

**PROPOSED PRIVATE HIRE DRIVER'S GENERAL CONDITIONS  
& HACKNEY CARRIAGE DRIVER BYELAWS**  
***(changes following public consultation are shown in bold italics)***

**EXPLANATORY NOTES**

Bath & North East Somerset Council issues a combined Hackney Carriage/Private Hire driver's licence and badge. This means that once the licence is issued you are legally entitled to drive both a Hackney Carriage and a Private Hire vehicle.

Both categories of licence are subject to regulatory schemes that provide a framework of rules and regulations which you must comply with at all times whilst acting as a licensed driver.

The Council issues a combined Hackney Carriage/Private Hire driver's licence. Licensees must comply with the Local Government (Miscellaneous Provisions) Act 1976 and Conditions attached to the license. These conditions are found in Section 1 of this document.

Hackney Carriage licensees must comply with the Town Police Clauses Act 1847 and byelaws. The byelaws can be found in Section 2 of this document.

The Council does not attach Conditions to a Hackney Carriage driver's licence. Hackney Carriage drivers are, however, required to familiarise themselves with the Private Hire drivers' Conditions set out in Section 1 of this document as they form part of the combined licence they hold. In the interests of public safety and security the Council will expect Hackney Carriage drivers to advise the Council of any conviction or caution they may obtain, any change of address or application details and any matter affecting their medical fitness to drive. Guidance for such disclosure can be found in Section 1 of this document headed as follows: - Criminal Charges, Convictions, Cautions and Fixed Penalty Notices, Medical Fitness, Changes in Application Details.

Any failure to comply with a requirement may result in enforcement action being taken under the byelaws, conditions and or the appropriate statutory regime.

If you are unsure how this affects you and would like further clarification of any of the conditions and byelaws please contact the Licensing Office at Locksbrook Road, Bath, BA1 3EL or telephone 01225 477689.

A combined Private Hire/Hackney Carriage Drivers Licence is issued on condition that the driver fully accepts and understands the byelaws, conditions and penalty point scheme set out below.

**INTERPRETATION**

In these conditions and byelaws:-

- (a) "the Council" means Bath & North East Somerset Council.

- (b) "Authorised Officer" means any Officer of the Council authorised in writing by the Council for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.
- (c) "Driver's Licence" means in relation to the driver of a Hackney Carriage, a licence issued under section 46 of the Town Police Clauses Act 1847 and, in relation to the driver of a Private Hire vehicle, a licence under section 51 of the Local Government (Miscellaneous Provisions) Act 1976 .
- (d) "Vehicle Licence" means in relation to a Hackney Carriage a licence under sections 37 to 45 of the Town Police Clauses Act 1847 and in relation to a Private Hire vehicle means a licence issued under section 48 of the Local Government (Miscellaneous Provisions) Act 1976

## **SECTION 1 - PRIVATE HIRE DRIVER'S CONDITIONS :**

The following conditions are applicable to all holders of a combined Hackney Carriage/Private Hire driver's licence Issued by Bath & North East Somerset Council.

### **BADGES:**

On being granted a Private Hire driver's Licence the driver will be issued with two identification badges. The driver shall wear one badge on his/her upper body in such position and manner as to be plainly visible at all times whilst hired or available for hire unless specifically exempted in writing by the Council. The driver shall display the other badge in the vehicle in such a position as to be plainly visible to any passenger. The driver shall not permit the use of the badges by any other person.

### **RETURN OF BADGES:**

The holder of a Private Hire driver's Licences must return the badges issued by the Council to an Authorised Officer immediately upon suspension, revocation or ceasing to be so licensed.

### **NUMBER OF PERSONS CONVEYED:**

The driver shall not convey in any vehicle licensed for Private Hire a greater number of persons than that specified in the Licence for that vehicle.

### **TAXIMETERS:**

- (a) The driver of a vehicle fitted with a taximeter shall bring the meter into operation as soon as the vehicle is hired until termination of the hiring. The vehicle shall be deemed to be hired when the passenger is seated safely inside the vehicle. Where the vehicle is in attendance and is requested to wait, or proceed to another destination, the vehicle shall be deemed to be hired from that point.
- (b) The driver of a Private Hire vehicle fitted with a taximeter shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.

