

**GREAT YARMOUTH BOROUGH COUNCIL
B Y E L A W**

Made under Section 68 of the
Town Police Clauses Act, 1847 and
Section 171 of the Public Health Act, 1875
by the Great Yarmouth Borough Council
with respect to Hackney Carriages
in the Borough of Great Yarmouth
1 9 8 4

(incorporating all Amendments in force on 1 May, 1989)

K. G. WARD

Chief Executive Officer

Town Hall,

Great Yarmouth.

Price 50p

Great Yarmouth Borough Council

B Y E L A W S*

Made under Section 68 of the Town Police Clauses Act, 1847, and Section
171 of the Public Health Act, 1875 by the Great Yarmouth Borough Council
with respect to Hackney Carriages in the Borough of Great Yarmouth.

1. Throughout these byelaws "the Council" means the Great Yarmouth
Borough Council. "The District" means the Borough of Great Yarmouth. "First
class hackney carriage" means a hackney carriage propelled by mechanical
means. "Second class hackney carriage" means a hackney carriage draw by
an animal or animals.

**PROVISIONS REGULATING THE MANNER IN WHICH THE NUMBER OF
EACH HACKNEY CARRIAGE, CORRESPONDING WITH THE NUMBER OF
ITS LICENCE, SHALL BE DISPLAYED.**

Identity

plates to

be affixed

on carriage

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**

furnishing

of hackney

carriages

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.

*The marginal notes do not form part of the Byelaws

(e) cause the floor to be provided with a proper carpet, mat, or other suitable covering.

(f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way, fit for public service.

(g) provide means for securing luggage if the carriage is so constructed as to carry luggage.

(h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use.

(i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

Construction

and

maintenance

of taximeter

4. The proprietor of a first class 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:-

(i) If the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":

(a) the words "FOR HIRE" shall be exhibited on each side of the flag or other device in plain letters at least one and a half inches in height and the flag or other device shall be capable of being locked in a position in which the words are horizontal and legible.

(b) when the flag or other device is so locked the machinery of the taximeter shall not be in action and the means of bringing it into action shall be by moving the flag or other device so that the words are not conveniently legible.

(c) when the flag or other device is so locked that the aforesaid words are horizontal and legible no fare shall be recorded on the face of the taximeter.

(ii) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":

(a) the taximeter shall be fitted with a key or other device the turning of which will bring the machinery of the taximeter into action and cause the work "HIRED" to appear on the face of the taximeter.

(b) such key or device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and no fare is recorded on the face of the taximeter.

(iii) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take in pursuance of the byelaw in that behalf for the hire of the carriage by distance.

(iv) 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.

(v) the taximeter shall be so placed that all letters and figures on the face thereof may be 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.

(vi) 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

Of "FOR

HIRE"

sign in

certain

cases

5. The Proprietor of a first class hackney carriage provided with a taximeter not fitted with a flag or other device bearing the words "FOR HIRE" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:-

(a) the sign shall bear the words "FOR HIRE" in plain letters at least one and a half inches in height.

(b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the carriage is for hire.

Brakes on

Second class

Carriages

6. The proprietor of a second class hackney carriage shall provide the carriage with a sufficient drag-chain and slipper or other sufficient brake.

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

7. The driver of a first class hackney carriage shall:

(i) if the taximeter is fitted with a flag or other device bearing the words "FOR HIRE":

(a) when standing or plying for hire keep such flag or other device locked in the position in which the words are horizontal and legible.

(b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the flag or other device so that the words are not conveniently legible and keep the machinery of the taximeter in action until the termination of the hiring.

(ii) if the taximeter is not fitted with a flag or other device bearing the words "FOR HIRE":

(a) when standing or plying for hire keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter and operate the sign provided in pursuance of byelaw 5 so that the words "FOR HIRE" are clearly and conveniently legible by persons outside the carriage.

(b) as soon as the carriage is hired whether by distance or time, operate the said sign so that the words "FOR HIRE" are not conveniently legible by persons outside the carriage.

