

CHESHIRE EAST BOROUGH COUNCIL

Consultation in relation to the hackney carriage service

Cheshire East Borough Council

Cheshire East Borough Council is a unitary authority formed with effect from 1st April 2009 from four predecessor authorities, namely Cheshire County Council, Congleton Borough Council, Crewe & Nantwich Borough Council and Macclesfield Borough Council. The predecessor Borough Councils had different fare tables and approaches to the regulation of hackney carriage numbers.

Cheshire East has a population of approximately 358,900 and covers an area of 116,638 hectares. Cheshire East's administrative area contains the industrial town of Crewe, the old mill towns of Macclesfield, Bollington and Congleton, the market towns of Nantwich, Knutsford and Sandbach, the salt town of Middlewich, the town of Wilmslow as well as the smaller settlements of Holmes Chapel, Alsager and Poynton.



Because of the historic situation, outlined above, hackney carriages within the Borough of Cheshire East are licensed within three zones, i.e. Congleton zone (zone 1), Crewe & Nantwich zone (zone 2) and Macclesfield zone (zone 3).

Limitation of numbers

The Congleton zone has a policy of limiting the number of hackney carriages within its area, with the current limit being set at 42. The current policy within the Congleton zone of limiting the number of hackney carriages is pursuant to section 16 of the Transport Act 1985. This provides that the grant of a taxi licence may be refused, for the purpose of limiting the number of licensed taxis “if, but only if, the [local licensing authority] is satisfied that there is no significant demand for the services of hackney carriages (with the area to which the licence would apply) which is unmet.”

Local authorities which operate a policy of quantity restrictions have been requested by the Department of Transport to keep such policies under review.

On 13th September 2010 the Licensing Committee resolved to authorise a consultation exercise relating to the principle of quantity control within the Borough as a whole.

This consultation document invites you to provide your views on the future policy in relation to numbers of hackney carriages within each of the three zones. This consultation does not form part of a formal ‘unmet demand survey,’ but rather seeks to establish the views of the trade, the public and relevant stakeholders in order to inform a future decision about hackney carriage service levels within the whole of the Borough.

Consultation question 1:

What are your views on: (i) the removal of the limit on the number of hackney carriages in the Congleton zone; (ii) an unmet demand survey in relation to the quantity of hackney carriages in any of the zones; (iii) maintaining the status quo; (iv) an increase in licence fees to fund any unmet demand survey?

Table of fares

The ‘table of fares’ or tariffs which apply to hackney carriages remain zoned. The Congleton tariff (zone 1) took effect on 1st April 2008 and is attached as Appendix A. The Crewe & Nantwich tariff (zone 2) took effect on 29th September 2008 and is attached as Appendix B. The Macclesfield tariff (zone 3) took effect on 16th April 2008 and is attached as Appendix C.

The Council is mindful of the provisions of Department of Transport Best Practice Guidance (February 2010) in relation to taxi tariffs, which states:

52.Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what is reasonable to expect people to pay but

also to the need to give taxi drivers sufficient incentive to provide a service where it is needed. There may well be a case for higher fares at times of higher demand.

The Council wishes to review the tariffs applicable to each of the zones and is seeking comments on the existing tariffs together with any proposals in relation to amendments.

Any proposed variation to the tariffs will also be subject to statutory consultation in accordance with section 65 of the Local Government (Miscellaneous Provisions) Act 1976 (including publication of a notice in local newspaper(s)).

Consultation question 2:

What are your views on how the differing tariffs should be brought into line?

Consultation question 3:

Whether or not the tariffs can or should be standardised across Cheshire East, what are your views on the current tables of fares?

Existing terms and conditions

As a result of the 'zoning' of hackney carriages within the Borough, conditions inherited from the predecessor district councils still apply to hackney carriage vehicles. It is acknowledged that there are significant differences between the conditions, and the Council is seeking comments in relation to the conditions and any proposed amendments.

The Congleton conditions are attached as Appendix D, the Crewe & Nantwich conditions as Appendix E and the Macclesfield conditions at Appendix F.

In addition to the vehicle conditions, byelaws have been made in relation to hackney carriages in each of the zones. The Congleton byelaws are attached as Appendix G, the Crewe & Nantwich byelaws as Appendix H and the Macclesfield byelaws at Appendix I.

Consultation question 4:

Which of the conditions do you think should be retained? Which do you think should be abolished or changed?

Please provide reasons for your responses to this question.

Hackney carriage ranks

At present the following hackney carriage 'stands' or ranks have been designated:

Congleton zone (zone 1)

Town	Location	Number of spaces	Hours of operation
Congleton	Bus Station area	9	
Sandbach	The Commons		
	Bus Station	1	24 hours
Middlewich	Bull Ring	1	

Crewe & Nantwich zone (zone 2)

Town	Location	Hours of operation
Nantwich	Swinemarket	22.00 – 06.00
Crewe	Nantwich Road	22.00 – 06.00
Crewe	Market Square	
Crewe	Railway Station	24 hours

Macclesfield zone (zone 3)

Town	Location	Number of spaces	Hours of operation
Macclesfield	Waters Green	5	24 hours
Macclesfield	Queen Victoria Street	1	24 hours
Macclesfield	Park Lane	3	24 hours
Macclesfield	Exchange Close	3	24 hours
Macclesfield	Westminster Street	2	24 hours
Wilmslow	Church Street	2	24 hours
Wilmslow	Water Lane	2	24 hours
Wilmslow	Alderley Road	6	24 hours
Knutsford	Canute Place (north)	3	24 hours
Knutsford	Canute Place (south)	2	18.00 – 02.00
Alderley Edge	London Road	1	24 hours

The Council seeks views on the number and location of taxi ranks throughout the Borough.

Where a rank is located on the public highway the consent of the Highway Authority is required before a rank may be created or varied. In addition, any amendments to rank provision would be subject of statutory consultation in accordance with section 63 of the Local Government (Miscellaneous Provisions) Act 1976. It should also be noted that amendment of existing ranks and the creation of new ranks may require amendments to traffic regulation orders made under the Road Traffic Regulation Act 1984.

The Licensing Section is mindful of a previous consultation exercise carried out by the Highways Authority on certain amendments to the waiting times relating to taxi ranks in Macclesfield, Wilmslow and Alderley Edge. The amendments to traffic regulation orders made by the Highway Authority include the following changes:

- Exchange Close, Macclesfield - increasing the number of spaces to 9;
- Pickford Street, Macclesfield – a new rank with 2 twenty-four hour spaces;

- Water Lane, Wilmslow – removal of existing rank (on south side of the road) with two spaces and replacement with a 18.30 – 06.00 rank with seven spaces (on the north side of the road);
- Alderley Road, Wilmslow – amendment to hours of operation to 21.00 to 06.00 rank together with 3 spaces outside Wildings;

It is proposed that authority will be sought in the near future to publish formal notices under section 63 to formally consult on these changes.

Consultation question 4:

How suitable do you think the current provision of ranks is, and what, if any, changes do you think are necessary? Please provide reasons for any changes you feel are needed.

General

Consultation question 5:

Do you wish to express any further views in relation to any other aspects of the licensed trade? If so, please provide reasoning for any other changes which you think should be made.

Submission of consultation responses

Consultation responses must be submitted in writing by **Friday 18th February 2011**.

