

Byelaws with respect to Hackney Carriages

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875: as amended by the Local Government Act 1972 by the 'Eden District Council' with respect to hackney carriages in Eden District.

Interpretation

1. Throughout these Byelaws 'the Council' means the 'Eden District Council' and 'the District' means Eden District: and reference to the masculine shall include the feminine and reference to the singular shall include the plural and vice versa.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence shall be displayed

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.

2. A proprietor or driver of a hackney carriage shall:
 - a) 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;
 - b) 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 extinguisher which shall be carried in such a position as to be readily available for use;
 - i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.
4. The proprietor of a hackney carriage shall cause any taximeter with which the carriage is provided to be so constructed, attached and maintained as to comply with the following requirements, that is to say:
- a) the taximeter shall be fitted with a key, flag, or other device the turning of which will bring the machinery of the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter;
 - b) such key, flag, or other device shall be capable of being locked in such a position when the machinery of the taximeter is not in action so 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 of fare which the proprietor or driver is entitled to demand and take for hire of the carriage by distance in pursuance of 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 the 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 the beginning of 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 the part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act, 1972, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, or with the fittings thereof, or with the seals affixed thereto.
 7. The 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.
 8. 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.
 9. 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.
 10. 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.
 11. 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.
 12. 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 a position and manner as to be plainly visible.

13. 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 a person.

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

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate of 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.

Schedule (Effective from 1 August 2011 onwards)	Charges
Tariff One (basic day rate)	
Between 6am – 11pm	£2.50
If the distance is 8/10 mile or under	
For each subsequent tenth of a mile	£0.25
Tariff Two	
Between 11pm - 6am	£3.50
If the distance is 8/10 mile or under	
For each subsequent tenth of a mile	£0.35
Tariff Three	
Bank or Public Holiday (to include Christmas Day, Boxing Day, New Year's Day and Easter Sunday) for the period up to 6am on the following day and also between 6pm and midnight on 24 December and 31 December	£4.50
If the distance is 8/10 mile or under	
For each subsequent tenth of a mile	£0.45
Waiting Time	
For each single period of 3 minutes or uncompleted part thereof	£0.90
Extra Charges	
For soiling the carriage	£75.00
For each person carried in excess of 2	£0.50
For each article of wheeled luggage carried outside the passenger compartment	£0.50

Provide 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 Council from time to time which it may not be possible to record on the face of the taximeter.

Provisions securing the safe custody and redelivery of any property accidentally left in hackney carriages

15. 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.

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, 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 a police station in the district and leave it in the custody of the officer in charge of the police station on his giving a receipt for it.

Penalties

16. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty 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 Byelaws

17. The byelaws relating to hackney carriages which were made by the Urban District Council of Penrith on the thirtieth day of June 1921, and which were confirmed by the Minister of Health on the fourteenth day of July, 1921, are hereby repealed.

THE COMMON SEAL of the EDEN DISTRICT COUNCIL
was hereunto affixed this seventeenth day of March 1983
in the presence of:

M W SEWELL
Chairman

J D BROWN
Chief Executive

The foregoing byelaws are hereby confirmed by the Secretary of State and
shall come into operation on the nineteenth day of August 1983.

G I de Deney
An Assistant Under Secretary State

Signed by authority of the Secretary of State Home Office, nineteenth
August 1983.