(c) As soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into operation by moving the key

or other device fitted for the purpose 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.

(iii) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined for the purposes of the Road Traffic Act 1972 and also at any other time at the request of the hirer.

Tampering
with meter

8. A proprietor or driver of a hackney carriage shall not tamper with or permit any persons to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.

Conduct of driver
when not actually
hired

9. 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 authorised to occupy it, proceed to another stand.

(c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction.

(d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the space previously occupied by the carriage driven off or moved forward.

Not to
importune

10. 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.

General
behaviour
of the driver

11. 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.

Proprietor
or driver
to attend
punctually
when hired

12. 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 or place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.

Driver to
proceed by

shortest route

13. The driver of a hackney carriage when hired to drive to any particular destination shall, subject to any directions given by the hirer, proceed to that destination by the shortest available route.

Number of passengers

14. A proprietor 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

Badge to be worn by driver

15. 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.

Personal luggage

16. 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 persons.

Feeding of animals

17. A proprietor or driver of a second class hackney carriage shall not in any street feed or allow to be fed any horse or any other animal harnessed to a carriage unless the food is contained in a proper bag or receptacle or is delivered with the hand.

Harnessing of animals

18. The driver of a second class hackney carriage shall, while standing, plying or driving for hire cause every part of the harness of the animal or animals drawing the carriage to be kept in order so that the animal or animals shall be properly and securely attached to the carriage, and under due control.

Second class carriage not to be driven so as to expose any person to risks

18(a)*The proprietor or driver of a hackney carriage shall not while standing, plying or driving for hire, drive or allow to be driven, or harness or allow to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage, or any person traversing any street, to risk of injury.

Sweeping and washing of carriages

19. While any hackney carriage is stationed on an authorised stand, the driver shall not sweep out or wash such carriage.

* Byelaw 18(a) was added by a Byelaw made by the Great Yarmouth Borough Council on 13th March, 1981, and confirmed by the Secretary of State to come into operation on 8th May, 1981.

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

Duty to search carriage

20. The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.

Lost property

21. The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found or handed to him.

(a) carry it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the Police Headquarters, Great Yarmouth, or the Police Station, Gorleston and leave it in the custody of the officer in charge of the office on his giving a receipt for it.

(b) be entitled to receive from any person to whom the property shall be redelivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the Police Station, whichever be the greater) but not more than five pounds.

PROVISIONS FIXING THE STANDS OF HACKNEY CARRIAGES

List of stands

22. (This Byelaw has ceased to have effect by virtue of Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 but the stands fixed by the Byelaw are deemed to have been appointed under that Section and are (as amended) set out in Appendix 1).

PROVISIONS FIXING THE RATES OR FARES, AS WELL FOR TIME AS DISTANCE TO BE PAID FOR FIRST CLASS HACKNEY CARRIAGES WITHIN THE BOROUGH AND SECURING THE DUE PUBLICATION OF SUCH FARES

Fares for first class hackney carriages

23. (These Byelaws ceased to have effect by virtue of Section 65(6) of the Local Government (Miscellaneous Provisions) Act 1976. The table of fares (as amended) is set out in Appendix 2).

Scale of fares to be displayed

24. (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.

Fare scale not to be concealed

(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.

PENALTIES

*The fine

was increased

to fifty pounds

by virtue of

Section 31

of the Criminal

Law Act 1976 25. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds* and in the case of a continuing offence to a further fine not exceeding five pounds for each day during which the offence continues after conviction therefore.

26. The byelaws made by the Mayor, Aldermen and Burgesses of the County Borough of Great Yarmouth on the 28 July 1965 and 7 April, 1971 and confirmed by One of Her Majesty's Principal Secretaries of State on 1 December, 1965 and 10 May 1971 respectively and the byelaw made by the Council of the Borough of Great Yarmouth on the 10 November 1977 and confirmed by One of Her Majesty's Principal Secretaries of State on the 23 December, 1977 are hereby repealed.

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed this Second day of May One thousand nine hundred and seventy-eight.

