

BOROUGH OF GUILDFORD

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# **BYELAWS**

MADE BY

The Council of the Borough of Guildford

WITH RESPECT TO

# **HACKNEY CARRIAGES**

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# BOROUGH OF GUILDFORD

## BYELAWS

Made under Section 68 of the Town Police Clauses Act 1947 and Section 171 of the Public Health Act 1875, by the Council of the Borough of Guildford

With respect to

### HACKNEY CARRIAGES IN THE BOROUGH OF GUILDFORD

#### Interpretation

- 1, Throughout these byelaws 'the Council' means the Council of the Borough of Guildford and 'the district' means the Borough of Guildford.

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

2. (a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto.
- (b) 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.
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, other device the turning of which will bring the machinery of the taximeter into action and caused 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 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 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) before beginning a journey for which a fare is charged for distance and time, 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 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, with the fittings thereof, or 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. The drivers of the first two hackney carriages standing upon a stand appointed by the Council shall be in constant attendance in or near to their carriages ready to be hired at once.
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. Provided that for the purpose of this byelaw two children under the age of twelve years

shall be reckoned as one person and children under the age of three years shall not be reckoned.

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 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.
- \* 16. Each of the several places specified in the following list shall be a stand for such a number of hackney carriages as is specified in the list:

Description of Stand	Number of Carriages
(1) High Street, against the kerb or pavement adjoining Holy Trinity Church	8
(2) High Street, against the kerb of the pavement adjoining Nos 39 to 49 High Street	5
(3) North Street, against the kerb of the pavement adjoining Quaker's Acre and No 76 North Street	3 except Fridays and Saturdays
(4) North Street, at the junction with Friary Street. (Extending for the additional 3 carriages against the kerb of the pavement adjoining Nos 35 to 40 North Street.	5 Increasing to a total of 8 between the hours of 6.30pm each day and 8.30am on the following day
(5) Guildford Park Road, against the kerb or pavement from the Station Entrance to No 4 Guildford Park Road.	6
* (6) Guildford Main Station Yard	20

\* Provided that Stand No 6 shall be used only by those Hackney Carriage Proprietors who have obtained permission from the British Railways Board.

**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 of 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 authorized by the following table which it may not be possible to record on the face of the taximeter.

<b>FARES FOR DISTANCE</b>	
<b>(1) Mileage</b>	
If the distance does not exceed two fifths of a mile, for the whole distance	30p
If the distance exceeds two-fifths of a mile for the first two-fifths of a mile	30p
For each subsequent one-fifth of a mile or uncompleted part thereof PROVIDED THAT if the distance exceeds six miles a surcharge of 33½% may be added to the above scale	5p
<b>(2) Waiting Time</b>	
<b>For each period of 2 minutes 15 seconds or uncompleted part thereof</b>	5p
<b>(3) Extra Charges</b>	
(a) For hirings beginning between 11pm and 7am and for hirings on Bank Holidays. PROVIDED THAT the total distance does not exceed six miles	33½% of the above rate or fare
(b) For each article of luggage conveyed outside the passenger compartment of the carriage	3p
(c) For each person in excess of one conveyed (two children under the age of 12 years to count as one person, and children under the age of 3 years not to be reckoned)	5p
<b>(NOTE: The fares are inclusive of V.A.T.)</b>	

**\*N.B. (This note does not form part of the byelaws):**

**The list of stands and the fare scale specified in byelaws 16 and 17 respectively may be repealed and replaced from time to time by resolutions passed by the Council in accordance with the relevant provisions of the Local Government**

**(Miscellaneous Provisions) Act 1976. Copies of the appropriate parts of any such resolutions will be available from the Council.**

18. (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 willfully or negligently cause or suffer the letters or figures in the statement

**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 soon 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 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 received from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever is the greater) but not more than five pounds.

**Penalties**

21. 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 therefore.

## Repeal of Byelaws

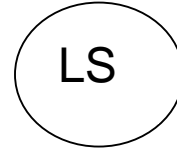
22. The byelaws relating to hackney carriages which are referred to in the Schedule hereto are hereby repealed.

