



Application for a licence to drive Hackney Carriage Vehicles Knowledge Test Information

If you are applying for the 'first grant' of a licence to drive hackney carriage vehicles you will be required to take a knowledge test.

When you have submitted your application an appointment will be arranged for you to take this test and this document will provide you with the necessary information to help you prepare for the test. You will always be offered the next available appointment unless you prefer a later date. Please confirm on your application form details of a timescale within which you would like your test to be booked.

The test that you will take will depend on which part of the Borough you are proposing to work in, and to which you have specified on your application.

- West (Ashton in Makerfield, Standish, Wigan etc)
- East (Astley, Atherton, Golborne, Hindley, Leigh, Tyldesley etc)

Knowledge tests currently take place on Thursdays and the tests are held at:

The Town Hall
Library Street
Wigan
WN1 1YN

You should arrive promptly by no later 10:00 a.m. where you will be met by a member of staff from the Licensing Section.

- If you fail to arrive on time you will not be permitted to enter the examination room and therefore will be unable to carry out your test.
- If you are unable to attend the test you must give at least 24 hours notice (not including weekends or bank holidays).
- You must produce your UK driving licence prior to the start of the test. If you don't you will be unable to carry out your test.

In the above circumstances a further fee may be payable before another test will be arranged.

Please Note: You must produce the original identity documents submitted with your application. You are reminded that your application will not be determined if you do not produce your original documents.

If you fail the test you will be given the opportunity to re-sit the test until a pass mark is obtained. However please be advised that a further test fee will be payable.

Applicants will normally be informed of their test result within 5 working days of the test and you are advised to not contact us during this time.

If you have any questions about the knowledge test or require any additional support when undertaking the test please contact the Licensing Team by email at: licensing@wigan.gov.uk

About the Test

The test is in two parts, the first being on the law and conditions relating to hackney carriage and the second part of the test relates to knowledge of the Borough.

It is essential that you have a good knowledge of the law and conditions and of the local area to be able to pass this test.

You will be given 45 minutes in which to complete the test. You are **not** permitted to use an A to Z for this test.

The PASS mark for the test is 70%. However this is dependant on you meeting the qualifying criteria set in this document.

Part One – Law and Conditions

Part one of the test is in two sections as outlined below:-

(a) Compulsory Questions

You will be given 4 multiple choice questions in this section which must **all** be answered correctly. Should you fail to answer any of these 4 questions correctly then you will **automatically fail** the test and the rest of your test paper will not be marked.

Page 4 of this document sets out the 4 compulsory questions.

(b) Multiple Choice Questions

You will then be provided with 6 further multiple choice questions which will be chosen at random from a list of 28. You will only be required to answer 4 of these questions. If you do complete more than 4 questions only the first 4 will be marked. You are therefore advised to read all 6 questions and ensure you answer the ones you feel most confident with.

Page 4 of this document sets out the list of multiple choice questions.

5 marks will be allocated to each question answered correctly in the above sections. You will have to read the contents of this document to find the answers to these questions.

Part Two - Knowledge of the Borough

Part two of the test is also in two sections as outlined below:-

(a) Popular Destinations

You will be required to locate 10 'popular destinations' from within the Borough which will be selected at random from a list. A full list of the destinations that may be on your test can be found on pages 5 to 6 of this document. Your answers should include the name of the road / street and the area they are in, for example: -

- Alexandra Park = Victoria Street, Newtown
- Leyland Park = Park Road, Hindley

2 marks will be allocated to each question answered correctly in this section. The full 2 marks cannot be allocated if you fail to include the area to which a destination is located. You need to obtain at least 10 marks in this section to qualify for a pass.

(b) Section (b) Routes

You will then be provided with 6 questions which will be chosen at random from a list. You should describe the shortest (not quickest) route between the 2 locations given, naming all roads, major junctions etc.. that you travel through, for example Hunter Road, Marsh Green to Wigan North Western Railway Station would be: -

- From Hunter Road turn right into Scot Lane. Continue into Robin Park Road to the traffic lights at Ormskirk Road & Warrington Road (Saddle Junction), turn left with the traffic flow, through the traffic lights to Wallgate, under the first railway bridge, continue along Wallgate under the second railway bridge, turn right and you have reached your destination.

You will only be required to answer 4 of these questions. If you do complete more than 4 questions only the first 4 will be marked. You are therefore advised to read all 6 questions and ensure you answer the ones you feel most confident with.

Details of the routes that may be on your test can be found on pages 6 to 7 of this document.

