

ELIZABETH II



1972 CHAPTER xli

An Act to confer further powers on the lord mayor, aldermen and citizens of the city of Liverpool in relation to taxicabs and private hire vehicles; to empower them to assist The Mersey Docks and Harbour Company; to amend certain agreements for the supply of water in bulk; to make further provision for the improvement, local government and finances of the city; and for other purposes. [9th August 1972]

**WHEREAS—**

(1) The city of Liverpool (hereinafter referred to as “ the city ”) is a county borough under the management and local government of the lord mayor, aldermen and citizens of the city acting by the council (hereinafter referred to as “ the Corporation ”):

(2) It is expedient to make further provision with reference to taxicabs and private hire vehicles and with reference to the improvement, local government and finances of the city, and that the powers of the Corporation in relation thereto should be enlarged and extended:

(3) It is expedient that the Corporation should be empowered to assist The Mersey Docks and Harbour Company:

(4) It is expedient that certain agreements for the supply of water in bulk should be amended:

(5) It is expedient that the other provisions contained in this Act should be enacted:

(6) The objects of this Act cannot be attained without the authority of Parliament:

1933 c. 51. (7) In relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

## PART I

### PRELIMINARY

Short title. 1. This Act may be cited as the Liverpool Corporation Act 1972.

Division of Act into Parts. 2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Taxicabs and private hire vehicles.

Part III.—Mersey Docks and Harbour Company.

Part IV.—Water.

Part V.—Finance.

Part VI.—Miscellaneous.

Part VII.—General.

Interpretation 3.—(1) In this Act the several words and expressions to which meanings are assigned by sections 90 and 343 of the Act of 1936 have the same respective meanings, unless there be something in the subject or context repugnant to such construction.

1921 c. lxxiv. (2) In this Act, unless the subject or context otherwise requires—

“ the Act of 1921 ” means the Liverpool Corporation Act 1921;

“ the Act of 1933 ” means the Local Government Act 1933;

1936 c. 49. “ the Act of 1936 ” means the Public Health Act 1936;

1966 c. xl. “ the Act of 1966 ” means the Liverpool Corporation (General Powers) Act 1966;

“ the city ” means the city of Liverpool;

“contravention” includes a failure to comply and  
“contravene” shall be construed accordingly;

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—cont.

“the Corporation” means the lord mayor, aldermen and citizens of the city acting by the council;

“the council” means the council of the city;

“daily fine” means a fine for each day or part of a day on which an offence is continued after conviction thereof;

“enactment” includes an enactment in this Act or in any general or local Act, and any order, byelaw, scheme or regulation for the time being in force within the city;

“the town clerk” means the town clerk of the city and includes any person appointed by the Corporation to discharge temporarily the duties of that officer.

(3) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment including this Act.

## PART II

### TAXICABS AND PRIVATE HIRE VEHICLES

4. In this Part of this Act, unless the subject or context otherwise requires— Interpretation for Part II.

“the Act of 1847” means the Town Police Clauses Act 1847;

1847 c. 89.

“the Act of 1972” means the Road Traffic Act 1972;

1972 c. 20.

“appointed day” has the meaning assigned to it by section 37 (The appointed day) of this Act;

“authorised officer” means any officer of the Corporation authorised in writing by the town clerk for the purposes of this Act;

“a current licence” means a licence in force at the time in question;

“driver’s badge” means, in relation to the driver of a taxicab, any badge issued by the Corporation under byelaws made under section 68 of the Act of 1847 and, in relation to the driver of a private hire vehicle, any badge issued by the Corporation under byelaws made under section 31 (Byelaws) of this Act;

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—cont.

