

Please note that although parts of these byelaws are still nominally in force, they have been amended in respect of fares and hackney carriage stands by subsequent byelaws and repealed or superseded in part following the adoption of Part II of the Local Government (Miscellaneous Provisions) Act 1976 from 1st January 1987 by conditions for hackney carriages, private hire vehicles, private hire drivers and private hire operators made, and from time to time revised, by Southampton City Council.

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CITY OF SOUTHAMPTON

B Y E L A W S

MADE BY

The Mayor, Aldermen and Citizens

of the

City of Southampton

ACTING BY THE COUNCIL

WITH RESPECT TO

HACKNEY CARRIAGES

AND MOTOR VEHICLES

LET FOR HIRE

Sealed by the Council 15th June, 1970.
Confirmed by the Home Office 21st September, 1970.
Date of Operation 1st November, 1970.

GORDON GUEST

Town Clerk

PRICE - 20p.

CITY OF SOUTHAMPTON

BYELAWS

made under section 68 of the Town Police Clauses Act, 1847, section 171 of the Public Health Act 1875, and section 91 of the Southampton Corporation Act, 1960, by the Mayor Aldermen and Citizens of the City of Southampton acting by the Council with respect to hackney carriages and motor vehicles let for hire in the City of Southampton.

Interpretation

1. Throughout these byelaws - "the Council" means the Council of the City of Southampton, "the district" means the City of Southampton, "motor vehicles let for hire" means every motor vehicle standing or plying for hire notwithstanding that such vehicle stands or plies for hire on private premises only other than
 - (a) any such vehicle which is kept by any person in connection with any business carried on by such person as funeral directors or owners of funeral vehicles available for hire and used wholly or mainly in connection with such business or is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire; or
 - (b) a public service vehicle; or
 - (c) any vehicle belonging to or used by the British Transport Docks Board or the British Railways Board for the purpose of carrying passengers and their luggage to or from any of their railway stations, railway or dock premises, or to the drivers and conductors of such vehicles.

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 inside of the carriage and on plates affixed to the outside thereof;
 - (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 such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

3. The proprietor of a hackney carriage shall:-
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver,
 - (b) cause the roof or covering to be kept water-tight,
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side,
 - (d) cause the seats to be properly cushioned or covered,
 - (e) cause the floor to be provided with a proper carpet, mat or other suitable covering.
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service,
 - (g) provide means for securing luggage if the carriage is so constructed as to carry luggage,
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use,
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver.

4. The proprietor of a hackney carriage shall cause the same to be provided with a taxi-meter 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 1 ½ 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 word "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" or "TARIFF" 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 suitably illuminated during any period of hiring;
- (vi) The taximeter and all the fittings thereof shall be affixed to the carriage with seals or other appliances so 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.

5. The proprietor of a 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 ½ 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.

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.

6. The driver of a 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 by 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 action 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 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.
7. Subject to the provisions of byelaws 4 and 5, a proprietor or driver of a hackney carriage shall not place or suffer to be placed on any part of such vehicle, either inside or outside, any printed, written or other matter by way of advertisement, except with the consent of the Council.
8. 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.
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 place previously occupied by the carriage driven off or moved forward.

- 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.
- 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.
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 and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
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.
14. A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage. PROVIDED that for the purposes of this byelaw two children under the age of 12 years shall be regarded as one person and children under the age of 3 years shall not be reckoned.
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.
16. The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any persons 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.

All provisions in green were amended by the September 1979 and March 1986 amending byelaws and ceased to have effect following the adoption of Part II of the Local Government (Miscellaneous Provisions) Act 1976 on 1st January 1987 - the fixing of hackney carriage stands is now dealt with by section 63 of the 1976 Act.

Provisions fixing the stands of hackney carriages

17. *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:-*

<u>List of Stands</u>	<u>No. of Carriages</u>
<i>Ogle Road - adjoining Above Bar Church</i>	<i>9</i>
<i>St. Michael's Street - north side, adjoining Bank premises</i>	<i>8</i>
<i>Canute Road - commencing ten feet from No. 2 Dock Gate and extending eastwards for a distance of 235 feet</i>	<i>14</i>