A maximum of 10 marks will be allocated to each question answered correctly in this section. The full 10 marks cannot be allocated if you fail to describe the correct route in full. You need to obtain at least 20 marks in this section to qualify for a pass.

The Questions

Part One – Law and Conditions

(a) Compulsory Questions

Remember these 4 questions are compulsory and **must** be answered correctly.

- 1) Where must you display your drivers badge?
- 2) If you go to a hackney carriage rank and it is full what must you do?
- 3) When can you refuse to take a fare?
- 4) What must you do as a hackney carriage driver when plying for hire in a street and not actually hired?

(b) Multiple Choice Questions

- 1) What must you do about any lost property found in your vehicle after you have dropped a passenger off?
- 2) Can you drive a hackney carriage once you have submitted an application for a drivers licence?
- 3) Can you convey passengers other than the one who hired the vehicle?
- 4) When the vehicle has been hired to pick up at a specified time and place under a contract for private hire, what must you do?
- 5) Who is responsible for ensuring a child aged under 14 yrs wears a seat belt in your vehicle?
- 6) An authorised officer of the Council or a Police Officer who is making enquiries about hackney carriages asks you to give him information or to assist him. What must you do?
- 7) Do you have to produce your hackney carriage driver licence to an authorised officer of the Council or Police Officer when driving a hackney carriage?
- 8) Between what hours must you not sound your horn in built up areas?
- 9) What must you do if you find a defective tyre on your hackney carriage?
- 10) What safety equipment must be carried in a hackney carriage?
- 11) What route must you follow when booked to take a passenger?
- 12) When must you wear your drivers identity badge?

- 13) Where on the vehicle should a hackney carriage plate be fixed?
- 14) What is the maximum number of passengers a hackney carriage can be licensed to carry excluding the driver?
- 15) If you lose your badge what must you do?
- 16) Can your partner drive your hackney carriage vehicle to go shopping or for other personal use?
- 17) What must you do if your taximeter breaks down?
- 18) When can a hackney carriage undertake a contract for private hire?
- 19) What are your duties in respect of the conveying of a passengers luggage?
- 20) Do you have to assist passengers to carry their luggage to and from your vehicle?
- 21) Are you or your passengers allowed to smoke in your vehicle?
- 22) Can you charge extra for carrying a disabled passenger?
- 23) What is your responsibility in relation to passengers?
- 24) How long does your licence to drive hackney carriages last?

Part Two - Knowledge of the Borough

(a) Popular Destinations

➤ West

▪ Wigan Town Hall	▪ Citizens Advice Bureau
▪ St. John Fisher Catholic High School	▪ Wigan Police Station
▪ Thomas Linacre Outpatient Centre	▪ Wigan & Leigh Magistrates Court
▪ Village on the Green	▪ Wigan North Western Railway Station
▪ La Mama Restaurant	▪ DW Stadium
▪ Winstanley College	▪ Wigan Library
▪ Sir Thomas Gerard	▪ Boston House
▪ Wigan Infirmary	▪ Wigan Sorting Office
▪ Britannia Hotel	▪ Fat Olive Restaurant
▪ Winstanley's Pramworld	▪ Revolution
▪ Talbot House Farm	▪ Wigan R.U.F.C.
▪ Wigan Golf Club	▪ Albert's Restaurant
▪ Tesco Extra	▪ Wigan Little Theatre
▪ Gidlow Cemetery	▪ Swimming Pool, Wigan
▪ Newbridge Learning Community	▪ Dean Wood Manor
▪ Pemberton Leisure Homes	▪ Brocket Arms
▪ The Allotment	▪ Douglas Valley Children's Centre
▪ Hope Community Library	▪ Wigan Roller Rink

▪ Central Park Academy		▪ Edwards Funeral Directors
▪ Heinz Factory		▪ Ancliffe Residential Care Home

➤ **East**

▪ Leigh Police Station		▪ Cineworld
▪ Pennington Flash Country Park		▪ Weaver's Arms
▪ Oakfield High School & College		▪ Fourways Accommodation Service
▪ Holiday Inn Express		▪ Turnpike Gallery
▪ R Banks & Son		▪ Common Fold Kennels & Cattery
▪ Sir Charles Napier		▪ Atherton Cemetery
▪ Garrett Hall Primary School		▪ BJ's Bingo
▪ Suhana Indian Restaurant		▪ Frankie & Bennys
▪ Oaklea Private Day Nursery		▪ Booker Cash & Carry
▪ Leigh NHS Walk In Centre		▪ Atherton Library
▪ Fred Longworth High School		▪ Woodlands Care
▪ Leigh Cemetery		▪ Concert Inn
▪ Tyldesley Post Office		▪ The Chanters Care Home
▪ Hindley Railway Station		▪ Leigh Sports Village
▪ Hollybank Boarding Cattery & Kennels		▪ Mahabarat Restaurant
▪ Howe Bridge Sports Centre		▪ Old Boathouse
▪ Nando's		▪ The Pelican Centre
▪ Hindley Health Centre		▪ Applewood Farm
▪ St Mary's Catholic High School		▪ The Oaks Boarding Kennels
▪ Golborne Health Centre		▪ Tyldesley Health Centre

