

CITY OF GLOUCESTER



BYELAWS

WITH RESPECT TO

HACKNEY CARRIAGES

AND

MOTOR VEHICLES LET FOR HIRE

BYELAWS

Made under section 68 of the Town Police Clauses Act, 1847, section 171 of the Public Health Act, 1875, and section 15 of the Gloucester Corporation Act, 1970, by the Mayor Aldermen and Citizens of the City of Gloucester, with respect to hackney carriages and motor vehicles let for hire in the City of Gloucester

Interpretation

1. Throughout these byelaws:- "the Council" means the Mayor Aldermen and Citizens of the City of Gloucester acting by the Council and "the district" means the City of Gloucester.

"motor vehicle let for hire" has the same meaning as in section 15 of the Gloucester Corporation Act, 1970.

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 provided by the Council affixed thereto,
- (b) A proprietor or driver of a hackney carriage shall:-
- i. not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - ii. not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:-
- (a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - (b) cause the roof or covering to be kept water-tight;
 - (c) provide any necessary windows and a means of opening and closing; not less than one window on each side;
 - (d) cause the seats to be properly cushioned or covered;
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering;
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - (g) provide means for securing luggage if the carriage is so constructed 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;
- (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;
- (j) provide and maintain an electric light in the interior of such carriage for the use of any person therein;
- (k) carry a spare wheel and tyre and suitable tools for the replacement of damaged or punctured tyres;
- (l) ensure that no fittings which have not been approved by or on behalf of the Council shall be attached to or carried either upon or inside or outside the carriage.

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 Transport Lighting Act, 1957, 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 on 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.
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.

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. Such driver shall not lend the badge to any other person or cause or allow any other person to wear it.
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. A driver shall not carry luggage on the roof of any carriage except in a luggage rack approved by or on behalf of the Council.
16. A proprietor or driver of a hackney carriage shall not cause or suffer any advertisements ("other than that approved by or on behalf of the Council") to be placed on any part of such carriage.

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:-

Street	Description of Stand	Number of Taxi-cabs accommodated
Grosvenor House service road adjoining Station Road	Opposite entrance to Bus Station	8
The Oxebode	Outside G.P.O.	10
Quay Street (23:30 - 2:30 hrs)	Outside nightclub in Quay Street	7
British Rail Station Forecourt	PRIVATE LAND - PLYING FOR HIRE FROM RANK RESTRICTED TO PERMIT HOLDERS ONLY	

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

18. 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 - Set annually.

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 redelivery 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 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 redelivered 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 twenty 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.

**PROVISIONS OF THE TOWN POLICE CLAUSES ACT, 1847
APPLICABLE TO MOTOR VEHICLES LET FOR HIRE**

23. The following provisions of the Town Police Clauses Act, 1847, shall apply to motor vehicles let for hire as if they were in terms applicable thereto, that is to say:-

- Section 37 (Commissioners may license hackney carriages)
- Section 40 (Persons applying for licence to sign a requisition)
- Section 41 (What shall be specified in the licence)
- Section 42 (Licence to be registered)
- Section 43 (Licence to be in force for one year only)
- Section 44 (Notice to be given by proprietors of any change of abode)
- Section 45 (Penalty for plying for hire without a licence)
- Section 46 (Drivers not to act without first obtaining a licence)
- Section 47 (Penalty for drivers acting without licence or proprietors employing unlicensed drivers)
- Section 48 (Proprietor to retain licence of driver while in his employ and to produce it before justices on complaint)
- Section 49 (Proprietor to return licence to driver when leaving his service unless guilty of misconduct in which case proprietor to summon driver)
- Section 50 (Licences of proprietors or drivers may be suspended on a second conviction)
- Section 51 (Number of persons to be carried in a hackney carriage to be painted thereon)
- Section 52 (Penalty for neglect to exhibit the number, or for refusal to carry the prescribed number)
- Section 59 (Penalty for permitting persons to ride without consent of hirer) and
- Section 67 (Penalty and compensation for damaging carriage).