<u>List of Stands</u>	<u>No. of Carriages</u>
<i>Queen's Terrace - south side, commencing at a point 20 feet west of the junction of Latimer Street and extending westwards for a distance of 187 feet</i>	8
<i>Western Esplanade - south side, commencing at a point 28 feet from west entrance to Royal Pier and extending westwards for a distance of 120 feet</i>	7
<i>The Polygon - south side, commencing at the boundary of 4-6, The Polygon and extending westwards for a distance of 70 feet</i>	4
<i>Westridge Road - north side, commencing at a point 45 feet from the junction of Portswood Road and extending eastwards for a distance of 85 feet</i>	4
<i>Church Street - north side, commencing at the brick buttress in the side wall at the rear of the shop window of International Stores extending eastwards to within 4 feet of the rear of the service road which runs at the rear of the shops in Shirley High Street</i>	3
<i>Floating. Bridge Road - south side, commencing at the Old Toll House and extending westwards for a distance of 90 feet</i>	6
<i>Hazel Road - west side, commencing at a point 4 feet from the junction of Portsmouth Road and Floating Bridge Hard and extending northwards for a distance of 85 feet</i>	5
<i>Dahlia Road - east side, commencing at a point 90 feet from the junction of Burgess Road and extending northwards for a distance of 55 feet</i>	3
<i>Harold Road - west side, commencing at a point 20 feet from the junction of Shirley Road and extending southwards for a distance of 55 feet</i>	3
<i>Macnaghten Road - opposite the Station Hotel</i>	4
<i>Blechynden Terrace railings outside Central Station yard</i>	6
<i>Bellevue Road - north side, commencing at a point 30 feet from the junction of London Road and extending eastwards for a distance of 55 feet. (from 7.00 p.m. to 6.00 a.m. only)</i>	3

List of Stands

No. of Carriages

<i>Portland Street - north side, commencing at a point 114 feet from the junction of Above Bar Street and extending westwards for a distance of 104 feet (from 7.00 p.m. to 6.00 a.m. only)</i>	6
<i>Hulse Road - west side, commencing at a 154 feet from the junction of Banister Road and extending northwards distance of 76 feet point</i>	4
<i>Above Bar Street - east side, commencing from a point 180 feet south of the junction of Brunswick Place and extending southwards for a distance of 100 feet</i>	7
<i>Above Bar Street - east side, commencing from a point 210 feet north of the junction of New Road and extending northwards for a distance of 70 feet (from 8.00 p.m. to 6.00 a.m. only)</i>	4
<i>Above Bar Street - east side, commencing from a point 120 feet north of the junction of Hanover Buildings and Above Bar Street and extending northwards for a distance of 70 feet (from 8.00 p.m. to 6.00. a.m. only)</i>	4
<i>Bedford Place - west side, commencing from the southern end of the lay-by at the Hants and Dorset Bus Station northwards for a distance of 55 feet</i>	3
<i>Shirley Road - east side, commencing 90 feet north of the junction of Janson Road and extending northwards for a distance of 40 feet (from 8.00 p.m. to 6.00 a.m. only)</i>	2
<i>Bargate Street - north side, commencing from a point 65 feet west of the junction of Above Bar Street and extending westwards for a distance of 120 feet</i>	7
<i>Maytree Road - west side, commencing from a point 20 feet south of Bitterne Road and extending southwards for a distance of 50 feet</i>	3

All provisions in blue ceased to have effect following the adoption of Part II of the Local Government Miscellaneous Provision Act 1976 with effect from 1st January 1987 – fares are now dealt with by section 65 of the Act

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

18.

- (i) *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.

- (ii) *Notwithstanding the preceding provisions of this bye law, in the case of a hackney carriage furnished with a taximeter as aforesaid the fares recorded in new pennies may, if the hirer so wishes, be paid before 15th February, 1971, in shillings and pence in accordance with a conversion table approved by the Council.*
- (iii) *Before 15th February, 1971, a clearly legible notice shall be displayed in a hackney carriage furnished with a taximeter as aforesaid informing hirers of the effect of paragraph (ii) of this byelaw and setting out the said table.*

Fares for Distance

<u>(a) Mileage</u>	<u>New pence</u>
<i>If the distance does not exceed three-quarters of a mile for the whole distance</i>	15
<i>If the distance exceeds three-quarters of a mile for the first three-quarters of a mile</i>	15
<i>For each subsequent quarter of a mile or uncompleted 3 part ,thereof</i>	3
<u>(b) Waiting Time</u>	
<i>For each period of two and two-fifths minutes or uncompleted part thereof</i>	3
<u>(c) Extra Charges</u>	
<i>(a) For hirings begun between midnight and 6.00 a.m.</i>	15
<i>(b) For each article of luggage conveyed outside the carriage</i>	3

- (c) *For each wheeled vehicle conveyed outside the carriage* 3
- (d) *For each animal* 3
- (e) *For each person over two persons conveyed* 3

19.

