available on the Office of Public Sector Information website (www.opsi.gov.uk) from early March 2009.

Size of vehicles

Currently, only vehicles with between 9-16 passenger seats are eligible (provided they meet the relevant criteria) to be used under a Section 19 small bus permit. This lower limit will be relaxed to allow

smaller vehicles (ie cars and MPVs) to be used under a section 19 permit to carry passengers at separate fares. The new name for the permit will be Section 19 Standard Permit. Existing "small bus" permits, as well as newly-issued "standard" permits, will be valid for use in smaller vehicles, subject to this "separate fares" requirement. A vehicle that is hired out as a whole, for a single payment, is still likely to fall within the private hire vehicle (PHV) licensing regime.

Introduction of expiry dates

All permits issued on or after 6th April 2009 must be valid for a specified period of no more than five years from the "valid from date". (In the legislation this is referred to as the date of grant). It is at the issuing body's discretion as to whether they issue a permit for the maximum five year term or for a lesser period.

Usually the "valid from date" will be same as the date on which it was granted. However where permits are applied for prior to the expiry of an existing permit then the new permit's valid from date would be the same as the expiry date of the existing permit - and the new

permit's expiry date can be up to five years from that date. A permit should not be issued more than a month before its valid from date.

Designated Bodies will need to ensure that those to whom they issue permits understand that the permit will not be valid after its expiry date - and it will be an offence to continue to operate services without a valid permit. They may wish to consider what systems they need to put in place to ensure that those to whom they issue permits are aware of the expiry date and have sufficient time to arrange for a new permit prior to the existing permit's expiry.

From 6th April 2009, where a permit or disc is lost or destroyed, the holder will be issued with a new permit and disc valid for up to five years.

Permits issued under the existing scheme (ie. no expiry date) will cease to be valid no later than April 2014. Decisions have not yet been taken about the exact timing, but there will be a gradual transition to allow plenty of time for existing permits to be replaced with new-style permits. The Department for Transport and VOSA will consult in due course on the draft legislation to bring this into effect, and the transitional arrangements for the move to the new permits. We will be publicising these changes much

more widely at the appropriate time.

Classes of Passenger

In response to comments received on the draft Regulations, a new category has been added to the list of the 'classes of person' who may be carried in vehicles used under a permit. The new category covers passengers living within a geographically defined local community or communities whose public transport needs are not met.

New design

The design of the disc and permit is to be revised to reflect these changes. Until the new legislation comes into force on 6th April 2009, designated bodies should continue to issue the old-style permits. From 6th April 2009 only the new style permits can be issued.

The new-style disc and the permit will be printed on the same sheet - the disc being perforated so that it can be displayed in the vehicle windscreen. The permits contain pre-printed unique reference numbers that are matched on the disc - so there is now no need to add any additional reference numbers. Permits and discs must be issued as a matched pair (with identical reference numbers). Permits should be issued in sequential order from the pads.

Normally it would be expected for Designated Bodies to only use one pad at a time, but if a Designated Body has multiple issuing offices then it may be necessary to have an active pad per office - where this is the case you should notify VOSA.

Permit/discs now only contain two copies. The top copy is to be issued to the permit holder. The disc needs to be displayed in the vehicle windscreen and the permit is to be filed by the permit holder. The second (carbon) copy should be retained by the Designated Body.

Should any conditions be attached under Section 19(7) or Section 20(4) of the Transport Act 1985, these will need to be written on to the reverse page of the permit holder's copy and of your copy.

If permit/discs are spoilt when being completed, then both disc and permit should be marked "Spoilt" in large letters - and both copies should be retained by the Designated Body. Where this happens these should be included in the returns to the Permit Team so that they are accounted for (see section on "Returns to the Traffic Commissioner").

If a disc or permit needs to be replaced (because, for example, it has faded or has been lost) then

both the disc and permit should be replaced. The Designated Body's records should reflect that the old ones are no longer valid, and if either the disc or permit remain from the old copy then they should be destroyed.

Returns to the Traffic Commissioner

Where a permit is issued by a Designated Body, that body must advise the Traffic Commissioner of that fact within one month of issue. The monthly returns should be made in the format shown on pages 8 and 9, and we will be supplying an Excel spreadsheet template for designated bodies wishing to submit returns electronically.