**PROVISIONS OF THE HACKNEY CARRIAGE BYELAWS
APPLICABLE TO MOTOR VEHICLES LET FOR HIRE**

24. The following provisions of the hackney carriage byelaws shall apply to motor vehicles let for hire as if they were in terms applicable thereto, that is to say:-

- Byelaw 2 (Regulating the display of the number of each carriage corresponding with the number of its licence)
- Byelaw 3 (Regulating how carriages are to be furnished or provided)

- Byelaw 9 (Driver shall behave in a civil and orderly manner and ensure the safety of his passengers)
- Byelaw 10 (Driver to attend punctually at appointed place)
- Byelaw 11 (Driver to proceed to destination by shortest possible route)
- Byelaw 12 (Number of persons carried must not exceed the figure specified on the plate)
- Byelaw 13 (Driver to wear badge if provided by Council)
- Byelaw 14 (Driver to carry and assist with luggage)
- Byelaw 15 (Driver not to carry luggage on roof of carriage except in approved luggage rack)
- Byelaw 16 (Display of advertisements)
- Byelaw 20 (Carriage to be searched after each hiring for property accidentally left therein)
- Byelaw 21 (Disposal of property accidentally left in carriage)
- Byelaw 22 (Penalties for offences against these Byelaws)

Repeal of Byelaws

25. The byelaws relating to hackney carriages referred to in the Schedule hereto are hereby repealed.

THE SCHEDULE

<i>Date of Byelaws</i>	<i>By whom made</i>	<i>Date of confirmation</i>	<i>By whom confirmed</i>
29 October 1947	The Council	11 December 1947	One of the Principal Secretaries of State of His late Majesty King George VI
3 October 1951	" "	11 January 1952	" " " "
12 May 1956	" "	12 November 1956	One of Her Majesty's Principal Secretaries of State
13 December 1958	" "	9 February 1959	" " " "
24 April 1959	" "	26 June 1959	" " " "
17 April 1962	" "	5 June 1962	" " " "
5 May 1965	" "	23 August 1965	" " " "
14 May 1970	" "	28 August 1970	" " " "
23 February 1971	" "	17 April 1971	" " " "

The foregoing Byelaws were made and adopted at a meeting of the Council on the 13th day of October, 1971.

Dated this 13th day of December 1971.

IN WITNESS whereof the Common Seal of the MAYOR ALDERMEN AND CITIZENS OF THE CITY OF GLOUCESTER was hereunto affixed in the presence of:-

L.S.
Seal No. 25755.

H. WORRALL
Mayor

D. HALL
Town Clerk

THE GLOUCESTER CORPORATION ACT, 1970

Provisions
as to motor
vehicles let
for hire.
1847 c.89
1875 c.55

15. (1) The provisions of the Town Police Clauses Act 1847 and of section 171 of the Public Health Act 1875 shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by the byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages shall apply to every motor vehicle (notwithstanding that it is not a hackney carriage) which is offered or let for hire with the services of a driver and to such drivers:

Provided that this section shall not apply to -

1960 c.16

- (a) a public service vehicle as defined in section 117 of the Road Traffic Act 1960; or
- (b) a motor vehicle kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire; or
- (c) a motor vehicle kept by a person in connection with any business carried on by him as a funeral director or as owner of funeral vehicles available for hire and used wholly or mainly in connection with that business;
- (d) any vehicle belonging to or used by the British Railways Board for the purpose of carrying passengers and their luggage to or from any of their railway stations or railway premises;

or to the drivers or conductors of such vehicles;

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any motor vehicle standing or plying for hire in any railway station or railway premises or in any yard belonging to the British Railways Board except with the consent of the British Railways Board.

1958 c.xxxv

- (2) Section 103 of the Gloucester Corporation Act 1958 is hereby repealed.

L.S.

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the first day of April 1972

K. P. WITNEY

An Assistant Under Secretary of State

Home Office
Whitehall

22nd February 1972