- (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

- 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.
- 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 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 a police station in the district, and leave it in the custody of the officer in charge of the station on his giving a receipt for it;
 - (b) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to one shilling (5p) 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.

Penalties

- 22. Every person who shall offend against any of these bye laws shall be liable, on summary conviction, to a fine not exceeding twenty pounds *[now level 2 on the standard scale - £500]* 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

Provisions of the, Town Police Clauses Act, 1847, applicable to motor vehicles let for hire.

- 23. The following provisions of the Town Police Clauses Act, 1847, shall apply to motor vehicles let for hire as if they were in terms applicable thereto (that is to say):-

Section 37	(Commissioners may license hackney carriages)
Section 40	(Person applying for licence to sign a requisition)
Section 41	(What shall be specified in the licences)
Section 42	(Licences to be registered)
Section 43	(Licence to be in force for one year only)
Section 44	(Notice to be given by Proprietors of any change of abode)
Section 45	(Penalty for plying for hire without a licence)
Section 46	(Drivers not to act without first obtaining a licence)
Section 47	(Penalty on drivers acting without licence, or proprietors employing unlicensed drivers)
Section 48	(Proprietor to retain licence of driver while in his employ and to produce it before justices on complaint)
Section 49	(Proprietor to return licence to driver when leaving his service unless guilty of misconduct, in which case proprietor to summon driver)
Section 50	(Licences of proprietors or drivers may be suspended or revoked on a second conviction)
Section 51	(Number of persons to be carried in a hackney carriage to be painted thereon)
Section 52	(Penalty for neglect to exhibit the number, or for refusal to carry the prescribed number)
Section 59	(Penalty for permitting persons to ride without consent of hirer)
Section 67	(Penalty and compensation for damaging carriage)

Provisions of these Byelaws applicable to motor vehicles let for hire

24. The following provisions of these byelaws shall apply to motor vehicles let for hire, as if they were in terms applicable thereto (that is to say):-

Byelaw 2	(Regulating the display of the number of each carriage corresponding with the number of its licence)
Byelaw 3(a)(i)	(Regulating how hackney carriages are to be furnished or provided)
Byelaw 7	(Advertisements not to be placed on carriage)
Byelaw 10	(Persons not to be solicited to hire carriage)
Byelaw 11	(Driver to behave in a civil and orderly manner)
Byelaw 12	(Driver to attend punctually at appointed time and place)
Byelaw 13	(Driver to proceed to destination by shortest available route, subject to any direction of hirer)
Byelaw 14	(Regulating the number of persons permitted to be carried)
Byelaw 15	(Driver to wear badge if provided by the Council)
Byelaw 16	(Driver to assist with reasonable quantity of luggage)
Byelaw 20	(Carriage to be searched after each hiring for any property accidentally left therein)
Byelaw 21	(Disposal of property accidentally left in carriage)
Byelaw 22	(Penalties for offence against these byelaws)

Repeal of Byelaws

25. The byelaws relating to hackney carriages and motor vehicles let for hire which were made by the Council on the 6th day of February, 1968, and confirmed by one of Her Majesty's Principal Secretaries of State on the 27th day of March, 1968, and those made on the 6th day of November, 1968, and confirmed by one of Her Majesty's Principal Secretaries of State on the 13th day of January, 1969, are hereby repealed.

A P P E N D I X

TOWN POLICE CLAUSES ACT, 1847

Extract from sections applied to motor vehicles for hire

Section 37

The commissioners may from time to time license to ply for hire within the prescribed distance, or if no distance is prescribed, within five miles from the General Post Office of the city, town, or place to which the special Act refers (which in that case shall be deemed the prescribed distance), such number of hackney coaches or carriages of any kind or description adapted to the carriage of persons as they think fit.

Section 40

Before any such licence is granted a requisition for the same, in such form as the commissioners from time to time provide for that purpose, shall be made and signed by the proprietor or one of the proprietors of the hackney carriage in respect of which such licence is applied for; and in every such requisition shall be truly stated the name and surname and place of abode of the person applying for such licence, and of every proprietor or part proprietor of such carriage, or person concerned, either solely or in partnership with any other persons, in the keeping, employing, or letting to hire of such carriage; and any person who, on applying for such licence, states in such requisition the name of any person who is not a proprietor or part proprietor of such carriage, or who is not concerned as aforesaid in the keeping, employing or letting to hire of such carriage, and also any person who wilfully omits to specify truly in such requisition as aforesaid the name of any person who is a proprietor or part proprietor of such carriage or who is concerned as aforesaid in the keeping employing or letting to hire of such carriage, shall be liable to a penalty not exceeding ten pounds.