### SCHEDULE

Date Byelaws Made	Authority Making Byelaws	Date of Confirmation	Confirming Authority
30 November 1964	The Mayor, Aldermen and Burgesses of the Borough of Guildford	17 May 1965	One of Her Majesty's Principal Secretaries of State
22 October 1974	The Council of the Borough of Guildford	28 November 1974	One of Her Majesty's Principal Secretaries of State
11 November 1977	The Council of the Borough of Guildford	15 December 1977	One of Her Majesty's Principal Secretaries of State



THE COMMON SEAL OF THE COUNCIL )  
OF THE BOROUGH OF GUILDFORD )  
was hereunto affixed this 14<sup>th</sup> day of )  
November 1978 in the presence of:- )



Signed B P TYRWHITT-DRAKE,  
Mayor

Signed DAVID WATTS  
Clerk and Solicitor

The foregoing byelaws are hereby confirmed by the Secretary of State and shall  
come into operation on the 15th day of December 1978

Signed R F D SHUFFREY  
An Assistant Under Secretary of State

Home Office  
LONDON

15 December 1978

Signed by authority of the  
Secretary of State

## GUILDFORD BOROUGH COUNCIL

### HACKNEY CARRIAGE STANDS

On 8 June 1981, Guildford Borough Council, Acting by the hand of David Watts, Their Clerk and Solicitor and duly authorized agent for this purpose, and in pursuance of their powers under Section 63, Local Government (Miscellaneous Provisions) Act 1976, made the following amendments to the Byelaws:

- (2) The appointment as a stand for thirteen hackney carriages that part of the north side of North Street Guildford immediately east of its junction with Onslow Street extending for a length of 43.5 metres from the said junction and within the curved traffic island provided by the highway authority.
- (1) The revocation of the deemed appointment of the stand for five hackney carriages (eight between 6.30pm each day and 8.30am the following day) specified in byelaw 16(4) of the series of byelaws relating to hackney carriages made by the said Council on 14 November 1978 and confirmed by the Secretary of State for the Home office on 15 December 1978.

On 24 May 1982, Guildford Borough Council, Acting by the hand of David Watts, Their Clerk and Solicitor and duly authorized agent for this purpose, and in pursuance of their powers under Section 63, Local Government (Miscellaneous Provisions) Act 1976, made the following amendments to the Byelaws:

A reduction in the number of hackney carriage stands specified in Byelaw 16(5) of the series of Byelaws relating to Hackney Carriages made by the Council on 14 November 1978 and confirmed by the Secretary of State for the Home office on 15 December 1978 from six stands to two in a south easterly direction

- (2) A reduction in the number of hackney carriage stands at the stand specified in Byelaw 16(1) of the said Byelaws from eight stands to four away from the junction of High Street with North Street

The revocation of the deemed appointment of the stand for three hackney carriages specified in Byelaw 16(3) of the said Byelaws

- (4) The appointment as a stand for three hackney carriages the east side of North Square facing east.

On February 1991, Guildford Borough Council, Acting by the hand of Helen B Sutherland, Their Clerk and Solicitor and duly authorized agent for this purpose, and in pursuance of their powers under Section 63, Local Government (Miscellaneous Provisions) Act 1976, made the following amendments to the Byelaws

The appointment as a stand for three hackney carriages that part of the South side of Lower North Street from point in line with the western kerb line in Woodbridge Road approximately 8.5 metres west of the western building line of Swan Lane, westwards for a distance of 15 metres.

(2) The appointment as a stand for six hackney carriages that part of Upper High Street, Guildford from a line being the property boundary between 242 and Bateman's Opticians (No 240) westwards for a distance of 30 metres.

The appointment for a stand for five hackney carriages that part of Upper High Street at its junction with Epsom Road and London Road in the service road on the south side, west of Odeon Cinema as follows (a) 3 stands on the south side of the service road (b) 2 stands on the northside of the service road from a line being the property boundary between Rogues, No 8 Epsom Road and Mann and Co., No 6 Epsom Road, westwards for a distance of 10 metres.