- (c) The driver of a Private Hire vehicle shall not tamper with or permit any person, other than an authorised Officer of the Council or an authorised taximeter dealer to make any alterations to the taximeter or tamper with the taximeter seal.

#### **APPLICATION BASED FARE CALCULATORS:**

Any mobile phone equipment used to calculate the fare shall be fixed securely to the interior of the vehicle in such a manner that it does not obstruct the drivers view of the road and so as to be plainly visible to fare paying passengers.

#### **AGREED FARES FOR VEHICLES:**

The driver shall not demand from the hirer a fare in excess of any previously agreed for that hiring between the hirer and the Operator, and shall adhere to the Operators tariff at all times unless specifically instructed by the Operator to the contrary.

If the vehicle is a Private Hire vehicle fitted with a taximeter and there has been no previous agreement as to the fare, the driver shall not demand from the hirer a fare in excess of the fare shown on the face of the taximeter or application based fare calculator.

#### **RECEIPT FOR FARE:**

If requested by the hirer of the Private Hire vehicle the driver shall provide a **written** receipt for the fare paid. The receipt shall include the first name, the surname and badge number of the driver and the name of the Operator (if any). If a company receipt is given, the driver must be working for the company named on the receipt.

#### **ACCIDENTS:**

The driver of a Private Hire vehicle involved in any accident shall report to the Proprietor of the Private Hire vehicle the details of the accident within 12 hours of its occurrence.

#### **CONDUCT:**

The driver shall:

- (a) ensure that any Private Hire vehicle driven by him/her is in a roadworthy and clean condition before the commencement of driving for hire and reward.
- (b) at all times whilst hired or available for hire behave in a civil and orderly manner to members of the public, passengers and other road users.
- (c) take all reasonable precautions to ensure the safety of persons conveyed including when such person are entering and or alighting from the vehicle;

(d) not discriminate against any person on the basis of race, colour, creed, gender, sexuality or disability.

### **DRESS:**

The driver shall at all times when acting as a Private Hire driver be respectably dressed and be clean and tidy in his/her appearance.

Examples of non acceptable standards of dress are:

- Clothing that is ripped, torn or holed
- Words or graphics on any clothing that is suggestive or offensive
- Sports shirts such as football, rugby or cricket shirts
- Track Suits
- ***Shorts, miniskirts, flip flops, vest tops and any clothing that could be deemed to be provocative or sexually revealing.***

### **PUNCTUAL ATTENDANCE:**

The driver of a Private Hire vehicle who has agreed or has been hired to be in attendance with a vehicle at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such a vehicle at the appointed time and place. In the event of a delay in attendance the driver shall take reasonable steps to contact the customer using the contact details provided. In the event of a 'no show' by the customer the driver shall take reasonable steps to contact the customer before driving away.

### **EATING & DRINKING:**

The driver shall not at any time whilst hired eat or drink.

### **SMOKING:**

The Smoke free legislation under the Health Act 2006 which came into effect on 1<sup>st</sup> July 2007, makes smoking a criminal offence in licensed Private Hire vehicles.

Smoking in the vehicle is prohibited at all times including when the vehicle is not being used for hire and reward and when the driver is off duty.

Vaping and E-Cigarettes use is prohibited at all times.

The above also applies to passengers being carried within a licensed vehicle.

**RADIOS:**

No radio or musical apparatus shall be used other than for the purpose of sending or receiving messages in connection with the operation of the vehicle without the consent of any passenger.

**NOISE POLLUTION:**

The driver of a Private Hire vehicle shall not sound the vehicle's horn to alert passengers of his arrival at a pre-arranged pick up point.

The driver shall not cause or permit noise to be emitted from the vehicle at any time so as to cause a nuisance or annoyance to any person, whether inside or outside the vehicle.