Responses may be sent by post to:

FAO Mrs K Khan
Legal Services
Cheshire East Borough Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

or by e-mail to: licensing1@cheshireeast.gov.uk

APPENDIX A

CHESHIRE EAST BOROUGH COUNCIL (CONGLETON ZONE)

HACKNEY CARRIAGE - SCALE OF FARES WITH EFFECT FROM 1st APRIL 2008

1.	<u>Mileage</u>		
	If the distance does not exceed 1,760 yards or part thereof		£2.60
	For the second mile and further miles (metered in units of 20p for each 196 yards or part thereof)		£1.80
2.	<u>Waiting time</u>		£24.00 per hour
3.	<u>Soilage charge</u>		£40.00
4.	<u>Extra charges</u>		
(a)	(i)	For hiring begun between 11.30 pm and 7.00 am	Time and one half
	(ii)	Sundays and Bank Holidays	Time and one half
(b)	Christmas Eve	- 7.00 am to 6.00 pm	Ordinary time
		6.00 pm to 12 midnight	Time and one half
	Christmas Day	- 0.00 am to 7 a.m. on Boxing Day	Double time
	New Year's Eve	- 7.00 am to 6.00 pm	Ordinary time
		6.00 pm to 12 midnight	Time and one half
	New Year's Day	- 0.00 am (1 st January)	
		to 7.00 am (2 nd January)	Double time

CREWE and NANTWICH ZONE**TARIFF OF CHARGES FOR THE HIRE OF HACKNEY CARRIAGES IN THE CREWE and NANTWICH ZONE OF CHESHIRE EAST COUNCIL****FARES FOR DISTANCE****(1) MILEAGE**

TARIFF 1		£
I	DAY RATE (7am to 9pm)	

li	The first 200 yards	2.20
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lii	Subsequent 195 yards	0.20
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lv	Waiting time Each minute (or part of)	0.30
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TARIFF 2		£
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V	NIGHT RATE (9pm TO 7am) ALL SUNDAYS	
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Vi	The first 176 yards	2.20
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Vii	Subsequent 176 yards	0.20
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Viii	Waiting time Each minute (or part of)	0.30
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TARIFF 3		£
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Ix	ALL BANK HOLIDAYS (midnight to midnight) CHRISTMAS & NEW YEAR (from 6pm 24th December to 8am 27th December and from 6pm 31st December to 8am 2nd January)	
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X	The first 146 yards	3.20
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Xi	Subsequent 146 yards	0.20
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Xii	Waiting time Each minute (or part of)	0.30
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(2) EXTRA CHARGES		£
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Xiii	Per person (over one)	0.30
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Xiv	Soiling Charge	40.00
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(3) VALUE ADDED TAX

Xv	The above tariff is inclusive of VAT where applicable	
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Tariffs effective from 1st April 2009

NOTE: These tariffs came into effect from 29th September 2008 in the area of the former Borough of Crewe and Nantwich.

MACCLESFIELD ZONE

Fares for Distance

Tariff 1 Monday to Saturday 7.30am to 11.30pm

First mile (1760 yards) **£3.00**

Subsequent miles **£1.80**

Initial or minimum fare

First 1466.69 yards **£2.60**

Each subsequent 97.77 yards **10p**

Waiting time (£13.19 per hour)

Up to every 27.3 seconds of waiting time **10p**

Tariff 2 Monday to Sunday 11.30pm – 7.30am **(Night rate)**

Tariff 1 + 50%

Tariff 3 Sun + Bank Holidays except Christmas, Boxing Day and New Year's Day
7.30am – 11.30pm

Tariff 1+ 33.3%

Tariff 4 Christmas Day, Boxing Day 7.00pm 24 Dec to 7.00am 27 Dec
New Year's Day 7.00pm 31 Dec to 7.00am 2 Jan

Tariff 1+100%

Extra charges

For each person in excess on one	20p
Use of luggage space	10p per item and not to exceed 40p
Wheel chairs, guide dogs and other assistance dogs	No charge

Extra charges **will not exceed £1.00**

Except in vehicles licensed to carry up to 8 passengers and are carrying in excess of 5 - then excess charges will not exceed £1.80

Soilage charge **£45.00**

Cheshire East Council (Congleton)
CONDITIONS ATTACHED TO HACKNEY CARRIAGE PROPRIETOR/VEHICLE LICENCES

These conditions to be read in conjunction with the appropriate provisions of the Town Police Clauses Act, 1847, the Local Government (Miscellaneous Provisions) Act 1976, Part II and the Borough Council Byelaws relating to Hackney Carriages.

1. The vehicle shall be suitable in type and design for use as a Hackney Carriage. In the event of a vehicle being unroadworthy for a period of two days, an alternative vehicle may be used provided the vehicle is hired from a reputable dealer and prior approval has been obtained from the Council. The insurance to be obtained from the proprietor's own insurance.
2. All Hackney Carriages shall be fitted with the roof sign bearing only the word "TAXI" and no other signs or distinguishing marks shall be permitted, unless written approval has first been obtained from the Borough Council, except for the licence plate issued by the Borough Council and a sign painted on or affixed to the driver's door and the front passenger door stating the trading name and telephone number of the firm. The letters of such sign shall not exceed two inches in height and all letters other than capitals shall be of equal dimensions.
Purpose built taxis, e.g. Austin FX4s are exempt from the requirements to display the roof sign.

3. The minimum standard of vehicle to be used for renewal or transfer of vehicle licences for Hackney Carriage/Private Hire purposes shall be a four-door passenger saloon/estate or hatchback with adequate rear seating and a minimum engine capacity of 1600cc.

The minimum standard of vehicle for all new vehicle licenses issued shall be:

- (a) a purpose built wheelchair accessible four door passenger saloon/estate or hatchback with minimum seating space of 16" per person
 - (b) the vehicle must be M1 type approved on manufacture by the Vehicle Certification Agency (VCA) (i.e. have been certified by the VCA as meeting their standard for passenger carrying vehicles, with capacity for up to 8 passengers plus driver).
 - (c) it shall be the responsibility of the Hackney Carriage Proprietor to produce to the Council an application for a vehicle licence either the M1 certificate (or copy thereof) or written confirmation from the vehicle manufacturer that the vehicle is M1 type approved by the VCA.
4. During the hours of darkness, the "TAXI" sign shall be illuminated only when the carriage is standing or plying the hire within the Borough and shall be extinguished as soon as the vehicle is hired. For the purpose of this condition, the "hours of darkness" shall be the hours on which lighting up times operate in the Borough.
 5. Before the vehicle is used as a Hackney Carriage such insurances or securities as are required under Part VI of the Road Traffic Act, 1972, shall be obtained in respect of the vehicle and the certificate in respect of the policy of insurance or security shall be produced to the Council for inspection. An insurance cover note will suffice but on the expiry of 30 days a certificate shall be produced.
 6. The proprietor of a Hackney Carriage/Private Hire vehicle shall submit a copy of his certificate and also policy of insurance when applying for a new/renewal vehicle licence and depending on the insurance this may be a block or individual policy and certificate of insurance. It is the responsibility of the applicant to prove that the policy and certificate(s) cover all Hackney Carriage/Private Hire vehicles licensed in their name and likewise any drivers employed to drive

the said vehicle.