- “ driver’s licence ” means, in relation to the driver of a taxicab, a licence under section 46 of the Act of 1847 and, in relation to the driver of a private hire vehicle, a licence under section 9 (Licensing of drivers of private hire vehicles) of this Act;
- “ hackney carriage ” has the same meaning as in the Act of 1847 but does not include a public service vehicle;
- “ operator’s licence ” means a licence to invite or accept bookings for a private hire vehicle, or to control or arrange the journeys to be undertaken by a private hire vehicle whilst on hire, under section 11 (Licensing of operators of private hire vehicles) of this Act;
- “ the prescribed distance ” has the meaning assigned to it in section 501 (Hackney carriages) of the Act of 1921;
- “ private hire vehicle ” means a motor vehicle, adapted to seat fewer than eight passengers, other than a taxicab or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers;
- “ proprietor ” includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement;
- “ proprietor’s licence ” means, in relation to a taxicab, the licence required to be obtained in respect of such taxicab by the proprietor thereof by virtue of section 37 or section 45 of the Act of 1847 and, in relation to a private hire vehicle, the licence required to be obtained in respect of such vehicle by the proprietor thereof under section 6 (Licensing of private hire vehicles) of this Act;
- “ public service vehicle ” has the same meaning as in section 117 of the Road Traffic Act 1960;
- “ taxicab ” means a hackney carriage licensed by the Corporation to ply for hire under section 37 of the Act of 1847;
- “ taxicab byelaws ” means the byelaws for the time being in force in the city relating to taxicabs; and
- “ taximeter ” means any device, approved for the time being for the purpose by the Corporation, for calculating the fare to be charged in respect of any journey in a taxicab or private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both.

5.—(1) As from the appointed day—

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- (a) no person being the proprietor of any vehicle, not being a taxicab in respect of which a proprietor's licence is in force, shall use or permit the same to be used in the city as a private hire vehicle without having for such vehicle a current licence under section 6 (Licensing of private hire vehicles) of this Act; Proprietors', drivers' and operators' licences.
- (b) no person shall in the city act as driver of any private hire vehicle licensed in pursuance of this Act without having a current licence to drive private hire vehicles under section 9 (Licensing of drivers of private hire vehicles) of this Act;
- (c) no person shall in the city invite or accept bookings for the hire by any person of any vehicle as a private hire vehicle without having a current licence under section 11 (Licensing of operators of private hire vehicles) of this Act.

(2) If any person contravenes the provisions of this section, he shall be guilty of an offence.

6.—(1) Subject to the provisions of this Act, the Corporation shall, on the receipt of an application from the proprietor of any vehicle for the issue in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, issue in respect thereof a proprietor's licence: Licensing of private hire vehicles.

Provided that the Corporation shall not issue a licence unless they are satisfied—

- (a) that the applicant is a fit and proper person to hold a proprietor's licence;
- (b) that the vehicle is suitable in type, size and design for use as a private hire vehicle and that the make and design of such vehicle are not such as to lead any person to believe that the vehicle is a taxicab;
- (c) that the vehicle is in a satisfactory mechanical condition so that it is safe and comfortable;
- (d) that there is in force in relation to the user of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Act of 1972.

(2) In every such licence there shall be specified—

- (a) the name and surname and place of abode of—
  - (i) the applicant; and
  - (ii) every other person who is a proprietor of the private hire vehicle in respect of which such licence is

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—cont.

granted, or who is concerned, either solely or in partnership with any other person, in the keeping, employing or letting on hire of any such private hire vehicle;

(b) the number of such licence which shall correspond with the number to be painted or marked on the plate or disc to be affixed on such private hire vehicle in accordance with subsection (5) of this section; and

(c) such conditions and other particulars as the Corporation consider reasonably necessary.

(3) Where the Corporation issue under this section a proprietor's licence in respect of a private hire vehicle they shall issue a plate or disc identifying that vehicle as a private hire vehicle in respect of which a proprietor's licence has been issued.

(4) Every licence granted under this section shall—

(a) be signed by an authorised officer;

(b) include not more than one private hire vehicle so licensed; and

(c) remain in force for one year only from the date of such licence or such lesser period as the Corporation may specify in the licence.

(5) (a) Subject to the provisions of this Act, no person shall use or permit to be used in the city as a private hire vehicle a vehicle in respect of which a licence has been issued under this section unless the plate or disc identifying the vehicle as a private hire vehicle and issued in accordance with subsection (3) of this section is exhibited on the vehicle in such manner as the Corporation may prescribe by condition attached to the grant of a licence.

