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Made under Section 68 of the Town Police Clauses Act 1847 Section 171 of the Public Health Act 1875 and Part II of the Local Government (Miscellaneous Provisions) Act 1976 by The Wigan Borough Council with respect to Hackney Carriages in the Borough of Wigan

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## **Hackney Carriages in the Borough of Wigan**

### **Interpretation**

1. Throughout these Byelaws "the Council" means "The Wigan Borough Council" and "the District" means "The Borough of Wigan".

### **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 and the number of passengers licensed to be carried to be legibly painted or marked on the inside of the carriage and on the plate affixed to the outside of the carriage;
- (b) The proprietor of a hackney carriage shall affix a plate in the form specified by and provided by the Council to be clearly visible on the outside of the rear of the carriage;
- (c) The proprietor or driver of a hackney carriage shall not wilfully or negligently cause or suffer any such numbers as mentioned in 2(a) above to be concealed from public view while the carriage is standing or plying for hire nor cause nor permit the carriage to stand or ply for hire with any such mark or plate so defaced so that any figure on 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 in the construction of the carriage for reasonable space for the accommodation of luggage
- (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 the same to be provided with a taximeter 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 Byelaws 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.

5. The proprietor of a hackney carriage 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 one and a half 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 and for that purpose it shall be capable of being suitably illuminated.

- (c) Provisions regulating the conduct of the proprietors and drivers of Hackney Carriages plying within the district in their several employment's, and determining whether such drivers shall wear any and what badges.
6. 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 Byelaws 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 the 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;
  - (d) immediately on completion of the hiring, cause the taximeter to cease recording, but allow the amount of fare recorded on it to remain displayed on the taximeter until the hirer has had a reasonable opportunity of examining it.
7. The proprietor or driver of a hackney carriage shall not, with intent to deceive, tamper with, or permit any person to tamper with, any taximeter with which the carriage is provided, with the fittings thereof, or any part of the mechanism of the hackney carriage, connected or associated with such taximeter, or with 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 Council 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) when arriving at a stand fixed by the Council in that behalf and not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages (if any) on the stand so as to face 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 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.
12. 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.
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 on the plate affixed to the outside of the carriage.
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 that 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 to 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. Repealed by Section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

Details of the Hackney Carriage Stands are available on request from the Council.

#### **Provisions fixing the rates or fares to be paid for Hackney Carriages within the district, and securing the due publication of such fares.**

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, the rate or fare being calculated by distance unless the hirer expresses at the commencement of the hiring his desire to engage by time:

#### **Repealed by Section 65 of the Local Government (Miscellaneous Provisions) Act 1976**

Details of the current Hackney Carriage Fares are available on request from the Council.

18. (a) The proprietor of a hackney carriage shall cause a statement (in a form and in printing approved by the Council) of the fares fixed by the Byelaws 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 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 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 new pence in the pounds of its estimated value for 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.

**Driver to produce copy of Byelaws**

21. The driver of a hackney carriage who is standing, driving or plying for hire shall at any time when required by an authorised officer, or any police constable, or any person who is in or upon the carriage, produce a copy of Byelaws clean and in good order for perusal and inspection by that authorised officer, constable or person.

**Penalties**

22. 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 therefor.

**Repeal of the Byelaws**

23. The Byelaws relating to hackney carriages which were made by the Wigan Borough Council on the tenth day of June 1976 which were confirmed by the Secretary of State on the twenty-third day of July 1976 are hereby repealed.

Passed under the COMMON SEAL of THE WIGAN BOROUGH COUNCIL this twenty-third day of June 1977 in pursuance of a resolution of the Council.

DIRECTOR OF ADMINISTRATION

The SECRETARY OF STATE this day confirmed the foregoing Byelaws and fixed the day on which they are to come into operation as the day of the twenty-sixth day of August 1977.