(b) Routes

➤ **West**

▪ Chapel Street Rank	to	R Banks & Son, Scholes
▪ Norbeck Crescent, Springfield	to	Winstanley College
▪ St Wilfrid's Road, Standish	to	Tesco Extra
▪ Bishopgate Rank	to	Wigan Roller Rink
▪ Gerard Street Rank, Ashton in Makerfield	to	Wigan RUFC
▪ Elmwood Avenue, Ashton in Makerfield	to	Thomas Linacre Outpatient Centre

▪ Wigan & Leigh Magistrates Court	to	Goldsmith Place, Worsley Mesnes
▪ Standishgate Rank	to	Village on the Green, Aspull
▪ Stubshaw Cross Labour Club	to	Ancliffe Residential Care Home
▪ Haweswater Avenue, Higher Ince	to	Home Bargains, Platt Bridge
▪ Douglas Valley Children's Centre	to	St Elizabeth's Road, Aspull
▪ King Street West Rank	to	Dean Wood Manor, Orrell
▪ Anjou Boulevard	to	Olive Garden, Standish
▪ St Paul's Avenue, Goose Green	to	Wigan Library
▪ Princess Road Rank, Ashton in Makerfield	to	Tintagel Road, Hindley Green
▪ Citizens Advice Bureau, Wigan	to	Winstanley College
▪ Heinz Factory	to	Wigan North Western Railway Station
▪ New Market Street Rank	to	Central Park Academy
▪ Anjou Boulevard Rank	to	Brocket Arms
▪ Dorning Street Rank	to	La Cava
▪ La Mama Restaurant	to	King Street Rank
▪ Standishgate Rank	to	St John Fisher Catholic High School
▪ Chapel Street Rank	to	Webster Street, Platt Bridge
▪ Wigan Infirmary	to	Leigh Infirmary

➤ **East**

▪ Bond Street Club, Leigh	to	Atherton Railway Station
▪ Leigh Town Hall	to	Priory Avenue, Leigh
▪ Lemon Street Rank, Tyldesley	to	Howe Bridge Sports Centre
▪ BJ's Luxury Bingo, Leigh	to	Laburnum Avenue, Leigh
▪ Turnpike Gallery, Leigh	to	St Mary's Catholic High School, Astley
▪ Frederick Street, Hindley	to	Don Alberto's, Leigh
▪ Leigh Police Station	to	Foxfold Close, Mosley Common
▪ Woodlands Road, Tyldesley	to	Howe Bridge Crematorium
▪ Holiday Inn Express, Leigh	to	Weaver's Arms, Leigh
▪ Tyldesley Post Office	to	Goose at the Spinning Jenny, Leigh
▪ Cineworld, Leigh	to	Old Boathouse, Astley
▪ Lemon Street Rank, Tyldesley	to	Applewood Farm, Astley
▪ Leigh Cemetery	to	The Chanters Care Home, Atherton

▪ Mahabarat Restaurant, Hindley	to	Hindley Railway Station
▪ Tyldesley Health Centre	to	Woodland Road, Tyldesley
▪ Lawson Avenue, Leigh	to	Centurion, Leigh
▪ Howe Bridge Leisure Centre	to	Rama Spice, Atherton
▪ Turner Street, Leigh	to	Hindley Railway Station
▪ Lemon Street Rank, Tyldesley	to	HM Prison Hindley
▪ Turner Street, Leigh	to	Green Lane, Hindley Green
▪ Leigh Infirmary	to	Wigan Infirmary
▪ Lemon Street Rank, Tyldesley	to	The Club House, Atherton
▪ Leigh Police Station	to	Laburnum Avenue, Leigh
▪ Turner Street, Leigh	to	Leigh Masonic Hall

The Law and Conditions

The Law

- **Production of licences**

Licence holders must produce the licences to an authorised officer or police constable if requested to do so (Sections 50, 53 & 56 LG(MP)A).

If the licence cannot be produced at the time of request it must be produced within 7 days, either at the Licensing Office or Wigan Police Station.