**ASSISTANCE TO PASSENGERS:**

The driver shall, when requested by any person hiring or seeking to hire his/her Private Hire vehicle:

- (a) convey a reasonable quantity of luggage,
- (b) afford reasonable assistance in loading and unloading,
- (c) afford reasonable assistance in carrying the luggage to or from the entrance of any building, station or other place at which he/she may take up or set down such a person,
- (d) afford all reasonable assistance to wheelchair bound, disabled and elderly persons,

The driver shall not be obliged to convey any noxious, odorous, foul, offensive or dangerous substance.

**TAKEAWAY FOOD:**

It is at the driver's discretion whether or not takeaway food is allowed to be carried within the vehicle. If the driver does permit then the food should remain sealed and not be consumed within the vehicle. If a passenger refuses to comply with this request then the hiring may be terminated by the driver.

**CONVEYANCE OF LUGGAGE:**

No luggage shall be conveyed on the exterior of the vehicle. The driver should exit the vehicle and assist the passenger in safely and securely storing the luggage to be carried, provided that the amount of luggage does not exceed the storage space of the vehicle. No luggage shall be carried in the interior of the vehicle in such a manner as to be a hazard in the event of an emergency stop.

**SHORTEST ROUTE:**

The driver, 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. If the driver is aware of any local temporary condition that may affect the shortest route such as roadworks or special events the driver

should inform the passenger verbally of this and request permission to take an alternative route.

### **SEAT BELTS:**

The driver shall point out to passengers that seat belts shall be worn in accordance the legislation regarding the use of seatbelts.

It is the driver's responsibility to ensure that children over 3 years but under 14 years of age are suitably secured.

### **PETS:**

The driver shall not refuse to carry within the vehicle any household pets providing they are accompanied by an adult and providing such pets are suitably restrained or contained so as not to cause a nuisance or damage.

Persons with pets may be refused if the driver is allergic to such animals. A certificate to that effect, signed by the driver's General Practitioner must be produced to an Authorised Officer of the Council on request.

A driver shall not carry in the vehicle any animal that belongs to the driver or is being looked after by the driver which belongs to the Proprietor, Operator of the vehicle or any other person.

### **GUIDE DOGS AND OTHER ASSISTANCE ANIMALS:**

Passengers with guide dogs or other assistance animals, may only be refused if the driver of a Private Hire vehicle is allergic to such animals. A certificate to that effect, signed by the driver's General Practitioner must be produced to an Authorised Officer of the Council on request.

### **LOST PROPERTY:**

The driver shall immediately after termination of any hiring or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left therein and if any such property is found the driver shall take it as soon as possible and in any event within 24 hours to a Police station and then leave it in the charge of a Police Officer on his/her giving the driver a receipt for it.

If a Private Hire Operator has a Council approved procedure in place for dealing with lost property then the driver may deposit any lost property with the Private Hire Operator and the condition above shall not apply.

### **CONDITION OF VEHICLE:**

The driver shall at all times ensure that the vehicle's lights are fully operative, its tyres are within legal limits and that the vehicle is clean and tidy.

The driver shall ensure that there is available and ready for use, in the vehicle a torch, a jack, a tool kit, a full set of spare light bulbs and a fire extinguisher.

**PLYING FOR HIRE:**

The driver shall not, at any time whilst driving or in charge of a vehicle licensed for Private Hire: -

- (a) station his/her vehicle for hire or ply for hire or solicit any person to hire or to be carried for hire or reward on any road or in any public place readily accessible and visible from a road;
- (b) the driver shall not call out or otherwise importune any person to hire the vehicle or use anyone else to do so;
- (c) the driver shall not accept a booking from the roadside or contact the Operator on behalf of a potential hirer.
- (d) all hiring's must be communicated to the driver by or on behalf of the licensed Private Hire Operator for that vehicle by use of telephone or by a two way radio system fitted to that vehicle. At no time can a hiring be accepted other than a prearranged booking.
- (e) the driver shall not illuminate the roof sign.
- (f) the driver shall at no time station his/her vehicle on or near a Hackney Carriage rank.
- (g) A driver shall when requested by an Authorised Officer drive to another location if in the view of the Authorised Officer the driver could be perceived to be plying for hire due to the nature of the location.