7. Every proprietor of a Hackney Carriage shall provide the carriage 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 of 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 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 and other appliances.
8. The licence plates must be affixed to the front and rear of the exterior of the vehicle, the plates must display the name of the licensing Authority, licence number, the vehicles registration number, description and number of passengers that is permitted to carry. The plates must be easily removable by any authorised officer of the Council or a Constable.
9. Licensees are required to issue on request, receipts in respect of fares charged for hiring.
10. A copy of the current "Table of Fares" shall be exhibited inside the vehicle in clearly distinguishable letters and figures in such a position that hirers can conveniently see it.
11. Transfer of licences:
 - (a) In the event of a person showing proof of ownership of a Hackney Carriage and the transfer notified to the Council in accordance with Section 49(1) of the Local Government (Miscellaneous Provisions) Act, 1976, the licence in respect of that vehicle will be transferred to that person for the remainder of its validity. Thereafter the licence will not be renewed to the new owner except with the express permission of the Borough Council.
 - (b) Applications from widows for the licences previously held by their husbands will normally be accepted;
 - (c) Applications from other close relatives for the transfer of licences will be dealt with on the merit of each application.
12. The proprietor shall within 7 days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company or partnership, on any of the directors or partners) during the period of the licence.
13. The interior and exterior of all Hackney Carriage/Private Hire vehicles shall be kept in a reasonable condition of cleanliness and safety. This includes all carpets, fire extinguishers, radios and other fixtures within the vehicle, which must be securely fitted so as not to cause

danger to passengers. The opinion of the Council's Inspector as to reasonableness shall be conclusive.

14. An administrative charge of £20.00 will be made in respect of any cancellation of vehicle tests whereby less than 7 days notice has been given.
15. Where an operator fails to present his Hackney Carriage/Private Hire vehicle for inspection as arranged and notice of cancellation is not received, the full fee of £45.00 will be charged.
16. Any damage to a Hackney Carriage/Private Hire vehicle, which in the opinion of the Council's Inspector adversely affects the vehicle's safety or appearance must be suitably repaired before a vehicle can continue to be used for Hackney Carriage/Private Hire purposes. The vehicle will then be subject to an inspection by the Council's Inspector to determine whether or not it is fit to be used for such purposes and the Inspector's decision shall be conclusive. If the vehicle fails to pass the inspection, a prohibition or defect notice may be issued. If a prohibition notice is issued the vehicle shall not be used for Hackney Carriage/Private Hire work until the necessary repairs have been completed and a further inspection has been made. A copy of the prohibition notice may also be forwarded to the local Police for their information.
17. If a hackney carriage/private hire vehicle fails its annual inspection because of more than 2 faults, a full re-test fee of £45 is payable. If the vehicle fails on 1 or 2 faults only no retest fee is payable UNLESS one or more of those faults are of the type which would affect the vehicles safety and attract a Prohibition Notice as in condition 16 above, in which case the retest fee is payable.
18. With effect from the 1st September 1992, all Hackney Carriage and Private Hire vehicles with a disabled access tail life, mobile lift or ramp facility fitted to the vehicle must comply with BS6109 document relating to "The Code of Practice for Passenger Lifts and Ramps" (a copy of this document is available on request from the Council's Transport and Mechanical Services Officer). In accordance with the BS6109 all operators with a tail lift, mobile lift or ramp facility will also be required to produce a current test certificate upon request of the Council's Transport and Mechanical Services Officer.
19. All Hackney Carriage/Private Hire vehicles must carry a fire extinguisher, the minimum size being 1 kilogram and of a dry powder or carbon dioxide nature, which shall be secured by a clip in the front of the vehicle where the extinguisher would be accessible at all times. The fire extinguisher must be serviced and tested on a regular basis by an independent company as agreed by the Council's Transport and Mechanical Services Officer.
20. The proprietor of a Hackney Carriage vehicle shall provide a first aid box containing the following:
 - (i) a card giving general first aid guidance;
 - (ii) 10 individually wrapped sterile adhesive dressings;
 - (iii) 2 sterile eye pads;
 - (iv) 1 triangular bandage;
 - (v) 2 sterile coverings for serious wounds;
 - (vi) 12 safety pins;
 - (vii) 3 medium sized unmedicated dressings;
 - (viii) 1 large sterile unmedicated dressing;
 - (ix) 1 extra large sterile unmedicated dressing;
 - (x) 1 pair rustless blunt-ended scissors;
 - (xi) 10 antiseptic wipes, foil packed.
21. All Hackney Carriage Vehicles shall have a sign painted on or affixed in a conspicuous position in the vehicle stating the under-mentioned, providing the information can be seen from the inside of the vehicle only:
 - (a) The Trading Name of the Proprietor;
 - (b) The Telephone Number;

- (c) The words "HACKNEY CARRIAGE".

These signs are provided by the Council free of charge on first application. However, a fee of £1.50 will be charged for replacement signs.

22. Renewals

All forms required for renewal must be completed and returned, along with any other information required and the renewal fee and be received by the Council AT LEAST 4 WEEKS before the expiry of the current licence.

(NOTE: The licence will not be issued until any cheques for payment have been honoured)

NOTE

1. Appeals

A Licensee who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.

2. Offences and Penalties

Contravention of these conditions constitutes an offence under the Town Police Clauses Act 1847, or the Local Government (Miscellaneous Provisions) Act, 1976, in respect of which specific penalties are provided. In addition it is also an offence to obstruct an authorised officer or Police Constable in his duty. There is a general penalty, applicable where specific penalties are not provided with a maximum fine.

3. Special attention is drawn to the following sections of the Local Government (Miscellaneous Provisions) Act, 1976:

Transfer of Hackney Carriage and Private Hire Vehicles

- s49 (1) If the proprietor of a Hackney Carriage or of a Private Hire vehicle in respect of which a vehicle licence has been granted by a District Council transfers his interest in the Hackney Carriage or Private Hire vehicle to a person other than the proprietor whose name is specified on the licence, he shall within 14 days after such a transfer give notice in writing thereof to the District Council specifying the name and address of the person to whom the Hackney Carriage or Private Hire vehicle has been transferred.
- (2) If a proprietor without reasonable excuse fails to give notice to a District Council as provided by sub-section (1) of the section he shall be guilty of an offence.

Provisions as to Proprietors

- s50 (1) Without prejudice to the provisions of Section 68 of this Act, the proprietor of any Hackney Carriage or of any Private Hire vehicle licensed by a District Council shall present such Hackney Carriage or Private Hire vehicle for inspection and testing by or on behalf of the Council as they may by such period and at such place within the area of the Council as they may by notice reasonably require.

Provided that a District Council shall not under the provisions of this Sub-Section require a proprietor to present the same Hackney

Carriage or Private Hire vehicle for inspection and testing on more than 3 separate occasions during any one period of 12 months.

- (2) The proprietor of any Hackney Carriage or Private Hire vehicle -
 - (a) Licensed by a District Council under the Act of 1847 or under this Part of the Act; or
 - (b) In respect of which an application for a license has been made to a District Council under the Act of 1847 or under this Part of the Act;

shall, within such period as the District Council may by notice reasonably require, state in writing the address of every place where such Hackney Carriage or Private Hire Vehicle is kept when not in use and shall if the District Council so require afford to them such facilities as may be reasonably necessary to enable them to cause such Hackney Carriage or Private Hire vehicle to be inspected and tested there.