Section 41

In every such licence shall be specified the name and surname and place of abode of every person who is a proprietor or part proprietor of the hackney carriage in respect of which such licence is granted, or who is concerned, either solely or in partnership with any other person, in the keeping, employing or letting to hire of any such carriage, and also the number of such licence which shall correspond with the number to be painted or marked on the plates to be fixed on such carriage, together with such other particulars as the commissioners think fit.

Section 42

Every licence shall be made out by the clerk of the commissioners, and duly entered in a book to be provided by him for that purpose; and in such book shall be contained columns or places for entries to be made of every offence committed by any proprietor or driver or person attending such carriage; and any person may at any reasonable time inspect such book, without fee or reward.

Section 43

Every licence so to be granted shall be under the common seal of the commissioners, if incorporated, or, if not incorporated, shall be signed by two or more of the commissioners, and shall not include more than one carriage so licensed, and shall be in force for one year only from the day of the date of such licence, or until the next general licensing meeting, in case any general licensing day be appointed by the commissioners.

Section 44

So often as any person named in any such licence as the proprietor or one of the proprietors or as being concerned either solely or in partnership with any person, in the keeping, employing or letting to hire of any such carriage, changes his place of abode, he shall, within seven days next after such change, give notice thereof in writing, signed by him, to the commissioners, specifying in such notice his new place of abode; and he shall at the same time produce such licence at the office of the commissioners, who shall by their clerk, or some other officer, endorse thereon and sign a memorandum specifying the particulars of such change; and any person named in any such licence as aforesaid as the proprietor, or one of the proprietors, of any hackney carriage, or as being concerned as aforesaid, who changes his place of abode and neglects or wilfully omits to give notice of such change, or to produce such licence in order that such memorandum as aforesaid may be endorsed thereon within the time and in the manner limited and directed by this or the special Act, shall be liable to a penalty not exceeding forty shillings.

Section 45

If the proprietor or part proprietor of any carriage, or any person so concerned as aforesaid, permits the same to be used as a hackney carriage plying for hire within the prescribed distance without having obtained a licence as aforesaid for such carriage, or during the time that such licence is suspended as hereinafter provided, or if any person be found driving, standing, or plying for hire with any carriage within the prescribed distance for which such licence as aforesaid has not been previously obtained, or without having the number of such carriage corresponding with the number of the licence openly displayed on such carriage, every such person so offending shall for every such offence be liable to a penalty not exceeding forty shillings.

Section 46

No person shall act as driver of any hackney carriage licensed in pursuance of this or the special Act to ply for hire within the prescribed distance without first obtaining a licence from the commissioners, which licence shall be registered by the clerk to the commissioners, and a fee of one shilling shall be paid for the same; and every such licence shall be in force until the same is revoked; except during the time that the same may be suspended as after mentioned.

Section 47

If any person acts as such driver as aforesaid without having obtained such licence, or during the time that his licence is suspended, or if he lend or part with his licence except to the proprietor of the hackney carriage, or if the proprietor of any such hackney carriage employ any person as the driver thereof who has not obtained such licence, or during the time that his licence is suspended, as hereinafter provided, every such driver and every such proprietor shall for every such offence respectively be liable to a penalty not exceeding twenty shillings.

Section 48

In every case in which the proprietor of any such hackney carriage permits or employs any licensed person to act as the driver thereof, such proprietor shall cause to be delivered to him, and shall retain in his possession, the licence of such driver, while such driver remains in his employ; and in all cases of complaint, where the proprietor of a hackney carriage is summoned to attend before a justice or to produce the driver, the proprietor

so summoned shall also produce the licence of such driver, if he be then in his employ; and if any driver complained of be adjudged guilty of the offence alleged against him such justice shall make an endorsement upon the licence of such driver stating the nature of the offence and the amount of the penalty inflicted; and if any such proprietor neglect to have delivered to him and to return in his possession the licence of any driver while such driver remains in his employ, or if he refuse or neglect to produce such licence as aforesaid, such proprietor shall for every such offence be liable to a penalty not exceeding forty shillings.

Section 49

When any driver leaves the service of the proprietor by whom he is employed without having been guilty of any misconduct, such proprietor shall forthwith return to such driver the licence belonging to him; but if such driver has been guilty of any misconduct, the proprietor shall not return his licence, but shall give him notice of the complaint which he intends to prefer against him, and shall forthwith summon such driver to appear before any justice to answer the said complaint; and such justice having the necessary parties before him, shall inquire into and determine the matter of complaint, and if upon inquiry it appears that the licence of such driver has been improperly withheld, such justice shall direct the immediate re-delivery of such licence, and award such sum of money as he thinks proper to be paid by such proprietor to such driver by way of compensation.