- **Obstruction of Authorised Officer or a Constable**

Under Section 73 of the Local Government (Miscellaneous Provisions) Act 1976 any person who:

- (a) wilfully obstructs an authorised officer or constable acting under the provisions of the Act; or
- (b) without reasonable cause fails to comply with any requirement properly made to him by such officer or constable under the Act; or
- (c) without reasonable cause fails to give such an officer or constable any other assistance or information which he may reasonably require of such person for the purpose of the performance of his function under the Act;

Shall be guilty of an offence.

Vehicles

▪ **Vehicle licences**

Every vehicle used as a hackney carriage must be licensed by the Council (Section 37 TPCA). A licence cannot be issued for a period exceeding a year (Section 43 TPCA).

Hackney carriage vehicles may be licensed for up to eight passengers.

▪ **Age and Type of Vehicles**

If you have any doubts regarding the age and types of vehicles applicants are recommended to contact the Licensing Team for advice

In general, vehicles must have engines capable of producing 90 bhp but where that cannot be proven or there is any doubt, then the engine capacity must be at least 1600cc.

▪ **Testing of vehicles**

All vehicles (whatever their age) must be tested and inspected before a licence can be issued to ensure that they are mechanically fit and of good appearance (Section 37 TPCA, Section 68 LG(MP)A).

An authorised officer or police constable has the power to inspect and test any licensed vehicle at any reasonable time (Section 68 LG(MP)A).

▪ **Vehicle insurance**

Before a vehicle licence can be issued a current certificate or cover note for “public hire” use must be produced (Section 50 LG(MP)A).

A certificate or cover note must be produced on demand to an authorised officer (Section 50 LG(MP)A).

▪ **Identification plates on vehicles**

A licensed vehicle must display the plates issued by the Council at all times (Section 51 TPCA).

The plates should be affixed to the outside of the carriage and be clearly visible on the outside of the front and rear of the carriage.

On revocation, suspension or expiry of the vehicle licence, the plates must be returned to the Council within 7 days (Section 58 LG(MP)A). The loss or damage of a plate must be reported immediately to the Council, where upon the payment of a fee a new plate can be issued.

▪ **Plying and standing for hire**

Licensed hackney carriages may ply for hire on any street within the Wigan Metropolitan Borough Area. They may only **stand** for hire on the appointed taxi stands (Section 38 TPCA).

To ply for hire outside the boundaries of this Borough is an offence (Section 45 TPCA).

- **Charging separate fares**

The practise of 'doubling up' of passengers and charging separately is illegal except in the following circumstances:-

The driver, proprietor or any other person must not organise people to share a vehicle whilst the vehicle is plying for hire on the streets or standing for hire at a rank. Only prospective passengers may agree amongst themselves to share and then approach the driver or proprietor with the request, AND;

If the journey begins and ends in the Wigan Metropolitan Borough the taxi meter must be used to determine the fare, and the fare charged in total must not exceed that finally displayed on the meter, OR,

If the journey begins or ends outside the Wigan Metropolitan Borough Area the charge is negotiable. If no negotiations have taken place then the meter must be used and no more fare than that recorded on it must be charged in total.

The amount of each separate fare must not in total exceed that which would normally be charged for the journey if it had been one fare. The driver is not in a position to decide what to charge each passenger. The passengers themselves must apportion the fare between themselves (Part 1 of Schedule 1 TA 1980), OR

All the passengers carried on the occasion in question **booked their journeys in advance**; and each of them consented, when booking his journey to sharing the use on that occasion with others on the basis that a separate fare would be payable by each passenger for his own journey on that occasion (Section 11, TA 1985).

A hackney carriage driver cannot charge a disabled person any extra because that person has a disability (e.g. wheelchair user).

A hackney carriage driver cannot refuse to take a fare unless they have a reasonable excuse to do so.

- **Fares**

In the following paragraphs "the district" means the whole of the Metropolitan Borough of Wigan.

- Journeys which begin and end within the district; and
- Journeys which begin within the district to other destinations outside the district boundary

For every such journey the taximeter must be engaged at the commencement of the journey and no more than is displayed on the meter can be charged.

If the taxi meter is not working the hackney carriage vehicle must be taken off the road until the taximeter has been repaired and tested.

- **Other journeys**

For journeys other than those above the fare is negotiable with the hirer, BUT if no negotiation is entered into, no fare greater than that displayed on the meter can be charged.

- **Hackney carriage used for private hire purposes**

No hackney carriage shall be used in the district under a contract or purported contract for private hire **except** at a rate of fares or charges not greater than that fixed by the byelaws and when any such hackney carriage is so used, the fare or charge shall be calculated from the point in the district at which the hirer commences his journey. (Section 67 LG (MP)A.)