- (3) Without prejudice to the provisions of Section 25 of the Act, the proprietors of a Hackney Carriage or of a Private Hire vehicle licensed by a District Council shall report to them as soon as reasonably practicable and in any case within 72 hours of the occurrence thereof, any accident to such Hackney Carriage or Private Hire vehicle causing damage materially affecting the safety, performance or appearance of the Hackney Carriage or Private Hire vehicle or the comfort or convenience of persons carried therein.
- (4) The proprietor of any Hackney Carriage or of any Private Hire vehicle licensed by a District Council shall at the request of any authorised officer of the Council produce for inspection the vehicle licence for such Hackney Carriage or Private Hire vehicle and the certificate of the policy of insurance required by Part VI of the Act of 1972 in respect of such Hackney Carriage or Private Hire vehicle.
- (5) If any person without reasonable excuse contravenes the provisions of this Section, he shall be guilty of an offence.

Suspension and Revocation of Vehicle Licences

- s60
- (1) Notwithstanding anything in the Act of 1847 or in this part of this Act, a District Council may suspend or revoke or (on application therefore under Section 40 of the Act of 1847 or Section 48 of this Act, as the case may be) refuse to renew a vehicle licence on any of the following grounds:
 - (a) That the Hackney Carriage or Private Hire vehicle is unfit for use as a Hackney Carriage or Private Hire vehicle;
 - (b) Any offence under, or non-compliance with, the provisions of the Act of 1847 or of this Part of the Act by the operator or driver; or
 - (c) Any other reasonable cause.
 - (2) Where a District Council suspend, revoke or refuse to renew any licence under this Section they shall give to the proprietor

of the vehicle notice of the grounds on which the licence has been suspended or revoked or on which they refused to renew the licence within 14 days of such suspension, revocation or refusal.

- (3) Any proprietor aggrieved by a decision of a District Council under this Section may appeal to a Magistrates' Court.

Hackney Carriage used for Private Hire

- s67 (1) 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 or table mentioned in Section 66 of this Act 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.
- (2) Any person who knowingly contravenes this Section shall be guilty of an offence.
- (3) In Sub-Section (1) of this Section "Contract" means -
- (a) A contract made otherwise than while the relevant Hackney Carriage is plying for hire in the District or waiting at a place in the District which, when the contract is made, is a stand for Hackney Carriage appointed by the District Council under Section 63 of this Act; and
- (b) A contract made, otherwise than with or through the driver of the relevant Hackney Carriage, while it is so plying or waiting.
- s68 Any authorised officer of the Council in question or any Constable shall have the power at all reasonable times to inspect and test, for the purpose of ascertaining its fitness, any Hackney Carriage or Private Hire vehicle licensed by a District Council, or any taximeter affixed to such a vehicle and if he is not satisfied as to the fitness of the Hackney Carriage or Private Hire vehicle or as to the accuracy of its taximeter, he may by notice in writing require of the proprietor of the Hackney Carriage or Private Hire vehicle to make it or its taximeter available for further inspection and testing at such reasonable time and place as may be specified in the notice and suspend the vehicle licence until such time as such authorised officer or Constable is so satisfied.

Provided that, if the authorised officer or Constable is not so satisfied before the expiration of a period of 2 months, the said licence shall, by virtue of this Section, be deemed to have been revoked and Sub-Sections (2) and (3) of Section 60 of this Act shall apply with any necessary modifications.

Crewe and Nantwich

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

CONDITIONS ATTACHED TO HACKNEY CARRIAGE LICENCES

1. Construction and Size

1.1 Type Approval

The vehicle itself or the generic vehicle manufactured by the vehicle manufacturer shall be certified as having one of the following levels of Type Approval;

European Community Whole Vehicle Type Approval (ECWVTA)
UK Low Volume Type Approval (LVTA)
UK Single Vehicle Type Approval (SVA).

1.2 Size

The vehicle shall not exceed 3.5 tonnes (3,500 kilogrammes) gross weight.

1.3 Doors and Seats

The vehicle shall not have less than four doors and not less than four passenger seats. Up to one rear door may be included in the total of four doors provided it is accessible as a means of exit to passengers from within the vehicle. Emergency exit windows, if fitted, shall not count towards the total of four doors.

1.4 Tinted Windows

The vehicle shall comply with the Construction and Use Regulations 1986 (No.1078) with respect to the fitting of tinted (ie; opaque, darkened or privacy glass) windows. For any vehicle which is fitted with windows which are exempt from the provisions of the Construction and Use Regulations, the visual transmission of light through those windows shall be not less than 70% when measured in accordance with the manner prescribed in the Construction and Use Regulations 1986 (No.1078).

2. Maintenance of Vehicle

2.1 The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements (including in particular those contained in Motor Vehicles (Construction and Use) Regulations shall be fully complied with.

Without prejudice to the generality of the foregoing, the exterior of the vehicle shall be clean, free from unrepaired damage and finished to match existing paintwork after repair and the interior of the vehicle shall be clean, tidy and free of litter, any rubbish shall be removed after each journey and the upholstery, carpets and fittings be free from rips and tears.

2.2 Damage to Vehicle

The proprietor must report to the Council as soon as reasonably practicable, and in any event within 72 hours, the occurrence of any accident which has caused damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of its passengers.

[Note: failure to do so is also an offence under section 50 of the Act.]

3. Alteration of Vehicle

No alteration or change in the interior or exterior specification, design, condition or appearance of the vehicle shall be made without the approval of the Council at any time while the licence is in force. However, where condition number 10 is applicable, the configuration of the seating may be rearranged as operational circumstances require to allow the carriage of wheelchair bound passenger(s), provided that the seating in the vehicle has been installed in such a manner as to specifically enable its configuration to be rearranged in order to accommodate wheelchair bound passenger(s).

4. Interior Markings

The vehicle shall display at all times the notice supplied by the Council visible to passengers from within showing the licence number, vehicle registration number, seating capacity and telephone number of the Licensing Authority.

5. Safety Equipment

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher, eg, 21B rating (dry powder or foam), to be carried inside the vehicle (but not in the boot) and to be readily accessible and available for immediate use in an emergency. The location of the extinguisher shall be marked if necessary. The extinguisher shall be permanently marked with the Hackney licence plate number.

6. Taxi Roof Sign

Hackney Carriages shall carry an illuminated roof sign bearing the word "TAXI" in letters of not less than 65mm in height and not less than 8mm thickness.

7. Adverts etc

Hackney Carriages may bear the business name, address and telephone number of the proprietor's taxi business on each side of the vehicle. No other advertisements, signs, notices, numbers, marks, plates, emblems, symbols or devices shall be displayed on, in or from the vehicle, without the prior written approval of the Council.

8. Licence Plates

- 8.1 Hackney Carriages shall at all times clearly display two licence plates supplied by the Council, the form and content of which shall also be prescribed by the Council.
- 8.2 One licence plate shall be affixed securely to the front of the vehicle and one licence plate shall be affixed securely to the rear of the vehicle.
- 8.3 The plates shall not be affixed to any vehicle except the vehicle identified in the vehicle licence application form.
- 8.4 The plates shall at all times remain the property of the Council and the Licensee shall not cause or permit the information displayed upon the plates to be altered, removed or obscured in any way.
- 8.5 The Licensee shall at all times ensure so far as is reasonably practical that the information contained on the plates is complete and legible and that the plates are maintained in a clean condition.
- 8.6 The Council shall be entitled to charge and retain a deposit of such sum as may from time to time be deemed reasonable upon the issue of each plate.