**CRIMINAL CHARGES, CONVICTIONS, CAUTIONS, AND FIXED PENALTY NOTICES:**

Should the Licence holder be charged with any offence which has not yet been concluded he/she shall notify the Council of the charge in writing within 7 days and provide full information relating to the circumstances leading to the charge.

Should the Licence holder receive any conviction, caution or Fixed Penalty Notice for a motoring offence during the period of the Licence he/she shall within 7 days give the Council written notice of the conviction, formal caution or Fixed Penalty Notice together with providing information relating to the circumstances surrounding the offence.

Any charge, conviction, caution and fixed penalty notice also includes motoring offences.

## **CRIMINAL ALLEGATIONS AND INVESTIGATIONS**

If a licensee is accused of any criminal activity that is the subject of an active Police investigation they should inform the Licensing Office as soon as reasonably practicable and in any event within 24 hours of such investigation being commenced. The licensee should provide as much information as possible that does not prejudice the investigation.

Licensees who have allegations made against them involving sexual misconduct may have their licence immediately revoked or suspended on the grounds of immediate public safety.

## **MEDICAL FITNESS**

Any change in a Licensee's medical condition that may affect his/her ability to drive shall be notified to the Authorised Officer of the Council as soon as reasonably practicable or in any event within 48 hours.

The Licensee shall if required produce to the Council a certificate signed by his/her registered medical practitioner certifying that the Licensee meets the standards of a Group 2 (Vocational) driver as set by the Driver and Vehicle Licensing Agency (DVLA).

If so required the Licensee shall, whether or not such certificate has been produced, submit to an examination by a Council appointed Occupational Health Advisor to assess the Licensee's fitness to drive a licensed vehicle.

Should a change in medical fitness render the Licensee unfit to meet the Group 2 Vocational Driver standards set by the DVLA and the criteria recommends that driving should cease then the license shall be revoked immediately on the grounds of public safety. .

If a medical is requested by the Council in accordance with the recommended timescales prescribed in the policy applicable to licensed drivers and they licensee fails to produce the results of such medical then the Authorised Officer may revoke or suspend the driver's license on the grounds of immediate public safety.

## **CHANGE OF ADDRESS**

Should the Licensee change address during the period of the license written notice shall be given to the Council of that change within seven days. The written notice shall be on a form that can be obtained from the Licensing office.

## **CHANGES IN APPLICATION DETAILS**

If during the currency of the Licence any of the particulars supplied in the driver's application changes, details of those changes shall be notified in writing to an Authorised Officer of the Council within 7 days of the change.



## **SERVICE OF NOTICES**

Any notice required to be served by the Council relating to this Licence under any of the provisions of, Part II of the Local Government (Miscellaneous Provisions) Act 1976 or any other enactment shall be deemed properly served if it is served personally on the Licensee, left at his/her last known address or sent by way of pre-paid post.

## **DUTY TO RESPOND TO WRITTEN REQUESTS**

If a licensee fails to respond to written requests for documentation without reasonable excuse on three occasions prompting a follow up letter then the licensee shall be referred to the Licensing Sub-Committee for them to consider whether or not he/she remains fit and proper person. The three occasions referred to above are not limited to any one year term of a licence and all occasions where repeated requests for information are made will be taken into account.

## **PENALTY POINT SCHEME**

Breach of any of the conditions may be enforced by the Penalty Point system as shown on the attached table.

## **SUSPENSION, REVOCATION OR REFUSAL TO RENEW LICENCE**

The Licence may be suspended revoked or not renewed by the Council:

- (a) if the driver is convicted of an offence under or otherwise fails to comply with any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- (b) if the driver has been convicted of an offence involving dishonesty, indecency or violence;
- (c) if the driver becomes disqualified from driving the Licence shall be automatically revoked; or
- (d) any other reasonable cause.

This is not an exhaustive list but examples of any other reasonable cause may include formal cautions, fixed penalty notices and matters where a Licence holder has been charged with an offence which has yet to be concluded.