(b) If any person contravenes the provisions of this subsection, he shall be guilty of an offence.

(6) Any applicant aggrieved by the refusal of the Corporation to issue a proprietor's licence under this section, or by any condition specified in such a licence, may appeal to the Crown Court.

Transfer of  
taxicabs and  
private hire  
vehicles.

7.—(1) If a taxicab, or a private hire vehicle in respect of which a proprietor's licence has been issued by the Corporation, is transferred to a person other than the proprietor whose name is specified in the proprietor's licence, the proprietor shall not less than seven days before such transfer give notice thereof to the Corporation specifying the name and address of the person to whom the taxicab or private hire vehicle will be transferred and the proprietor's licence shall be deemed to be revoked if the

Corporation disapprove the transfer of the proprietor's licence to that person and the taxicab or private hire vehicle is or has been transferred to him:

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Provided that the Corporation shall not disapprove the transfer of a proprietor's licence to a person except upon the ground that he is not a fit and proper person to hold a proprietor's licence.

(2) Any person aggrieved by a disapproval by the Corporation under this section may appeal to the Crown Court.

(3) If a proprietor fails to give notice to the Corporation as provided by subsection (1) of this section, he shall be guilty of an offence.

8.—(1) Without prejudice to the provisions of section 25 (Fitness of taxicabs and private hire vehicles) of this Act, the proprietor of any taxicab, or of any private hire vehicle licensed by the Corporation, shall present such taxicab or private hire vehicle for inspection by the Corporation within such period and at such place within the city as the Corporation may by notice reasonably require: Provisions as to proprietors.

Provided that the Corporation shall not under the provisions of this subsection require a proprietor to present the same taxicab or private hire vehicle for inspection on more than five separate occasions during any one period of twelve months.

(2) The proprietor of any taxicab or private hire vehicle—

- (a) licensed by the Corporation under the Act of 1847 or under this Act; or
- (b) in respect of which an application for a licence has been made to the Corporation under the Act of 1847 or under this Act;

shall, within such period as the Corporation may by notice reasonably require, state in writing the address of every place where such taxicab or private hire vehicle is kept when not in use, and shall if the Corporation so require afford to the Corporation such facilities as may be necessary to enable the Corporation to cause such taxicab or private hire vehicle to be inspected there.

(3) Without prejudice to the provisions of section 25 of the Act of 1972, the proprietor of a taxicab, or of a private hire vehicle licensed by the Corporation, shall report to the Corporation as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to such taxicab

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or private hire vehicle causing damage materially affecting the safety, performance or appearance of the taxicab or private hire vehicle or the comfort or convenience of persons carried therein.

(4) Without prejudice to the provisions of section 162 of the Act of 1972, any authorised officer or any constable may require the proprietor of any taxicab, or of any private hire vehicle licensed by the Corporation, to produce for inspection the proprietor's licence for such taxicab or private hire vehicle and the certificate of the policy of insurance or security required by Part VI of the Act of 1972 in respect of such taxicab or private hire vehicle.

(5) If any person contravenes the provisions of this section, he shall be guilty of an offence.

Licensing of  
drivers of  
private hire  
vehicles.

9.—(1) Subject to the provisions of this Act, the Corporation shall, on the receipt of an application from any person for the issue to that person of a licence to drive private hire vehicles, issue to that person a driver's licence:

Provided that the Corporation shall not issue a licence—

- (a) unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence; or
- (b) to any person who has not for at least twelve months been, and is not at the date of the application for a driver's licence, the holder of a licence granted under Part III of the Act of 1972 (not being a provisional licence) authorising him to drive a motor car.

(2) The Corporation may attach to the grant of a licence under this section such conditions as the Corporation may consider reasonably necessary.

(3) Any applicant aggrieved by the refusal of the Corporation to issue a driver's licence under this section, or by any conditions attached to the grant of such a licence, may appeal to the Crown Court.

Drivers'  
licences for  
taxicabs and  
private hire  
vehicles.