9. Taximeter

The taximeter fitted to the vehicle shall be of the calendar type.

10.* Carriage of a Wheelchair User (where the grant of the licence is conditional upon the vehicle being able to carry a passenger in a wheelchair)

- 10.1 The vehicle shall be constructed or adapted so as to be able to accommodate a wheelchair bound passenger.

10.2 Wheelchair accessible vehicles licensed to carry eight passengers

The vehicle shall either be fitted with seven passenger seats and shall have adequate space and fittings to carry one wheelchair bound passenger, or

the vehicle shall be fitted with eight passenger seats provided that the eighth seat can be rendered unusable either by means of being easily and immediately folded down or being moved along on fixed tracking in order to accommodate one wheelchair bound passenger.

A vehicle from which a seat has to be removed in order to accommodate a wheelchair shall be deemed not to comply with this condition.

A vehicle which is fitted with eight passenger seats and also has adequate space to carry a wheelchair bound passenger shall be deemed not to comply with this condition.

10.3 Wheelchair accessible vehicles licensed to carry less than eight passengers

The vehicle shall either be fitted with six or less passenger seats plus have adequate space and fittings to carry one wheelchair bound passenger, or

the vehicle shall be fitted with six or less passenger seats provided that one or more seats can be rendered unusable either by means of being easily and immediately folded down or being moved along on fixed tracking in order to accommodate one wheelchair bound passenger.

A vehicle from which a seat has to be removed in order to accommodate a wheelchair shall be deemed not to comply with this condition.

10.4 **All Wheelchair accessible vehicles**

The vehicle must be constructed or adapted to allow the entrance and exit of a wheelchair whilst its occupant remains seated in the wheelchair at all times.

- 10.5 Any entrance or exit which is intended to provide access for a wheelchair user shall be not less than 700mm in width.
- 10.6 The space inside the vehicle occupied by a wheelchair user (the wheelchair space) shall be not less than 1300mm in length, not less than 750mm in width and not less than 1350mm in height from the floor to the roof.
- 10.7 The wheelchair space may accommodate the wheelchair facing in either a forward or backward position. The wheelchair user shall not be conveyed facing sideways.
- 10.8 The wheelchair space shall be fitted with a wheelchair tie down system.
- 10.9 The wheelchair space shall be fitted with a three point lap and diagonal wheelchair user restraint system.
- 10.10 For vehicles in which the wheelchair passenger is to be conveyed facing backwards, a head and back restraint shall be fitted at the forward end (relative to the vehicle) of the wheelchair space.
- 10.11 The vehicle shall be equipped with either a ramp (fixed to the vehicle or portable) or a boarding lift. A portable ramp shall be marked by permanent means with the Hackney licence plate number of the vehicle to which it relates.
- 10.12 The incline of the ramp, where provided, shall not be greater than 16 degrees (1 in 3 ½). The incline shall be measured with the lower end of the ramp(s) resting on the same ground level as the wheels of the vehicle.
- 10.13 Where the vehicle is fitted with a boarding lift, it shall be fitted with a device to prevent the wheelchair from rolling off the lift platform. A power operated boarding lift shall be capable of being manually operated.
- 10.14 When not in use, any ramp or boarding lift shall not impede either the use of or access to any door or emergency exit.

* delete if condition no.10 is not applicable to the grant or renewal of the licence.

* * * * *

NOTE

A Hackney Carriage licence issued by Crewe and Nantwich Borough Council is subject to the above conditions.

Failure to comply with any condition may result in the suspension, revocation or non renewal of the licence.

[These Hackney Carriage licence conditions were revised by the Council on 14th October 2008 and came into effect on 1st January 2009].

MACCLESFIELD - ZONE 3**CONDITIONS FOR HACKNEY CARRIAGE VEHICLES****Definitions**

- 1 In this licence 'authorised officer' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'The Council' means the Cheshire East Council

'The identification plate' means the plate issued by the Council for the purpose of identifying the vehicle as a Hackney Carriage vehicle

'The proprietor' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'The taximeter' has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

'Hackney carriage' has the same meaning as in the Town Police Clauses Act 1847 and the proprietor shall comply with those conditions made in pursuance of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

'Purpose Built Vehicles' mean vehicles which are manufactured exclusively as hackney carriages, commonly known as 'London' or 'black cabs.'

Type of vehicle

- 2 Each vehicle to be licensed, with the exception of Purpose Built Vehicles, shall be:-
- (a) a manufacturer's standard right hand drive vehicle with a minimum engine capacity of 1500cc. The colour shall be a manufacturer's standard colour for the particular model, and only additional equipment approved by the Council shall be fitted.
 - (b) fitted with at least four doors, two to the nearside and two to the offside, which may be opened from the inside and the outside;
 - (c) of at least the four-wheel type
 - (d) Passenger seats must be at least 406mm (16") wide per passenger with no significant intrusion by wheel arches, armrests or other parts of the vehicle. There must be a minimum of 850mm/33" headroom for all passengers seats measured from the rear of the seat cushion to the roof lining. There must be a minimum of 150mm/6" legroom for all passenger seats measured from the front edge of the seat, dashboard or internal panel in front.
 - (e) in relation to Hackney Carriage, the vehicle must have a minimum overall length of 450cm (177"); the vehicle must have a maximum overall length of 503cm (198");
 - (f) have an seat configuration approved by the Council for the particular make and model of vehicle;
 - (g) Seats may be mounted on tracking fastened to the floor of the vehicle using Unwin Safety Systems Seat Fixings or similar make approved by the Council. These seats may be

removed as necessary to allow space for one or more wheelchairs. Tracking must be correctly aligned and spaced to allow easy removal of the seat. Fastenings for the track must be to the manufacturer's specification.

- (h) If the vehicle is fitted with an electronic locking system, the proprietor must ensure that the locking system is isolated so that the electronic system may be overridden and all doors are capable of manual operation.

Plates and identification of vehicle

- 3 No person shall use or permit to be used the vehicle as a hackney carriage vehicle unless the plate or disc issued by the Council is exhibited on the vehicle in the manner set out within these conditions.
- 4 The licence plates issued by the Council must at all times whilst the vehicle remains licensed be affixed to the exterior of the Hackney Carriage vehicle between the centre and off side of the vehicle by the proprietor at the cost of the proprietor, with one at the front and one at the rear of the Hackney Carriage in accordance with the reasonable instructions of the authorised officer of the Council. The identification plates shall be fixed to the vehicle in such a manner as to be easily removable by any authorised officer of the Council or a Police Constable.

Identification stickers issued by the Council must be fixed to:

- (i) the inside, lower near-side corner of the windscreen, so that the sticker is visible to passengers within the vehicle;
 - (ii) the top near-side rear window facing outwards; and
 - (iii) the top off-side rear window facing outwards.
- 5 The proprietor of the Hackney Carriage vehicle shall ensure the identification plates are maintained and kept in such condition that the information contained on the identification plates are clearly visible to the public view at all times.
 - 6 The identification plates issued to a licensed Hackney Carriage vehicle remain the property of Macclesfield Borough Council and both the plate and backing plate must be returned to the Council on either the expiry of the Hackney Carriage Vehicle Licence or the sale or transfer of the vehicle.