## **LICENSEE'S DUTY TOWARDS AUTHORISED OFFICERS**

Any person who:

- (a) wilfully obstructs an Authorised Officer or constable acting, in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

- (b) without reasonable excuse fails to comply with any of the requirements properly made to him by an Authorised Officer or constable, in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976.
- (c) without reasonable cause fails to give an Authorised Officer or constable any other assistance or information which he may require for the performance of his functions in pursuance of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

Shall be guilty of an offence.

These conditions shall apply to Private Hire driver's licensed by the Bath & North East Somerset District Council.

The Council reserves the right to waive any requirements of these conditions.

The Council reserves the right to amend or add to any of these conditions on notice to the licensees.

July 2018

<b>Penalty Points System Relating to Private Hire Driver's Licence Conditions</b>
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Cause	Points
Demanding more than displayed on taximeter or <b>application</b>	6
Failing to wear ID badge	4
Failing to display ID badge in interior of vehicle	4
Refusing to carry guide dogs, hearing dogs or service dogs for the disabled	4
Failing to notify conviction/formal cautions/fixed penalty notices within 7 days	4
Failing to notify change of details e.g. address within 7 days	3
Failing to afford all reasonable assistance with luggage when requested	3
Failing to convey a reasonable quantity of luggage in the vehicle when requested	3

Failing to meet required standards of conduct/dress	4
Failing to provide written receipt when requested	4
Failing to notify accident to Proprietor within 24 hours	4
Carrying excess passengers	6
Failing to keep records	3
Failing to produce records	3
Parking on or near a Hackney Carriage rank	6
Travelling with roof sign illuminated	6
Demanding more than agreed fare	6
Failing to attend at time and place without sufficient cause	3
Breach of any other condition not specified above	1 - 6

Where 12 or more points are issued to a Driver within any period of 1 year, a report will be submitted to the relevant Licensing Committee who may following a hearing suspend, revoke or refusal to renew such a Licence.

## **SECTION 2 HACKNEY CARRIAGE BYELAWS**

The following byelaws are applicable to all holders of a combined Hackney Carriage/Private Hire driver's licence when acting as the driver of a licensed Bath & North East Somerset Hackney Carriage.

### **Model Byelaws for Hackney Carriages**

#### **BYELAWS**

Made under section 68 of the Town Police Clauses Act 1847, and section 171 of the Public Health Act 1875, by the Council of Bath & North East Somerset with respect to Hackney Carriages in the District of Bath & North East Somerset.

#### **Interpretation**

1. Throughout these byelaws "the Council" means Bath & North East Somerset Council and "the district" means the District of Bath & North East Somerset.

#### **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 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 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 driver's of Hackney Carriages plying within the district in their several employments, and determining whether such driver's 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 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 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 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 a Police Station in the District 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 therefor.

## **Repeal of Byelaws**

19. The byelaws relating to Hackney Carriages which were made by Bath City Council on the 15<sup>th</sup> day of May 1975. and which were confirmed by .The Secretary of State on the 1st day of November 1975 are hereby repealed.

## **SUSPENSION, REVOCATION OR REFUSAL TO RENEW LICENCE**

Without prejudice to the Model Byelaws the Licence may be suspended revoked or not renewed by the Council: -

- (a) if the driver is convicted of an offence under or otherwise fails to comply with any of the provisions of the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- (b) if the driver has been convicted of an offence involving dishonesty, indecency or violence;
- (c) if the driver becomes disqualified from driving the Licence shall be automatically revoked; or
- (d) any other reasonable cause.

This is not an exhaustive list but examples of any other reasonable cause may include formal cautions, fixed penalty notices and matters where a Licence holder has been charged with an offence which has yet to be concluded.

**I, the undersigned certify that the byelaws, conditions and penalty points scheme have been fully explained to me and that I fully understand them. I further certify that I agree to abide by and be bound by the byelaws, conditions and penalty point scheme.**

Signed .....

Full Name .....

Date .....

**Witness signed .....**

**Full Name .....**

**Date .....**