



Byelaws for Hackney Carriage or Private Hire Vehicles

Hackney Carriage Vehicles

Dated 10 May 1977 - Operational from 24 June 1977

Made under section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Wyre Borough Council with respect to hackney carriages in the Borough of Wyre.

Interpretation

1. Throughout these byelaws “the Council” means the Wyre Borough Council, “the district” means the Borough of Wyre. Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence, shall be displayed.
2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto
 - (b) A proprietor or driver of a hackney carriage shall:
 - (i) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - (ii) not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered’
 - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed to carry luggage;
 - (h) provide an efficient fire extinguisher which shall be carried in a position as to be readily available for use;

- (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause the same to be provided with the taximeter so constructed, attached, and maintained as to comply with the following requirements, that is to say;
- (i) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) The words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least 8 centimetres in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible:
 - (b) when the flag or other device is so locked that the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible:
 - (c) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.
 - (ii) If the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - (b) such key, flag, or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the meter;
 - (iii) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf;
 - (iv) The word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (v) The taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - (vi) The taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
5. The proprietor of a hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:-
- (a) the sign shall bear the words "FOR HIRE" in plain letters at least 4 centimetres in height;

- (b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

6. The driver of a hackney carriage shall:-

- (i) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE" :-
 - (a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible;
 - (b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring;
- (ii) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":-
 - (a) when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of Byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage;
 - (b) as soon as the carriage is hired whether by distance or by time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage;
 - (c) as soon as the carriage is hired by distance, and before beginning the journey, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRE" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- (iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purpose of the Road Traffic Act 1972 and also at any other time at the request of the hirer.

7. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

8. The driver of a hackney carriage shall, when plying for hire in any street and not actually hired,

- (a) proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf;
- (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorized to occupy it, proceed to another stand;
- (c) on arriving at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
- (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.

9. A proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such carriage and shall not make use of the services of any other person for the purpose.

10. The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.

11. The proprietor or driver of a hackney who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

12. The driver of a hackney carriage when asked to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

13. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified in the licence, which said number shall be indicated on the plate affixed to the outside of the carriage or otherwise marked on the carriage in such manner as the Council deems appropriate.

14. If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when hired, wear the badge in such position and manner as to be plainly visible.

15. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,

(a) convey a reasonable quantity of luggage;

(b) afford reasonable assistance in loading and unloading;

(c) afford reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the stands of hackney carriages:

16. Each of the several places specified in the list of hackney carriage ranks shall be a stand for such number of hackney carriages as is specified in the list (list available at the Wyre Borough Council Taxi Office).

17. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table (please ask for a current tariff card), the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to be engaged by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorized by the following table which it may not be possible to record on the face of the taximeter (table available at the Wyre Borough Council Taxi Office).

18. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by the byelaw in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.

- (b) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof

19. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.

20. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him:

- (a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to a police station in the district, and leave it in the custody of the officer in charge of the office on his giving a receipt for it,
- (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station whichever be the greater) but not more than five pounds.

Penalties

21. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.

Repeal of Byelaws

22. The byelaws relating to hackney carriages which were made:-

- (a) by the Poulton-le-Fylde Urban District Council on the 27th day of November 1972 and which were confirmed by the Secretary of State on the 30th day of January 1973;
- (b) by the Thornton Cleveleys Urban District Council on the 28th day of July 1972 and which were confirmed by the Secretary of State on the 6th day of October 1972; and
- (c) by the Mayor, Aldermen and Burgesses of the Borough of Fleetwood on the 14th day of June 1973 and which were confirmed by the Secretary of State on the 22nd day of November 1973, and
- (d) by the Urban District Council of Preesall with Hackensall on the 20th day of May 1901 and which were allowed by the Local Government Board on the 6th day of June 1901

are all hereby repealed.

Byelaws - Private Hire Vehicle

Dated 11 May 1977

Operational from 1st day of July 1977

Made under Section 17(1) of the Lancashire County Council (General Powers) Act 1971 by the Wyre Borough Council for the regulation of private hire vehicles in the area of the Borough of Wyre

Interpretation

1. Throughout these byelaws:-

‘the Council’ means Wyre Borough Council

‘the Borough’ means the Borough of Wyre

‘the Hackney Carriage Byelaws’ means the byelaws as to hackney carriages made by the Wyre Borough Council and confirmed by one of Her Majesty’s Principle Secretaries of State currently in force in the Area of the Borough of Wyre.

‘The private hire vehicle’ means a motor vehicle (within the meaning of the Road Traffic Act 1960) not being a vehicle licensed under the provisions of the Town Police Clauses Act 1847, with respect to hackney carriages, which is kept for the purpose of being let out for hire with a driver for the carrying of passengers in such circumstances, that it does not require to be licensed under the said provisions, but does not include:-

- a) a vehicle which is kept and used ordinarily for the purpose of being let out for hire by the day or for longer periods of hire;
- b) a vehicle kept by any person in conjunction with any business carried out by him as a funeral director or undertaker and used wholly or mainly in conjunction with that business or;
- c) a public service vehicle as defined in Section 117 of the said Act of 1960.

Provisions of The Town Police Clauses Act 1847, applicable to Private Hire Vehicles

2. The following provisions of the Town Police Clauses Act 1847, shall apply to private hire vehicles as if they were in terms applicable thereto (that is to say):-

Section 37 (Commissioners may licence hackney carriages)

Section 40 (Person applying for licence to sign a requisition)

Section 41 (What shall be specified in the licences)

Section 42 (Licences to be registered)

Section 43 (Licence to be in force for one year only)

Section 44 (Notice to given by proprietors of any change of abode)

Section 45 (Penalty for plying for hire without a licence)

Section 46 (Drivers not to act without first obtaining a licence)

- Section 47 (Penalty on drivers acting without licence, or proprietor employing unlicensed drivers)
- Section 48 (Proprietor to retain licence of driver while in his employ and to produce the same before Justices on complaint)
- Section 49 (Proprietor to return licence to driver when leaving his service, unless guilty of misconduct, in which case proprietor to summon driver)
- Section 50 (Licences of proprietors or drivers may be suspended or revoked on a second conviction)
- Section 59 (Penalty for permitting persons to ride without consent of hirer)
- Section 60 (Driver of carriage not to permit other person to act as driver without consent of proprietor)
- Section 61 (Penalty for drivers misbehaving)
- Section 63 (Damage done by driver may be recovered from proprietor)
- Section 65 (Justices empowered to award compensation to drivers for loss of time in attending to answer complaints not substantiated)

Provisions of the Hackney Carriage Byelaws applicable to private hire vehicles

3. The following provisions of the Hackney Carriage Byelaws shall apply to private hire vehicles as if they were in terms applicable thereto (that is to say):-
- Byelaw 3 (Regulating how hackney carriages are to be furnished or provided)
- Byelaw 10 (Regulating the dress and conduct of drivers or proprietors and the safety of passengers)
- Byelaw 11 (Driver to attend at an appointed time)
- Byelaw 12 (Driver to proceed by shortest available route)
- Byelaw 14 (Driver to wear badge)
- Byelaw 19 (Search of carriage after a hiring)
- Byelaw 20 (Reporting articles found)
- Byelaw 21 (Penalties)