Section 50

The commissioners may, upon the conviction for the second time of the proprietor or driver of any such hackney carriage. for any offence under the provisions of this or the special Act, with respect to hackney carriages, or any byelaw made in pursuance thereof, suspend or revoke, as they deem right the licence of any such proprietor or driver.

Section 51

No hackney carriage shall be used or employed or let to hire, or shall stand or ply for hire, within the prescribed distance, unless the number of persons to be carried by such hackney carriage, in words at length, and in form following (that is to say) "To carry persons", be painted on a plate placed on some conspicuous place on the outside of such carriage, and in legible letters, so as to be clearly distinguishable from the colour of the ground whereon the same are painted, one inch in length, and of a proportionate breadth; and the driver of any such hackney carriage shall not be required to carry in or by such hackney carriage a greater number of persons than the number painted thereon.

Section 52

If the proprietor of any hackney carriage permit the same to be used, employed or let to hire, or if any person stand or ply for hire with such carriage, without having the number of persons to be carried thereby painted and exhibited in manner aforesaid, or if the driver of any such hackney carriage refuse, when required by the hirer thereof, to carry in or by such hackney carriage the number of persons painted thereon, or any less number, every proprietor or driver so offending shall be liable to a penalty not exceeding forty shillings.

Section 59

Any proprietor or driver of any such hackney carriage which is hired who permits or suffers any person to be carried in or upon or about such hackney carriage during such hire, without the express consent of the person hiring the same, shall be liable to a penalty not exceeding twenty shillings.

Section 67

Any person using any hackney carriage plying under a licence granted by virtue of this or the special Act, who wilfully injures the same, shall for every such offence be liable to a penalty not exceeding five pounds, and shall also pay to the proprietor of such hackney carriage reasonable satisfaction for the damage sustained by the same; and such satisfaction shall be ascertained by the justices before whom the conviction takes place, and shall be recovered by the same means as the penalty.

All provisions in orange below ceased to have effect following the repeal of the Southampton Corporation Act 1960 and the adoption of Part II of the Local Government (Miscellaneous Provisions) Act 1976 from 1st January 1987 – private hire vehicles, drivers and operators are now dealt with entirely under the 1976 Act

SOUTHAMPTON CORPORATION ACT, 1960

SECTION 91

(Provisions as to motor vehicles let for hire)

The provisions of the Town Police Clauses Act, 1847, and of Section 171 of the Public Health Act, 1875, shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by such byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages shall apply to every motor vehicle standing or plying for hire notwithstanding that such stands or plies for hire on private premises only:

Provided that this section shall not apply to -

- (a) any such vehicle which is kept by any person in connection with any business carried on by such person as funeral directors or owners of funeral vehicles available for hire and used wholly or mainly in connection with such business or is kept and used ordinarily for the purpose of being let on hire by the day or for longer periods of hire; or*
- (b) a public service vehicle; or*
- (c) any vehicle belonging to or used by the commission for the purpose of carrying passengers and their luggage to or from any of their railway stations railway or dock premises;*

or to the drivers or conductors of such vehicles;

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any motor vehicle standing or plying for hire in any railway station railway or dock premises or in any yard belonging to the commission except with the consent of the commission.

The Corporate Seal of the Mayor, Aldermen)
and Citizens of the City of Southampton)
was hereunto affixed by Order of the) L.S.
Council this fifteenth day of June,)
One thousand nine hundred and seventy)
in the presence of:-)

L.A. IRONSIDE

Mayor

GORDON GUEST

Town Clerk

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the first day of November, 1970.

L.S.

Home Office, Whitehall

K.P. WITNEY
An Assistant Under Secretary of State

21st September, 1970

CERTIFICATE FOR THE PURPOSE OF SECTION 252
OF THE
LOCAL GOVERNMENT ACT 1933

I, City Secretary and Solicitor of
Southampton City Council hereby certify that the within-written byelaws were made by the Mayor
Aldermen and Citizens of the City of Southampton acting by the Council; that they are a true copy
of the said byelaws; that the said byelaws were made by the said Council on 15th June 1970 and
confirmed by the Secretary of State for the Home Office on the 21st September 1970 and that the
date fixed by him for the coming into operation of the said byelaws was the 1st November 1970.

City Secretary and Solicitor