

BOROUGH OF PRESTON

BYELAWS

WITH RESPECT TO HACKNEY CARRIAGES
MADE UNDER SECTION 68 OF THE TOWN
POLICE CLAUSES ACT 1847 AND UNDER
SECTION 171 OF THE PUBLIC HEALTH ACT 1875.

1975

BOROUGH OF PRESTON

BYELAWS

MADE UNDER SECTION 68 OF THE TOWN POLICE CLAUSES ACT 1847 AND SECTION 171 OF THE PUBLIC HEALTH ACT 1875 BY PRESTON BOROUGH COUNCIL WITH RESPECT TO HACKNEY CARRIAGES IN THE AREA OF THE BOROUGH OF PRESTON.

Interpretation

1. Throughout these Byelaws:-
 - "the Council" means Preston Borough Council and
 - "the District" means the Borough of Preston aforesaid.

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 to be prominently affixed to the back thereof a metal plate of a size, colour, design and type prescribed by the Council to indicate the licence number of the carriage and the number of persons that may be carried and shall also cause to be legibly painted or marked in the interior of the carriage, clearly visible to passengers, the aforesaid details.
- (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 the 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 baggage if the carriage is so constructed as to carry baggage;
 - (h) provide an efficient fire extinguisher which shall be carried in such 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 any taximeter with which the carriage is provided to be so constructed, attached, and maintained as to comply with the following requirements, that is to say

(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 taximeter;

(c) 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;

(d) 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;

(e) 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;

(f) 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.

PROVISIONS REGULATING THE CONDUCT OF THE PROPRIETORS AND DRIVERS OF HACKNEY CARRIAGES PLYING WITHIN THE DISTRICT IN THEIR SEVERAL EMPLOYMENTS, AND DETERMINING WHETHER SUCH DRIVERS SHALL WEAR ANY AND WHAT BADGES.

5. The driver of a hackney carriage provided with a taximeter shall:-

(a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;

(b) 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 "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;

(c) 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 purposes of the Road Traffic Act 1972, and also at any other time at the request of the hirer.

6. 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.

7. 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 authorised to occupy it, proceed to another stand;

(c) on arriving at a stand not already occupied by the full number of carriages authorised 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.

8. 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.

9. 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 and shall comply with every reasonable requirement of any person hiring or being conveyed in such carriage.

10. The proprietor or driver of a hackney carriage 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.
11. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.
12. 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 on the plate affixed to the outside of the carriage. "Person" shall be deemed not to include children under the age of 3 years and a child over the age of 3 years and under the age of 12 years shall be deemed a half a person.
13. 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 that badge in such position and manner as to be plainly visible.
14. 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.
15. The driver of a hackney carriage shall not, in such carriage when driving for hire, except with the permission of the person hiring or being conveyed in such carriage, smoke tobacco or any other substance.
16. The proprietor or driver of a hackney carriage shall not, when standing or plying for hire, wash such carriage in any street or public place.
17. The proprietor of a hackney carriage shall not cause, allow or permit any printed, written or other matter other than the current Vehicle Excise Licence of the carriage, other than such as shall have received the prior approval of the Council, to appear upon any window of such carriage.

18. The driver of a hackney carriage shall at all times while standing, driving or plying for hire, keep a complete copy of these Byelaws with such carriage, and shall on request produce the same for perusal and inspection by any person hiring such carriage

19. PROVISIONS FIXING THE STANDS OF HACKNEY CARRIAGES

Each of the several places specified in the following list shall be a stand for such number of hackney carriages and during such hours as are specified in the list:-

Situation	No. of Hackney Carriages	Hours During Which Stand May be Used
On north side of Church Street adjacent to Miller Arcade	8	All hours
On east side of Birley Street for a distance of 20m from Harris Street	4	All hours
On the east side of Derby Street extending for a distance of 20m north from Edgar Street	4	All hours
On the west side of Tithebarn Street extending for a distance of 20m northwards from a point 25m north of Crooked Lane	4	All hours

20. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person, shall immediately thereafter, notify the fact to the Chief Environmental Health Officer of the Council.

21. PROVISIONS FIXING THE RATES OR FARES, AS WELL FOR TIME AS DISTANCE, TO BE PAID FOR HACKNEY CARRIAGES WITHIN THE DISTRICT AND SECURING THE DUE PUBLICATION OF SUCH FARES

Every proprietor or driver of a hackney carriage plying for hire shall be entitled to demand and take for the hire of the carriage the rate and fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage 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 charge authorised by the following table which it may not be possible to record on the face of the taximeter:-

FARES FOR DISTANCE

(a) Mileage

If the distance does not exceed one mile	
For the whole distance	36p
If the distance exceeds one mile	
For the first mile of the whole distance	36p
For each succeeding one-seventh of a mile or uncompleted part thereof	3p

(b) Waiting Time

For each period of 3 minutes or uncompleted part thereof	3p
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PROVIDED THAT where a hiring by distance terminates at the place where it commenced the rate or fare which the proprietor or driver shall be entitled to demand and take in respect of the distance covered shall be one half of the rate or fare prescribed by the foregoing table or 36p whichever is greater.

(c) Extra Charges

- (1) For hirings commenced between the hours of midnight and 6.00 a.m. 33¹/₃% of the foregoing rates or fares
- (2) For hirings on statutory holidays and bank holidays 33¹/₃% of the foregoing rates or fares
- (3) For each article of luggage conveyed outside the carriage 3p
- (4) For each person in excess of two 3p per person for each whole journey

22. (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 FOR 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.

23. 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.
24. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may be 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 the office of the Council, 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 office of the Council, whichever be the greater) but not more than five pounds.

Penalties

25. 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 convictions therefor.

Repeal of Byelaws

26. (i) The series of byelaws relating to hackney carriages which were made by the former Mayor, Aldermen and Burgesses of the Borough of Preston acting by the Council on the Seventh day of February One thousand nine hundred and fifty-two and confirmed by One of Her Majesty's Principal Secretaries of State on the Fifth day of April One thousand nine hundred and fifty-two, with the exception of Byelaws 12 and 13 therein contained, are hereby repealed.

(ii) The said Byelaw numbered 12 was repealed and replaced by a byelaw in that behalf made in manner aforesaid on the Twenty-eighth day of December One thousand nine hundred and sixty-one and confirmed as aforesaid on the Twenty-second day of February One thousand nine hundred and sixty-two which itself was repealed and replaced by a further byelaw in that behalf made as aforesaid on the Eighteenth day of December One thousand nine hundred and sixty-four and confirmed as aforesaid on the First day of June One thousand nine hundred and sixty-five which said Byelaw is hereby repealed.

(iii) The said Byelaw Numbered 13 was repealed and replaced by divers Byelaws in that behalf but finally by a Byelaw made by the Council on the Twelfth day of August One thousand nine hundred and seventy-five and confirmed in the manner aforesaid on the 26th day of September One thousand nine hundred and seventy-five which said Byelaw is incorporated herein and shall be read and construed as one with the series of byelaws herein contained.

Passed under the Common Seal
of Preston Borough Council this
Twentieth day of November 1975
in the presence of:-

A. Chap

Chief Executive Officer



408

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 30th day of January 1976.

Signed by authority of the Secretary
of State

K.P. Wigney

An Assistant Under Secretary
of State

Home Office
Whitehall
30 January 1976

