

BYELAWS

made under Section 58 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875

by

THE COUNCIL OF THE BOROUGH OF CHARNWOOD IN THE COUNTY OF LEICESTER WITH RESPECT TO  
HACKNEY CARRIAGES IN THE BOROUGH OF CHARNWOOD

Interpretation.

1. Throughout these Byelaws "the Council" means the Council of the Borough of Charnwood and "the district" means the Borough of Charnwood.

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) The 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 watertight;

(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 as to carry luggage;

(h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;

(j) 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 a 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  $1\frac{1}{4}$  inches 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 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 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 or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter;

(iii) When the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance;

(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 may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be 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  $1\frac{1}{4}$  inches 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.

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 -

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;

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 commencing the journey, bring the machinery of the taximeter into action by moving the key or other device fitted for the purpose 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.

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 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.

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 driver of a hackney carriage shall not at any time when driving on hire smoke tobacco or like substance, or play a wireless set, except with the consent of the hirer.

12. 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.

13. 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.

14. 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.

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

16. 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 -

17. Each of the several places specified in the following list shall be a Stand for such number of hackney carriages as is specified in the list :-

Stands in Loughborough	No. of Hackney Carriages
No.1 - Devonshire Square against the kerb on the west side of the service road adjoining the traffic island between a point 86 feet south of the centre line of Granby Street and a point 259 feet south of the centre line of Granby Street (except at the time of the November Pleasure Fair).	10
No.2 - Biggin Street against the kerb on the west side between a point 5 feet south of the centre line of the southern end of Dead Lane and a point 125 feet south of the centre line of the southern end of Dead Lane.	7
No.3 - Biggin Street against the kerb on the west side between a point 5 feet north of the centre line of the southern end of Dead Lane and a point 55 feet north of the centre line of the southern end of Dead Lane.	3

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares -

18. (i) 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, 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 charges authorised by the following table which it may not be possible to record on the face of the taximeter.

#### Fares for Distance

(1) Mileage

If the distance does not exceed one mile for the whole distance	22p
If the distance exceeds one mile, for the first mile	22p
For each subsequent 440 yards or uncompleted part thereof	5p

(2) Waiting Time

For each period of 5 mins. 20 secs. or uncompleted part thereof	5p
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(3) Extra charges

(a) For hirings begun between midnight and 7 a.m.	50% of the above rate or fare.
(b) For each person in excess of 2 (2 children under 12 years to be regarded as one person and children under 5 years not to be reckoned.)	3p
(c) For each animal	1p.

19. (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 -

20. 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.

21. 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 the office of the Hackney Carriage Inspector, Macaulay House, Cattle Market, Loughborough 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 is the greater) but not more than five pounds.

Penalties

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

Repeal of Byelaws

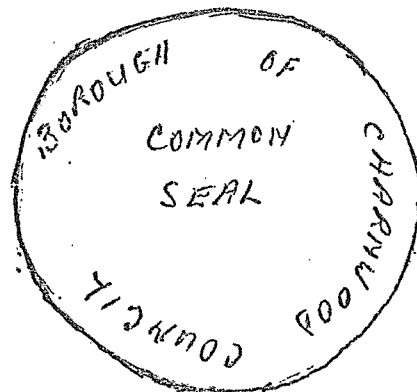
23. The byelaws relating to hackney carriages which were made by the former Loughborough Borough Council on the dates specified in the first column of the following table and which were confirmed by the authorities and on the dates specified in the second and third columns respectively of the said table, namely :-

<u>Date of making of the byelaws</u>	<u>Confirming Authority</u>	<u>Date of Confirmation</u>
3rd day of June 1966.	One of Her Majesty's Principal Secretaries of State	22nd day of December 1966.
23rd day of February 1970	One of Her Majesty's Principal Secretaries of State	12th day of May 1970
4th day of February 1975	One of Her Majesty's Principal Secretaries of State	14th day of March 1975

are hereby repealed.

THE COMMON SEAL of the Council of )  
the Borough of Charnwood was )  
hereunto affixed this 13TH )  
day of MAY 1975 in )  
the presence of:- )

B.W.LONGDEN  
Borough Secretary



The Secretary of State this day )  
confirmed the foregoing byelaws )  
and fixed the date on which they )  
come into force as the )  
day of 1975. )

An Assistant Under-Secretary of State, Home Office.

..... 1975.

*Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares —*

Byelaw made under Section 68 of the Town Police Clauses Act, 1847, and Section 171 of the Public Health Act 1875 by the Council of the Borough of Charnwood with respect to Hackney Carriages in the Borough of Charnwood.

The Byelaw No. 18 made by the Council of the Borough of Charnwood on the Nineteenth day of November One thousand Nine hundred and Seventy-five and confirmed by one of Her Majesty's Principal Secretaries of State on the Ninth day of January One thousand Nine hundred and Seventy-six is hereby repealed and replaced by the following Byelaw which shall be read and construed as Byelaw No. 18 of the series made by the Council of the Borough of Charnwood on the Thirteenth day of May One thousand Nine hundred and Seventy-five and confirmed by one of the said Principal Secretaries of State on the Twenty-seventh day of June One thousand Nine hundred and Seventy-five.

18. (i) 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, 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 charges authorised by the following table which it may not be possible to record on the face of the taximeter.

#### Fares for Distance

##### (1) Mileage

If the distance does not exceed one mile for the whole distance	...	...	...	...	...	...	...	...	35p
If the distance exceeds one mile, for the first mile...	...	...	...	...	...	...	...	...	35p
For each subsequent 440 yards or un-completed part thereof	...	...	...	...	...	...	...	...	5p

##### (2) Waiting Time

For each period of 5 mins. 20 secs. or uncompleted part thereof	...	...	...	...	...	...	...	...	5p
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##### 3) Extra charges

- (a) For hirings begun between midnight and 7 a.m. ... 50% of the above rate of fare
- (b) For each person in excess of 2 (2 children under 12 years to be regarded as one person and children under 5 years not to be reckoned.) ... 3p
- (c) For each animal ... 1p

THE COMMON SEAL of the Council  
the Borough of Charnwood was  
hereunto affixed on the Seventh day of  
December. One thousand nine hundred  
and Seventy-six in the presence of:—

B. W. LONGDEN  
Borough Secretary



The foregoing byelaw is hereby  
confirmed by the Secretary of State  
and shall come into operation on the  
21st day of January 1977.

Signed by authority of the  
Secretary of State

R. F. D. SHUFFNEY

An Assistant Under Secretary  
of State

Home Office  
Whitehall  
21st January 1977