Note: Whatever type of journey is being undertaken, the taximeter **must** be in operation during the hiring even if the fare has been negotiated.

- **Passengers**

The driver must not convey any other person other than with the consent of the hirer (Section 59TPCA).

- **Accidents and damage to vehicles**

Vehicles damaged as a result of an accident which materially affect the safety, performance or appearance of the vehicle must be reported to the Council by the proprietor or driver immediately and in any case within 72 hours (Section 50 LP(MP)A).

- **Defective tyre(s)**

If when driving or inspecting a hackney carriage vehicle it is found to have a defective tyre(s) the matter should immediately be reported to the owner and the vehicle taken off the road until a new tyre has been fitted.

- **Advertisements on vehicles**

Where the vehicle is a saloon car, there may be displayed on the side doors of the vehicle a commercial advertisement that has been approved in advance in writing by the Council.

Where the vehicle is a purpose built hackney carriage or a vehicle approved by the Licensing Team as a disabled access vehicle, there may be displayed, a commercial advertisement up to full vehicle livery that has been approved in advance in writing by the Council.

- **M.O.T. certificate exemptions for vehicles**

Licensed vehicles are exempt from the requirements to possess an M.O.T. certificate.

If licence holders are requested to produce an M.O.T. certificate, by the police, the licence issued by the Council should be produced instead.

When applying for vehicle tax, the vehicle licence must be produced at Vehicle Licensing Centres or Post Offices.

N.B. Once the Council licence has expired, is suspended, revoked or cancelled, the vehicle reverts to the status of an ordinary private car and the normal traffic

laws apply i.e. an M.O.T will be required before the vehicle can be used on a road.

- **Wearing seatbelts**

Hackney carriage drivers are exempt from wearing seatbelts (under Motor Vehicles (Wearing of Seatbelts) Regulations 1993) when a fare paying passenger is in the vehicle and not at any other time. It should also be borne in mind that should a child under 14 be a passenger in the vehicle then it is the driver's responsibility to ensure that the child is wearing a seatbelt or other appropriate restraining device.

- **Suspension and revocation of vehicle licences**

The Council may suspend, revoke or refuse to renew a licence on the following grounds: -

- (a) The vehicle is unfit.
- (b) The commission of an offence under the LG(MP)A or TPCA.
- (c) Any other reasonable cause (Section 60 LG(MP)A).

A licence may be suspended by an authorised officer or police constable if he considers the vehicle unfit (Section 68 LG(MP)A).

On suspension, revocation or expiry of the licence, the plate must be returned to the Council within seven days (Section 58 LG(MP)A).

- **Transfer of ownership of vehicles**

Where the ownership of a licensed vehicle is transferred, the Council must be informed, of this within 14 days in writing, by the person listed by the Council as owner, stating the name and address of the new owner (Section 49 LG(MP)A).

- **Sounding the horn**

The Highway Code and Regulation 99 Construction and Use Regulations state:

“The Horn - Use only when your vehicle is moving and you need to warn other road users of your presence. Never sound your horn aggressively.”

You must not use your horn:

- (a) while stationary on a road and
- (b) when driving in a built-up area between the hours of 11.30 p.m. and 7.00 a.m. except when another vehicle poses a danger.

- **Smoking**

On July 1st 2007, England introduced a new law to make virtually all enclosed public places and workplaces in England smokefree. A smokefree England ensures a healthier environment, so everyone can socialise, relax, travel, shop and work free from secondhand smoke.

Under the smokefree law, all vehicles used for public transport are required to be smokefree **at all times**. This will mean that a member of the public can be sure that the public transport they use will always be free from hazardous secondhand smoke.

The Smoke-free (Exemptions and Vehicles) Regulations 2007: -

11.—(1) Subject to the following paragraphs of this regulation, an enclosed vehicle and any enclosed part of a vehicle is smoke-free if it is used: -
(a) by members of the public or a section of the public (whether or not for reward or hire); or

The smokefree law applies to hackney carriage vehicles and therefore such vehicles should remain smokefree **at all times**, which includes times when the vehicle is not being used for hire.

A person who smokes in any smoke free premises, place or vehicle commits an offence which is subject to a fixed penalty fine. In the event of any person failing to pay a fixed penalty fine in respect of either of the offence, further proceedings may be taken through the Magistrates' court. Any person found guilty at court will be liable, upon conviction, to a fine of up to £200.