Vehicle testing

- 7 In relation to each licensed vehicle the age of the vehicle, for licensing purposes, shall be determined by the date of first registration on the V5 document (Log Book). All vehicles will be subject to a yearly test until that vehicle reaches the age of seven years (or ten years old in relation to purpose built vehicles). Thereafter they shall require six monthly mechanical fitness tests.

Condition of vehicle

- 8 The proprietor shall ensure that the Hackney Carriage vehicle shall be maintained in a sound mechanical and structural condition at all times and be capable of satisfying the council's mechanical and structural inspection at any time during the continuance of the vehicle's licence in respect of the vehicle.
- 9 The interior and exterior of the Hackney Carriage vehicle shall be kept in a clean condition and maintained in a safe condition and good state of repair by the proprietor.

- 10 The proprietor shall not allow the mechanical and structural specification of the Hackney Carriage vehicle to be varied without the written consent of the Council and the vehicle shall at all times be as the manufacturers specification.
- 11 Any damage to a Hackney Carriage vehicle materially affecting the safety performance or appearance of the vehicle shall be reported by the proprietor to the Council in accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976.
- 12 The proprietor of Hackney Carriage vehicle shall:
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver during the course of hiring.
 - (b) cause the interior of the vehicle to be kept wind and water tight.
 - (c) provide any necessary windows and means of opening and closing with not less than one window on each side of the passenger compartment.
 - (d) cause the seats in the passenger compartment to be properly cushioned and covered.
 - (e) cause the floor in the passenger compartment to be provided with a proper carpet, mat or other suitable covering.
 - (f) cause fitting and furniture of the carriage to be kept in a clean condition and well maintained and in every way fit and safe for public use.
 - (g) provide facilities for the conveyance of luggage safely and protected from inclement weather.

Seat belts and baby seats

- 13 The proprietor of a vehicle shall ensure that the vehicle is fitted with inertia reel seat belts of the three point type for all seats. All seat belts to be to the M1 approved standard.
- 14 The carriage of child passengers must be in accordance with the Motor Vehicles (Wearing of Seat Belts)(Amendment) Regulations 2006. If baby seats or booster cushions are used within a vehicle the proprietor shall ensure that they are fit for their purpose and are appropriately fitted within the vehicle.

Trailers / Roof racks

- 15 The proprietor of a vehicle shall ensure that the vehicle is not fitted with a tow bar. The proprietor of a vehicle shall ensure that any roof rack or roof pod fitted to the vehicle is done so securely and in accordance with the manufacturer's recommendations.

Liquefied Petroleum Gas (LPG)

- 16 A proprietor converting their licensed vehicle to run on Liquid Petroleum Gas (LPG) must notify the Council of such change and comply with the following conditions. These conditions will also apply to proprietors purchasing a new or used vehicle that runs on LPG.

- (a) That the installation of the LPG tank be undertaken by a Liquid Petroleum Association (LPGA) approved installer;
- (b) That the proprietor produces a certificate of compliance by an approved LPGA installer;
- (c) That the LPG tank fitted must be a multi-valve tank and be fitted with a sealed tank box made from aluminium and vented to the atmosphere;
- (d) That the vehicle displays on the front and rear screens, a sticker stating that the vehicle has been fitted with an LPG tank for the purpose of alerting the emergency services in the event of an accident;
- (e) If a doughnut tank is fitted in the spare wheel well of the boot, the spare wheel must be securely fixed in position not obstructing the entire luggage space;
- (f) The proprietor of the vehicle must notify DVLA Swansea of the change in fuel from petrol to both LPG and petrol; and
- (g) The vehicle must be serviced by a person competent in LPG powered vehicles.

Tinted windows

- 17 With the exception of the rear window of a vehicle, heavily tinted glazing and tinted films applied to vehicle windows are not permitted. All glazing shall comply with the Motor Vehicles (Construction and Use) Regulations 1986 (as amended), with regard to the level of tint. A minimum light transmission value of 70% shall be maintained in all side windows; windscreens shall have a minimum light transmission value of 75%.

Wheelchair accessibility

- 18 The proprietor of any vehicles, which has been constructed or adapted to carry passengers in wheelchairs, shall ensure that the vehicle meets the following specifications:
 - (a) there must be a minimum gangway width of 300mm to at least two exits from every seat or wheelchair position with any wheelchairs to be carried in a fixed position;
 - (b) where a vehicle has been adapted to carry passengers in wheelchairs, suitable independent restraint systems must be fitted for both wheelchair and passenger. The restraint system (Unwin or equivalent) must be installed and operated in accordance with the manufacturers instructions;
 - (c) the wheelchair and restraint system should be capable of meeting the test criteria set out in Annex A of the Code of Practice VSE87/1 with a combined mass of 180kg for passenger and wheelchair;

- (d) passengers must not be carried in wheelchairs facing sideways;
- (e) vehicles may be fitted with ramps or power operated lifts to facilitate entry and exit for passengers in wheelchairs. This ancillary equipment must be installed, operated and maintained in accordance with the manufacturer's instructions. A certificate of compliance must be supplied on request. All power operated lifts must comply with BS6109 (pt 2) Category A. This certificate must be kept on the vehicle at all times.
- (f) stowed ramps or lifts must not prevent service and emergency doors from being operated from inside and outside the vehicle.
- (g) internally stored lifts must fold down as designed to allow access to the emergency exit when the door is open;
- (h) if a power operated lift is fitted a secondary manual method of lowering the power operated lift must be provided;
- (i) vehicles with a floor height measured from the road of more than 610mm must be fitted with a power operated lift and the use of ramps will not be permitted;
- (j) where ramps are fitted a recognised 'non-slip' material should be used on the ramp and raised edges provided on each side of the ramp;
- (k) doorways which are to be used by passengers in wheelchairs must be at least 800mm wide up to a height of 800mm. The height of the door must be a minimum of 1300mm. There should be a minimum height of 1350mm for any part of the vehicle to be occupied by passengers in wheelchairs.
- (l) if a vehicle has a maximum carrying capacity of one passenger in a wheelchair and up to four seated passengers the minimum door width is 700mm, the minimum door height is 1170mm and the minimum internal height is 1300mm.

Safety Equipment

19 The proprietor of a Hackney Carriage vehicle shall:

- (a) provide and maintained to the satisfaction of the authorised officer an efficient fire extinguisher containing dry powder with a capacity of not less than 1.0kg and manufactured to European Standard BS EN3: 1996 having a fire rating of 5A/34/B or any other form of fire extinguisher required in writing from time to time by the authorised officer which shall be carried in such a position as to be easily available for use, and such apparatus shall be clearly marked with the appropriate European Standard specification number and with the name and address of the manufacturer or vendor thereof together with the date when it was last tested. The licence plate number is to be painted on the extinguisher.