Standard Permit

Transport Act 1985: Section 19

Standard Permit

Department for
Transport

Permit No:
 Valid from:
 Expiry Date:

Permit Holder's Copy

This permit is granted under Section 19 of the Transport Act 1985 in accordance with associated regulations and, subject to conditions specified below, it is issued to:

authorising the use of one vehicle adapted to carry not more than sixteen passengers for hire or reward in compliance with Section 19 of that Act and associated regulations.

The conditions referred to above are:

1. Any vehicle being used under this permit must display the disc with the identical serial number to this permit.
2. Only passengers of the following classes shall be carried (* delete those not appropriate):
 - A. Members of the body holding the permit*;
 - B. Persons whom the body exists to benefit, and persons assisting them*;
 - C. Disabled persons or persons who are seriously ill and persons assisting them*;
 - D. Pupils or students of any school, college, university or other educational establishment and staff or other helpers accompanying them*;
 - E. Persons living within a geographically defined local community, or group of such communities, whose public transport needs are not met other than by virtue of services provided by the body holding this permit*;
 - F. Any other class of persons specified in the permit (Please give details)*

3. Any further conditions mentioned overleaf

Signed _____ Date _____

On behalf of or with the authority of the Traffic Commissioner* or Designated Body*
 *delete as applicable

Detach the disc from the surround

Display the disc on the vehicle to which it relates

Warning: Use of a vehicle being operated under this permit to carry passengers for hire or reward other than as authorised by this permit can lead to prosecution for offences under the Public Passenger Vehicles Act 1981.

Any queries concerning the validity of this permit or when it can be used should be directed to VOSA, telephone: 0300 123 9000.



Permit number is same as disc number and automatically numbered

The date the permit comes into effect (Grant date in legislation)

This is the date the permit expires, a maximum of 5 years from the grant date

Insert name of body to whom permit has been issued

Insert name of issuing body

Any conditions attached need to be written on the reverse of both copies

Designated Body Name: Millhouse District Council

| Serial Number | Issued To | Address Line 1 | Address Line 2 | Address Line 3 | Address Line 4 |
|----------------------|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| SP12345 | Portishead Activity Group, | 5 Windermere Avenue, | Portishead, | North Somerset, | |
| SP12346 | SPOILT | - | | | |
| SP12347 | Clevedon Activity Group, | 51 Ullswater Avenue, | Clevedon, | North Somerset, | |

It is also helpful to include any permit/discs that cease to be valid. This may be because a permit or disc is lost and is replaced (as shown on the line for SP10000 and

SP12350 in the example below) or when an organisation is no longer is entitled to their permit because they no longer operate or have changed the nature of their

| | | | | | |
|---------|---------------------------------------|-----------------|------------|-------|----------------|
| SP10000 | Pill Old Age Pensioners Football Club | 4 Marine Drive, | Ham Green, | Pill, | North Somerset |
| SP12349 | Yatton Activity Group | 1 High Street, | Yatton, | | North Somerset |
| SP12350 | Pill Old Age Pensioners Football Club | 4 Marine Drive, | Ham Green, | Pill, | North Somerset |

| Address Line 4 | Postcode | Date of Issue | Start Date | Expiry Date | Notes |
|-------------------|----------|--------------------|--------------------|--------------------|-------|
| | BS20 0ET | 12th April 2009 | 12th April 2009 | 11th April 2014 | |
| | | 10th June 2009 | - | | |
| | BS34 7EF | 10th June 2009 | 15th June 2009 | 14th June 2014 | |

operation (as shown in line for SP12349 in the example below). To show this, the monthly return can either be the whole record of all permits issued by the

Designated Bodies with changes marked on it, or can just be changes that have occurred since the last return.

| | | | | | |
|---------------------|----------|--------------------|--------------------|-------------------|---|
| Permit, Address, | BS20 3GH | 10th April 2009 | 10th April 2009 | 9th April 2014 | Revoked 1/6/10. Lost and replaced by SP12350 |
| Permit, Address, | BS23 1AS | 15th June 2009 | 15th June 2009 | 14th June 2014 | Revoked on 31/5/10. Organisation no longer entitled to permit. |
| Permit, Address, | BS20 3GH | 1st June 2010 | 1st June 2010 | 9th June 2014 | Replacement for lost SP10000 |