Drivers

- **Drivers of licensed vehicle must be licensed**

Once a vehicle is licensed as a hackney carriage, **every** driver of that vehicle, whether it is being used for business or pleasure, must possess a current hackney carriage drivers licence (Section 45 TPCA).

- **Driver licences**

Every driver of a taxi must be licensed by the Council (Section 46 TPCA).

A District Council cannot (Section 51 LG(MP)A) grant a licence unless it is satisfied that the applicant:-

- (a) is a 'fit and proper person'; and
- (b) has held a full U.K. driving licence for at least 12 months, for motor cars;

The applicant must also be medically fit to drive a hackney carriage (Section 57 and 59 LG(MP)A). In addition, it is a requirement of the Council that a driver must be at least 21 years old.

A licence (if granted) is valid for 3 years from the date of issue and is renewable thereafter before the expiry date.

- **Unlicensed drivers**

It is an offence to employ an unlicensed driver (Section 47 TPCA).

- **Production of licences**

Licence holders must produce the licences to an authorised officer or police constable if requested to do so (Section 50 and 53 LG(MP)A).

- **Driver's badges**

All drivers must wear the badge provided, when driving a taxi, in a position so as to be plainly visible (B 14).

If you lose your hackney carriage driver badge you must contact the Licensing Team to make arrangements to obtain a replacement. You should not continue to drive a licensed vehicle until a replacement has been obtained.



Byelaws & Licence Conditions

LICENCE DRIVERS DRESS CODE

The purpose of the dress code is to set a standard that provides a positive image of the licensed hackney carriage and private hire trade.

The licensee shall at all times comply with the following:

Dress Standards

- ✓ All clothing worn by those working as private hire or hackney carriage drivers must be in good condition and the driver must keep good standards of personal hygiene.
- ✓ As a minimum standard whilst working as a licensed driver, males should wear trousers and a shirt/t-shirt or polo shirt which has a full body and short/long sleeves. Knee length shorts are acceptable. Exceptions related to faith or disability are accepted.
- ✓ As a minimum standard whilst working as a licensed driver, females should wear trousers, or a knee length skirt or dress, and a shirt/blouse/t-shirt or polo shirt which have a full body and a short/long sleeve. Knee length shorts are also acceptable. Exceptions related to faith or disability are accepted.
- ✓ Footwear whilst working as a licensed driver shall fit (i.e. be secure) around the toe and heel.

Unacceptable Standards of Dress

- ✗ Clothing that is not kept in a clean condition, free from holes, rips or other damage.
- ✗ Words or graphics on any clothing that is of an offensive or suggestive nature which might offend.
- ✗ Sportswear e.g. football/rugby kits including team shirts or beachwear (tracksuits are accepted)
- ✗ Sandals with no heel straps, flip flops or any other footwear that is not secure around the heel
- ✗ The wearing of any hood or any other type of clothing that may obscure the driver's vision or their identity.

Uniforms

The Council recognises the positive image that uniforms can create. This dress code **does not** require a licensed driver to wear a distinct uniform. The Council acknowledges that many private hire and hackney carriage companies do require licensed drivers to wear appropriate corporate branded uniform, and this is a practice that the Council would encourage licensed drivers to support.

Borough of Wigan Byelaws

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

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 employments, 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.



Hackney Carriage Vehicle Conditions

This Licence is issued subject to compliance with the Council's current Hackney Carriage byelaws and the relevant provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

1. Definitions

Appointed Test Station	A garage approved by the Council for the purposes of carrying out a Vehicle Test
Authorised Officer	Any Officer of the Council authorised in writing by the Council for the purposes of the Local Government (Miscellaneous Provisions) Act 1976
The Council	Wigan Council
Hackney Carriage	The same meaning as in the Town Police Clauses Act 1847
The Identification Plates	The plates issued by the Council for the purpose of identifying the vehicle as a hackney carriage
The Licensee	Is the person who holds the hackney carriage vehicle licence
The Proprietor	The person(s) who owns, or part owns the vehicle, or the person who is in possession of the vehicle if subject to a hiring or hire purchase agreement.
Taxi Meter	Any device for calculating the fare to be charged in respect of any journey in a hackney carriage or private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey, or combination of both
Test	A compliance test of the vehicle undertaken at an Appointed Test Station
Vehicle	The vehicle licensed as a hackney carriage
He and Him	Words importing the masculine gender such as "he" and "him" shall include the feminine gender and be construed accordingly.

Where any condition below requires the Licensee to communicate with the Council, unless otherwise stipulated, all communication must be to the Council's Licensing Team.