THE COMMON SEAL of the)

GREAT YARMOUTH)

BOROUGH COUNCIL was) L.S.

hereunto affixed by Order of)

the Council in the presence of:-)

(Signed) G. T. SCOTT Mayor

(Signed) K. G. WARD Chief Executive Officer

Seal of the Secretary of State

Home Department The Secretary of State this

day confirmed the foregoing

byelaw and fixed the date on

which it is to come into operation

on the Ninth day of June 1978.

(Signed) R. F. D. SHUFFREY

An Assistant Under Secretary of State

HOME OFFICE,

WHITEHALL. 8 June, 1978

APPENDIX 1

Stands for Hackney Carriages Appointed Pursuant to Section 63
of the Local Government (Miscellaneous Provisions) Act 1976

Schedule 1

Stands Available for Hackney Carriages propelled by Mechanical Power
(First Class Hackney Carriages)

STAND

NUMBER
NAME OF STREET
SITUATION OF STAND
NO. OF VEHICLES ACCOMMODATED BY STAND

1.
Beach Coach Station
In layby in Coach Station
20
2.
Hall Quay
East side, outside National Westminster Bank
2
3.
Hall Quay
West side of service road on the east side of Hall Quay and extending northwards from Row 61 between the hours of 6 pm and 9 am
4
4.
Market Gates Road
South Side
4
5.
Regent Street
North Side
5
6.
Theatre Plain
East Side
8
7.
Trafalgar Road
Outside Holkham Hotel
4
8.
Marine Parade
Britannia Pier entrance bus stop northwards
4
9.
Marine Parade
West side extending southwards from a point approx. 75 feet (22.86 metres) from the junction with Standard Road
4
10.
Portland Place
North side of Marine Hotel, Marine Parade, extending westwards
3
11.
Marine Parade
From entrance to Biergarten of Wellington Pier extending northwards
6

12.

Pier Walk, Gorleston

East of the main entrance to the 'Ocean Room' with the vehicles parking end on to the kerb

5

13.

Bus stops, various

The use of the following bus stops between 11.45 pm and 6.30 am

(a) King Street, near Peggotty's Public House

(b) Marine Parade, west side, near Empire Cinema

(c) Marine Parade, west side, near Tower

(d) Marine Parade, west side, outside no. 72

2 at each stand

14.

King Street

Immediately north of the invalid car parking bay outside No. 151 King Street

3

Additional stand between 11 pm and 6.30 am

3

15.

St Peter's Road

North side of St Peter's Road from a point 15 metres due east of junction of St Peter's Road and Standard Place extending 32 metres in an easterly direction

6

16.

Fremantle Road

East side, outside Tattersalls Gate at the Racecourse

6

17.

North Drive

West side, immediately south of the access to Rosie O'Grady's Night Club.

Operational 10 pm to 4 am

6

18.

Marine Parade

Opposite Tourist Information Centre

2

19.

North Denes

At the Seashore Holiday Camp in front of existing bus stop facing south

2

20.

Regent Road

Opposite McDonalds

operational 8 pm to 6 am

2

21.

King Street

Outside Peggotty's Public House operational 8 pm to 6 am

2

22.

High Street, Gorleston

East side of Public Conveniences (Feathers Plain)

2

23.

School Lane, Gorleston

North Side

2

Schedule 1

Stands Available for Horse-Drawn Hackney Carriages

(Second Class Hackney Carriages)

STAND

NUMBER

NAME OF STREET

SITUATION OF STAND

NO. OF VEHICLES ACCOMMODATED BY STAND

1.

Marine Parade

Britannia Pier Rank

15

2.

South Beach Parade

On east side of Parade extending northwards from opening leading to

Pleasure Beach

14

3.

Nelson Road North

North of Coach Station entrance extending northwards on east side of road

10

4.

Lower Parade, Gorleston

South end of Bathing Pool

2

5.

Yacht Station, Lawn Avenue

(a) South side of the road leading to the Yacht Station from Lawn Avenue

2

(b) Western side of the road leading to the Yacht Station from Lawn Avenue,
north of the Yacht Station entrance