In addition, each Designated Body will in future be asked to complete an annual return each April summarising the serial numbers of permits issued from the previous

April to March. Where no permits are issued in a year then there should be a 'nil' return. That return should be of the following format:

| | | |
|--------------------------------------|------------------------------------|--------------|
| Designated Body Name: | Millhouse District Council | |
| Period | April 2009 - March 2010 | |
| | Permit Numbers | Notes |
| Permits in stock | SP12351-SP12399 SP20001-SP20050 | |
| Permits Issued | SP12345 SP12347 | |
| Permits spoilt | SP12346 | |
| Permits revoked (prior to expiry) | None | |

It would be appreciated if the returns could be sent electronically to permits@vosa.gov.uk. If you wish for a template of this format to be sent to you or have any difficulties with the provision of the information

electronically please contact the permit team on 0113 2543209 or at permits@vosa.gov.uk. Paper returns should be sent to the address at the end of this leaflet.

New stocks

From 6th April 2009, VOSA will take over responsibility for issuing stocks of permits and discs to Designated Bodies. Any request for stocks of the new style permits should be made to permits@vosa.gov.uk or alternatively sent to The Permit Team (address at the end of the leaflet).

(with a minimum order of 20), and stock re-ordered when approximately a month's worth of stock is remaining.

There will no longer be a charge to Designated Bodies for the supply of stocks of permits and discs.

It is suggested that sufficient stock should be ordered to cover what it is estimated will be issued in a year

Any old or unused stock which will no longer be valid can be sent to VOSA who will dispose of it.

What should Designated Bodies do next?

- Send us an e-mail to permits@vosa.gov.uk, or write to us at the address below, with your contact details. This will be used to send updates on the changes and to contact you regarding the permits that you have issued.
- By 28 February 2009 - please advise VOSA of the number of permits issued in the last twelve months and what stock is required for the beginning of April 2009.
- From 6th April 2009 - begin issuing new style permits with expiry dates.
- From 6th April 2009 - submit details of any permits issued within one month of the date of issue. We will supply a simple template for the submission of these returns.
- By 30 April 2010 - Complete an annual return (including a nil return) summarising the permits issued from 1 April 2009 to 31 March 2010. This task must be repeated annually thereafter.

As this leaflet explains there is now a greater responsibility surrounding the issuing of permits, which may require additional resource.

Should you no longer wish to issue permits please let VOSA know so that our records can be updated, and to ensure that alternative arrangements can be put in place for those who you have previously issued permits to.

It is worth noting that permits issued directly by VOSA on behalf of the Traffic Commissioner attract a charge of £11 per permit. The fee may be subject to change. The level of fee to be charged can be obtained by contacting VOSA. Contact details can be found at the end of this leaflet. Local Authorities and the Community Transport Association (CTA) may also be able to provide this service - their charges may differ.

At a glance summary

| "Old" Permit system | "New" Permit system |
|---|---|
| For vehicles seating 9-16 passengers. Known as Small Bus Permit | Additionally for vehicles seating fewer than 9 passengers, where they are carried at separate fares. Known as Section 19 Standard Permit. |
| Ad-hoc returns to Traffic Commissioner, keep record of all permits issued | Requirement to report all Permits issued and annual return summarising all permits issued in the previous year (including a 'nil' return) |
| No expiry date on permits | Validity on issue up to maximum five years |
| Separate permit and discs; Permits numbered by Designated Body. | Redesigned permit and disc; Preprinted with matching reference numbers. |
| Nominal charge required for stocks of permits. Stocks requested through DfT | No charge for stocks and requested through VOSA |

If you encounter any problems with the new style permits, or if anything in this leaflet is unclear, please do not hesitate to contact us on any of the contact details given.

**The Permit Team,
VOSA, Hillcrest House,
386 Harehills Lane,
Leeds LS9 6NF**

**Permit Administration Enquiries:
0113 2543209
General Enquiries: 0300 123 9000
General Fax: 0113 248 9607**

For further help and guidance there is a guidebook (PSV385) that can be downloaded from the Transport Office website (transport.office.gov.uk) or obtained from the VOSA Contact Centre on **0300 123 9000**.

Please note that with effect from 1st April 2009 the Transport Office website content will be moved to www.businesslink.gov.uk

An updated version of this guidebook will be circulated to designated bodies later in 2009.