2. Identification Plates

- 2.1 The front and rear vehicle identification plates must be displayed in the authorised plate holder, obtained from the Licensing Team; and that the plate must be fixed in the plate holder using the clips provided so as to allow them to be easily removed by an authorised officer. The plate holder should be fixed to the vehicle in such a way that neither it nor the number plate are obscured; and that both are 100% visible. Cable ties are not an acceptable means of fixing plates to a vehicle or indeed to the plate holder.
- 2.2 The Licensee of the vehicle shall ensure that the 'Identification Plates' are maintained and kept in such condition that the information on the plate is clearly visible to public view at all times.
- 2.3 The Council has specified that the vehicle licence number, make, model and licence expiry date together with the number of passengers it is licensed to carry shall be placed on the identification plate attached to the vehicle. This plate must not be tampered with or amended by anybody other than an Authorised Officer.

3. Condition of Vehicle

- 3.1 The Licensee shall ensure that the vehicle is always maintained in a good mechanical and structural condition and be capable of satisfying the Council's mechanical and structural inspection at any time during the period of the licence.
- 3.2 The interior and exterior of the hackney carriage shall be kept in a clean condition by the Proprietor.
- 3.3 The Licensee shall not allow the mechanical and structural specification of the vehicle to be varied without the consent of the Council.
- 3.4 The Licensee of the vehicle shall: -
 - Provide sufficient means by which any person in the vehicle may communicate with the driver during the course of the hiring
 - Ensure the interior of the vehicle to be kept wind and water tight and adequately ventilated
 - Ensure the seats in the passenger compartment are properly cushioned and covered
 - Cause the floor in the passenger compartment to be provided with a proper carpet, mat or other suitable covering
 - Ensure fittings and furniture of the vehicle are kept in a clean condition and well maintained and in every way fit and safe for public use
 - Provide facilities for the carriage of luggage safely and protected from damaging weather conditions
- 3.5 All vehicles must undertake and pass any further Test at the Appointed Test Station in accordance with Council policy (Arrangements for vehicle testing are entirely the responsibility of the Proprietor).

3.6 The Licensee must ensure that a daily vehicle check log must be completed by the Licensee or driver(s) of the vehicle at the beginning of each shift. The checks to be carried out are as follows:

- Lights and indicators
- Tyre condition, pressures and tread
- Wipers, washers and washer fluid levels
- Cleanliness inside and out
- Bodywork – no dents or sharp edges
- Licence plates present and fixed in accordance with these conditions
- Any internal discs on display and facing inwards so customers can see.
- Door and bonnet stickers on display
- Tariff sheet on display
- Horn in working order

3.7 The Licensee shall ensure that he or the driver shall record the above information and keep it in the vehicle at all times and make it available to an Authorised Officer upon request.

4. Accidents

4.1 The Licensee shall report to the Council, in writing, as soon as is reasonably practicable and in any case, within 72 hours of any accident causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of passengers. The report should contain full details of the accident damage including photos.

<https://www.wigan.gov.uk/Business/Licensing-Permits-Registrations/Taxi-and-Private-Hire/Report-a-vehicle-accident.aspx>

5. Advertisements

5.1 The Licensee may only display advertisements on the outside of a London Style hackney carriage which must comply with the Council's policy and for which consent has been provided by an Authorised Officer.

6. Vehicle Signage

6.1 The Licensee will not allow any sign, notice flag, emblem or advertisement to be displayed in or from any hackney carriage vehicle without the express permission of the Council

6.2 The Licensee will ensure that any mandatory signs be affixed permanently to the vehicle as directed by the Council and are not removed whilst the vehicle is licensed.

7. Assistance Dogs

7.1 The Licensee shall permit any assistance dog to ride in the vehicle (in the control and custody of the passenger) and allow it to be carried in the front passenger seat footwell of the vehicles if required.

7.2 The location of the assistance dog must be agreed with the passenger at all times.

- 7.3 The Licensee will ensure that any certificates exempting drivers of the vehicle from duties to carry assistance dogs, are displayed visibly and prominently as prescribed by the Council.

8. Other Animals

- 8.1 Any other animal may be carried in the vehicle at the discretion of the driver and must be carried in the rear of the vehicle in the custody and control of the passenger.

9. Taxi Meters

- 9.1 The Licensee shall ensure the vehicle is fitted with a Council approved, tested and sealed Taximeter before plying or standing for hire and shall use the approved meter only.
- 9.2 The Licensee shall ensure that the Taximeter is located within the vehicle in accordance with the reasonable instruction of an Authorised Officer, and sufficiently illuminated that when it is in use, it is visible to all passengers.
- 9.3 The Licensee shall ensure that the authorised Taximeter is maintained in a sound mechanical/electrical condition at all times and programmed to calculate the fare in accordance with the current fares tariffs fixed by the Council.
- 9.4 The Licensee shall ensure that the 'for hire' sign is extinguished when the fare commences, and the taximeter is brought into operation.
- 9.5 The Licensee shall ensure that the 'for hire' sign is not illuminated when the vehicle is outside of its licensing district.