- (b) provide and maintain a first-aid kit containing the following first aid dressing and appliances:

One large sterilised dressing (not less than 3" x 3") (75mm x 75mm)

Three medium sterilised wound dressings (gauze and wool or lint and wool not less than 2" x 2") (50mm x 50mm)

Cotton wool (not less than 2oz) (57 grams)

Three roller bandages (7.5 cm x 5m)

Two triangular bandages

One roll of surgical strapping (not less than 1.25cm x 5m)

One pair of rustless scissors

Licence plate number to be painted on First Aid container

All materials for dressing and bandages including cotton wool shall be those designated in and of a grade or quality not lower than the Standards prescribed by the current British Pharmaceutical Codex, and all instruments and appliances shall be of a reliable quality and suitable design and construction and shall be carried in such a position in the private hire vehicle as to be readily available for use and be prominently marked and the said dressings and appliances shall at all times be maintained in good condition and available for inspection by an authorised officer of the Council from time to time.

Signs and notices

20

- (a) The Proprietor shall not cause or permit any sign, notice or advertisement to be displayed in, on or from the Hackney Carriage unless such sign, notice or advertisement has been approved in writing by the Council.
- (b) The Proprietor shall cause to be fitted to the roof of the Hackney Carriage, a roof sign, not a sign fixed to the gutter of the roof, that the light of which is capable of being extinguished when the meter is switched on.

21 The proprietor shall cause to be affixed and maintained in a conspicuous position in or on the vehicle in accordance with the directions of the Council any sign or notices required from time to time by the Council.

22 Any advertising on the vehicle must be approved by the Council and must be restricted to the following:

(a) the name (or registered company name) of the owner or operator of the vehicle;

(b) the logo or insignia of the owner or operator of the vehicle;

(c) the address, telephone number(s), fax number(s), e-mail address or website of the owner or operator of the vehicle

Advertising of other businesses or products or services is not permitted and no art works, slogans or displays of other kind are permitted without the Council's prior approval.

23 A sign must be affixed to the vehicle indicating that smoking is prohibited in the vehicle in accordance with the requirements of the Health Act 2006 and the Regulations made under that Act.

24 Illuminated signs, with the exception for Hackney Carriage Vehicles of the roof sign, shall not be displayed on the vehicle.

Passengers

- 25 The proprietor shall not permit the Hackney Carriage vehicle to be used to carry a greater number of passengers than the number prescribed in the licence and two children under the age of ten shall be counted as one person for fare purposes only.
- 26 The proprietor shall not allow any child under the age of 10 years to be conveyed in the front seats of the vehicle.

Animals

- 27 The proprietor shall not permit any animal belonging to the proprietor or the driver to ride in the vehicle and any animal of the hirer is to be conveyed in the rear of the vehicle. The proprietor will ensure that no extra charge is made for the carrying of a guide dog or a hearing dog as described in section 37 of the Disability Discrimination Act 1995.

Taximeters

28

- (a) The Proprietor shall cause the Hackney Carriage to be fitted with a taximeter of a type and make approved by the Council before plying for hire and fit it to be located within the vehicle in accordance with reasonable instructions of the authorised officer.
- (b) The Proprietor shall ensure that a copy of the fare table supplied by the Council from to time is exhibited inside the carriage at all times.
- (c) The Proprietor shall ensure that the fare table is not concealed from view or rendered illegible while the vehicle is plying for hire.

29

- (a) The proprietor shall cause the taximeter to be of a type approved by the Council and to be maintained in a sound mechanical condition at all times, and for it to be located within the vehicle in accordance with the reasonable instructions of the authorised officer.
- (b) The proprietor of a Hackney Carriage shall cause the taximeter to be set to display the proprietor's fare table approved by the Council
- (c) The proprietor shall not use or permit to be used a taximeter that the Council has not sealed.
- (d) The proprietor shall not permit the taximeter to be fitted with a second manual tariff.
- (e) The proprietor shall cause the taximeter to be fitted with a key or other device to bring the machinery into action and cause the word 'HIRED' to appear on the face of the meter as soon as the vehicle is on hire.
- (f) The proprietor shall ensure that when the vehicle is not hired the key or other device is to be locked and machinery kept inactive and the meter must show no fare at that time.
- (g) The proprietor shall ensure that when the taximeter is brought into action the fare and permitted extras will be shown legibly on the face of the meter and shall be no more than permitted by the approved tariff.
- (h) The proprietor shall ensure the 'FARE' shall be printed on the face of the meter in clear letters so as to apply the fare recorded thereon.

- (i) The proprietor shall ensure that the taximeter is in such a position in the vehicle that figures recorded thereon are clearly visible to any passenger being carried therein and the driver of the vehicle shall ensure that sight of the taximeter by passengers carried therein is not obstructed at any time.
- (j) The proprietor shall ensure that the taximeter is sufficiently illuminated that when in use it is visible to all passengers.
- (k) The proprietor shall ensure that the taximeter and all its fittings are affixed to the vehicle with seals or by other means so that it shall not be practicable for any person to tamper with the meter except by breaking or damaging or permanently displacing the seals and other fittings.
- (l) The proprietor undertakes to ensure that the taximeter will not be replaced without prior permission of the Council.

Insurance

- 30 The proprietor of the Hackney Carriage vehicle shall keep in force in relation to the user of that vehicle a Policy of Insurance for the use of the vehicle as a hackney carriage or private hire vehicle issued by an approved Insurance Company and comply with the requirements of Part VI of the Road Traffic Act 1988.
- 31 At all times during the currency of the vehicle licence, the proprietor of the vehicle must carry within the vehicle the original Certificate of Insurance or Cover Note relating to that vehicle which shows those persons entitled to drive the vehicle or a Certificate which complies with condition 32 above. The documentation must be available for inspection by an Authorised Officer of the Council or Police Officer at all reasonable times. Failure to hold or produce this documentation will, save in exceptional circumstances, lead to the consideration by the Council of the future of the licence.

Transfer / Change of Address

- 32 If the proprietor of a licensed vehicle transfers his/her interest or part interest in the vehicle to any other person, he/she shall be required to notify the Council in writing within fourteen days of such transfer, specifying the name and address of the person to whom such interest has been transferred. However the proprietor is strictly prohibited from transferring or purporting to transfer the vehicle licence itself.
- 33 If at any time during the period of a vehicle licence the proprietor for any reason does not wish to retain the vehicle licence he must immediately surrender and return the vehicle licence and identification plates (including backing plates) to the Council. If the proprietor surrenders a vehicle licence then the licence shall be treated as if it had expired on the date of surrender and cannot thereafter be re-instated.
- 34 The proprietor of a Hackney Carriage vehicle shall notify the Council in writing of any change in address within seven days of such change taking place.

Radio equipment

- 35 The proprietor shall ensure that no radio equipment is fitted to any of his vehicles without the prior written consent of the Council where that radio equipment will allow the driver to communicate with an operator.
- 36 The proprietor shall ensure that any radio equipment fitted to the vehicle is at all times kept in a safe and sound condition and maintained in proper working order.

Notification of convictions

- 37 The proprietor of a Hackney Carriage vehicle shall immediately disclose to the Council in writing details of any convictions cautions, reprimands or warnings imposed on him during the currency of his/her private hire vehicle licence.

Vehicle Excise Licence

- 38 The proprietor shall ensure, that at all times whilst the vehicle is used on public roads, there is a current vehicle excise licence in force for the vehicle.