10.—(1) (a) Every licence issued by the Corporation under the provisions of this Act to any person to drive a private hire vehicle shall remain in force for three years from the date of such licence or for such lesser period as the Corporation may specify in such licence.

1875 c. 55.  
1889 c. 14.

(b) Notwithstanding the provisions of the Public Health Act 1875 and the Town Police Clauses Act 1889, every licence issued by the Corporation under the provisions of the Act of 1847 to any person to drive a taxicab shall remain in force for three years from the date of such licence or for such lesser period as the Corporation may specify in such licence.



(2) Notwithstanding the provisions of the Act of 1847, the Corporation may demand and recover for the issue to any person of a licence to drive a taxicab, or a private hire vehicle, as the case may be, such a fee (not exceeding five pounds or such other sum as may be approved from time to time by the Secretary of State) as may be sufficient from time to time to cover in whole or in part the costs incurred by the Corporation in connection with the issue of such licences.

(3) Without prejudice to the provisions of section 162 of the Act of 1972, any authorised officer or any constable may require the driver of any taxicab, or of any private hire vehicle licensed by the Corporation, to produce for inspection his driver's licence.

11.—(1) Subject to the provisions of this Act, the Corporation shall, on receipt of an application from any person who in the course of business in the city invites or accepts bookings for a private hire vehicle from any person, being an application for the issue to such person of an operator's licence in respect of private hire vehicles, issue to that person an operator's licence:

Licensing of operators of private hire vehicles.

Provided that the Corporation shall not issue a licence unless they are satisfied that the applicant is a fit and proper person to hold an operator's licence.

(2) In every such licence there shall be specified the address or addresses at or from which the holder is licensed to invite or accept bookings for a private hire vehicle, or control or arrange the journeys to be undertaken by a private hire vehicle whilst on hire.

(3) Every licence granted under this section shall remain in force for three years only from the date of such licence or such lesser period as the Corporation may specify in the licence.

(4) The Corporation may attach to the grant of a licence under this section such conditions as the Corporation may consider reasonably necessary.

(5) Any applicant aggrieved by the refusal of the Corporation to issue an operator's licence under this section, or by any conditions attached to the grant of such a licence, may appeal to the Crown Court.

12.—(1) For the purposes of this Part of this Act every contract for the hire of a private hire vehicle licensed under this Act shall be deemed to be made with the operator who accepted the booking for that vehicle whether or not he himself provided the vehicle.

Operators of private hire vehicles.

(2) Every operator of a private hire vehicle licensed under this Act shall keep a book in such form as the Corporation may, by condition attached to the grant of the licence, prescribe and shall

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enter therein, before the commencement of each journey, such particulars of every booking of a private hire vehicle invited or accepted by him, whether by accepting the same from the hirer or by undertaking it at the request of another operator, as the Corporation may by condition so prescribe and shall produce the same on request to any authorised officer or to any constable for inspection.

(3) Every operator of a private hire vehicle licensed under this Act shall keep such records as the Corporation may, by condition attached to the grant of the licence, prescribe of the particulars of any private hire vehicle operated by him and shall produce the same on request to any authorised officer or to any constable for inspection.

(4) Any authorised officer or any constable may require the operator of any private hire vehicle licensed under this Act to produce for inspection his operator's licence.

(5) If any person contravenes the provisions of this section, he shall be guilty of an offence.

Power to  
require  
applicants to  
submit  
information.

13.—(1) The Corporation may require any applicant for a licence under the Act of 1847 or under this Part of this Act to submit to the Corporation such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence.