10. Tampering with Taxi Meters

- 10.1 Taximeters must not be tampered with by anybody other than an Authorised Officer or an approved contractor approved by the Council.

11. Fare Table

- 11.1 The Licensee shall ensure that a copy of the current fare table supplied by the Council is displayed and visible at all times so that it can be easily read by passengers.

12. Drivers Licence

- 12.1 The Licensee shall retain copies of the hackney carriage drivers' licence of each driver of his vehicle and produce the same to an Authorised Officer or Police Officer on request.

13. Communication Equipment

- 13.1 The Licensee shall ensure that any communication equipment, used to communicate with passengers, fitted to his hackney carriage is at all times kept in a safe and sound condition and maintained in proper working order.

14. Convictions and Suitability Matters

- 14.1 The Licensee shall ensure they provide a relevant DBS certificate as required by the Council to assess their fit and proper status; and that it is kept up to date and remains 'valid' in line with the Council's policy.
- 14.2 The Licensee will register and remain registered with the DBS Update Service to enable the Council to undertake regular checks of the DBS certificate status as necessary (where applicable).

If the Licensee is not a licensed private hire or hackney carriage driver, they will be subject to an annual Basic DBS check. This will apply to each licensee listed on the application / licence. In respect of a company or partnership, a check of each of the Directors or Partners will be required.

- 14.3 The Licensee shall notify the Council if they are subject to any:

- arrest or criminal investigation
- summons
- charge
- conviction
- formal/simple caution
- fixed penalty
- criminal court order
- criminal behaviour order or anti-social behaviour injunction
- domestic violence related order
- warning or bind over
- or any matter of restorative justice

against them immediately in writing (or in any case within 24 hours) and shall provide such further information about the circumstances as the Council may require.

15. Notifications and Licence Administration

- 15.1 For the duration of the licence, the Licensee shall pay the reasonable administration charge or fee attached to any requirement to attend training, or produce a relevant certificate, assessment, validation check or other administration or notification process.
- 15.2 The Licensee shall notify the Council in writing within 14 days of any transfer of ownership of the vehicle. The notice will include the name, address and contact details of the new owner.
- 15.3 The Licensee shall give notice in writing to the Council of any change of his address or contact details (including email address) during the period of the licence within 7 days of such change taking place.
- 15.4 If requested by an Authorised Officer the Licensee must provide, in the timescale requested, in writing, to Council the following information: -
- The name of the driver and their badge number
 - The address of the driver
 - The company for whom the driver works for

- The date and time you hired / lent / leased / rented your vehicle to the driver
- Whose insurance the driver will be using the vehicle under
- Whether the driver will have sole use of the vehicle, if not sole use whom else will have access to the vehicle;
- The expected duration the vehicle will be hired / lent / leased / rented to the driver

16. Intended Use

16.1 The Licensee of the hackney carriage vehicle licence shall ensure that an accurate and contemporaneous record is made and maintained either by himself or the driver of the vehicle, of all uses of the vehicle when being used to fulfil pre-booked hirings on behalf of a private hire operator licensed by another local authority.

16.2 The accurate and complete record should include, as a minimum, the following information, and be recorded in a stitch or heat / glue bound book so as to provide a continuous record without breaks between rows: -

- date
- time of first pick up
- first 'pick up' point by location / name / address including house number
- destination point by location / name / address including house number
- the name and address of the operator on behalf of which the journey was being undertaken.

16.3 Each book shall legibly and clearly display the details of the vehicle to which it relates, including the make, model, registration number and vehicle licence.

16.4 The record of journeys shall be available for inspection at any time by a Police Officer or PCSO; and an Authorised Officer of any local authority who through the course of their normal duties are authorised to inspect the licensed vehicle.

16.5 Each book, when full, shall be delivered to the Council's Licensing Team.

16.6 Where the Licensee wishes to maintain a record of use in any other format than set out above, prior approval must be obtained from an Authorised Officer.

17. CCTV

17.1 The Licensee shall ensure that, in accordance with any Council policy, that CCTV cameras are fitted and in good working order.

NB: This proposed condition is subject to change and further consultation if CCTV is mandated either by GM or the Government. At this stage further conversations will take place with the Surveillance Commissioner and relevant parties.