Applications and licences

- 39 Each application for a Hackney Carriage vehicle licence must be made on the prescribed forms and be accompanied by the vehicle's registration documents, insurance documentation and the appropriate fee as determined by the Council from time to time. Acceptance of the application forms and fee by the Council does not imply that a licence will be granted
- 40 Before a licence is granted, the applicant shall produce a current Certificate of Insurance or Cover Note showing:
- (a) that there is in force in relation to the use of the Hackney Carriage vehicle to which the application relates a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988. The Certificate of Insurance or Cover Note must clearly state the driver(s) and the vehicle;
 - (b) in the case of a vehicle covered by a block insurance policy, the Certificate or Cover Note must be produced showing that there is in force in relation to the use of the Hackney Carriage vehicle to which the application relates a policy of insurance of such security as complies with the requirements of Part VI of the Road Traffic Act 1988. Either the Certificate or Insurance or Cover Note must state the driver(s) and vehicle or the insurance policy documentation must be produced showing that the vehicle has been added to the insurance schedule.
 - (c) The insurance certificate or cover note should expressly indicate cover for public hire or the carriage of passengers for hire or reward.
- 41 A vehicle licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.
- 42 Each private hire and hackney carriage vehicle licence shall be valid for a period of one year or such shorter period as the Council may decide.
- 43 A proprietor shall retain the licence of all hackney carriage or private hire drivers driving their vehicle(s) and produce the same to an authorised officer or Constable on request
- 44 All licences in connection with the driving and operating of hackney carriages in accordance with the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. Drivers and proprietors should be familiar with these provisions.

CONGLETON BOROUGH COUNCIL
AS AT JULY 1978

BYELAWS

Made under Section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the Congleton Borough Council with respect to hackney carriages in the district of Congleton.

Interpretation

1. Throughout these byelaws “the Council” means the Borough Council of Congleton and “the district” means the non-metropolitan district of Congleton comprising the former Borough of Congleton, the former Urban District of Alsager, Middlewich and Sandbach and the former Rural District of Congleton.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licences, 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 everyway 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, 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 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 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 carriage 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 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 in that behalf;
 - b. if a stand, at the time of his arrival, is occupied by the full number of carriages authorized to occupy it, proceed to another stand;
 - c. on arriving at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand 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 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 had 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.
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.

Provisions fixing the stands of hackney carriages

15. 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:-
 - (a) The Fairground, Congleton (in a plot of land situate on the easterly side of Market Street and to the immediate south of the Omnibus Station) 9
 - (b) Wagg Street, Congleton (on the westerly side of the carriageway adjacent to the Lion and Swan Hotel) 3

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

16. 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

[superseded by subsequent table of fares]

CREWE AND NANTWICH BOROUGH COUNCIL Byelaws for Hackney Carriages

Made under Section 68 of the Town Police Clauses Act 1847, and Section 171 of the Public Health Act 1875, by the Council of the Borough of Crewe and Nantwich with respect to hackney carriages in the Borough of Crewe and Nantwich.

Interpretation

1. Throughout these byelaws “the Council” means the Council of the Borough of Crewe and Nantwich and “the district” means the Borough of Crewe and Nantwich

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; and
 - (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; and
 - (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 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 time as well as for distance in pursuance of the tariff fixed by the Council;
 - (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; and
 - (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) 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; and
 - (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is between half-an-hour after sunset and half-an-hour before sunrise, 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 appointed by the Council;

- (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: and
 - (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 make use of the services of any other person for the purpose of importuning any person to hire such a carriage.
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. 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 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; and
 - (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 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 or fare prescribed by the Council, the rate or fare being calculated by a combination of distance and time unless the hirer expresses 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 and time the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

15. (a) The proprietor of a hackney carriage shall cause a statement of the fares fixed by Council resolution 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

16. 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.
17. 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; and
- (b) Be entitled to receive 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 be the greater) but not more than five pounds.

Penalties

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale 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 therefore.

Repeal of Byelaws

19. The byelaws relating to hackney carriages which were made by Crewe and Nantwich Borough Council on the 30th day of August 1978 and 23rd June 1982 and which were confirmed by the Secretary of State on the 13th October 1978 and the 1st September 1982 respectively are hereby repealed.

THE COMMON SEAL OF THE CREWE AND NANTWICH BOROUGH COUNCIL WAS
HERETO AFFIXED THIS 13TH DAY OF JULY 2005 IN THE PRESENCE OF:

C J HENSHALL
Borough Solicitor

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into force on the 15th day of January 2007.

Signed by authority of the Secretary of State PHILIP WEST

14th December 2006

Department for Transport
LONDON SW1P 4DR

I hereby confirm that the foregoing byelaws are a true copy of the byelaws as confirmed by the Secretary of State.

CJ HENSHALL
Borough Solicitor

5th January 2007

Crewe and Nantwich Borough Council
Municipal Buildings
Earle Street
Crewe CW1 2BJ

APPENDIX I

BYELAWS

Made under section 68 of the Town Police Clauses Act, 1847 and section 171 of the Public Health Act, 1875 by Macclesfield Borough Council (now Cheshire East Borough Council) with respect to:

HACKNEY CARRIAGES

in Macclesfield (now known as Zone 3 of Cheshire East Borough Council)

INTERPRETATION

1. Throughout these byelaws 'the Council' means (former) Macclesfield Borough Council and 'the district' means (former) Macclesfield Borough Council

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 of 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, 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 suitable 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 the 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 seals affixed thereto.
7. The driver of a hackney carriage shall, when plying for hire on any street and not actually hired:-
 - (a) Proceed with reasonable speed to a stand fixed by the byelaw in that behalf;
 - (b) 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 so as to face in the same direction;
 - (c) 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 the 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, either with the licence granted to him by the Council or afterward, he shall, when standing or plying for hire, and when hired, wear that badge in such position and manner as to be plainly visible.
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 quality 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.

Provisions fixing the stands of hackney carriages.

15. The following places shall be stands for such numbers of hackney carriages as is specified:

[The location of stands within the borough has changed since the adoption of the original bye-laws.]

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

[Any reference to fares within these bye-laws refers to the current fare tariff]

16. 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, 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 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, which it may not be possible to record on the face of the taximeter.

17.

- (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 re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

- 18. 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.
- 19. 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 it's owner, to the office of the Council, and leave it in the custody of the officer in charge of the office on his giving 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 it's estimated value (or 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.

PENALTIES

- 20. 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 thereof.

REPEAL OF BYELAWS

- 21. The following byelaws are hereby repealed:-

Date Byelaw made	By whom made	Date Confirmed	By whom confirmed
25 September 1963	Macclesfield Borough Council	6 July 1964	On Her Majesty's Principal Secretaries of State
20 December 1972	Macclesfield Borough Council	14 March 1973	"
22 January 1974	Macclesfield Borough Council	26 February 1974	"
20 January 1969	Wilmslow Urban District Council	13 May 1969	"
6 December 1971	Wilmslow Urban District Council	6 October 1972	"
16 November 1971	Macclesfield Rural District Council	8 May 1972	"
2 March 1948	Knutsford Urban District	5 July 1948	One of the Principal Secretaries of State of His Late Majesty King George VI

Given under the Common Seal of the Macclesfield Borough Council this tenth day of January, 1975.

THE COMMON SEAL of the MACCLESFIELD BOROUGH COUNCIL
Was hereunto affixed to the presence of:-

AUTHORISED SIGNATORY

The Secretary of State this day confirmed the forgoing byelaw and fixed the date on which the byelaw is to come into operation as the 1st day of April 1975.

K P WITNEY
An assistant Under Secretary of State Home Office

14 March 1975