(2) Without prejudice to the generality of the foregoing—

(a) the Corporation may require any applicant for a driver's licence in respect of a taxicab or a private hire vehicle—

(i) to produce a certificate signed by a registered medical practitioner to the effect that he is physically fit to be the driver of a taxicab or a private hire vehicle; and

(ii) whether or not such a certificate has been produced, to submit to examination by a registered medical practitioner selected by the Corporation as to his physical fitness to be the driver of a taxicab or a private hire vehicle;

(b) the Corporation may require any applicant for an operator's licence in respect of a private hire vehicle to submit to the Corporation such information as to—

(i) the address or addresses, whether in the city or not, from which the private hire vehicle will be operated;

(ii) the name, age and address of the applicant;

(iii) any convictions recorded against the applicant; any trade or business activities he has carried on

before making the application; and any previous application he has made for an operator's licence or the revocation or suspension of any operator's licence previously held by him;

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—cont.

as they may reasonably consider necessary to enable them to determine whether to grant such licence;

(c) in addition to the information specified in paragraph (b) of this subsection, the Corporation may require any applicant for an operator's licence in respect of a private hire vehicle to submit to the Corporation—

(i) if the applicant is or has been a director or secretary of a company, information as to any convictions recorded against that company at any relevant time; any trade or business activities carried on by that company; any previous application made by that company for an operator's licence; and any revocation or suspension of an operator's licence previously held by that company;

(ii) if the applicant is a company, information as to any convictions recorded against a director or secretary of that company; any trade or business activities carried on by any such director or secretary; any previous application made by any such director or secretary for an operator's licence; and any revocation or suspension of an operator's licence previously held by any such director or secretary;

(iii) if the applicant proposes to operate the vehicle in partnership with any other person, information as to any convictions recorded against that person; any trade or business activities carried on by that person; any previous application made by that person for an operator's licence; and any revocation or suspension of an operator's licence previously held by him.

(3) If any person knowingly or recklessly makes a false statement or omits any material particular in giving information under this section, he shall be guilty of an offence.

14.—(1) The Corporation may by notice require the proprietor of a taxicab, or of a private hire vehicle licensed by the Corporation, to return to the Corporation within seven days of the service on him of such notice the plate or disc identifying such taxicab or such private hire vehicle and required to be displayed by the Act of 1847 or by this Act—

Return of identification plate or disc on revocation or expiry of licence, etc.

(a) on the revocation or expiry of the proprietor's licence in relation to such taxicab or private hire vehicle; or

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(b) on the disapproval by the Corporation under section 7 (Transfer of taxicabs and private hire vehicles) of this Act of the transfer of such taxicab or private hire vehicle; or

(c) on the suspension of the licence under section 25 (Fitness of taxicabs and private hire vehicles) of this Act.

(2) If any proprietor fails to comply with the terms of a notice under subsection (1) of this section, he shall be guilty of an offence and liable to a penalty not exceeding fifty pounds and a daily penalty not exceeding twenty pounds.

(3) If any such proprietor fails to comply with the terms of a notice under subsection (1) of this section within seven days after the service upon him of such notice, any authorised officer or constable shall be entitled to remove and retain the said plate or disc from the said taxicab or private hire vehicle then or at any time thereafter.

Qualifications  
for proprietors  
and drivers  
of taxicabs.

15.—(1) Notwithstanding anything in the Act of 1847—

(a) the Corporation shall not grant a proprietor's licence in respect of a taxicab unless they are satisfied that the applicant is a fit and proper person to hold a proprietor's licence;

(b) the Corporation shall not grant a licence to drive a taxicab—

(i) unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence; or

(ii) to any person who has not for at least twelve months been, and is not at the date of the application for a driver's licence, the holder of a licence granted under Part III of the Act of 1972 (not being a provisional licence) authorising him to drive a motor car.

(2) Any applicant aggrieved by the refusal of the Corporation to issue a proprietor's licence or a driver's licence on the ground that he is not a fit and proper person to hold such licence may appeal to the Crown Court.

Suspension  
and revocation  
of proprietors'  
licences.

16.—(1) Notwithstanding anything in the Act of 1847 or in this Act, the Corporation may suspend or revoke, or (on application therefor under section 37 or section 45 of the Act of 1847 or

section 6 (Licensing of private hire vehicles) of this Act, as the case may be) refuse to renew, the licence of a proprietor of a taxicab or a private hire vehicle—

- (a) on the ground that the taxicab or private hire vehicle is unfit for use as a taxicab or private hire vehicle;
- (b) for any offence under, or non-compliance with, the provisions of the Act of 1847 relating to taxicabs or of this Part of this Act; or
- (c) for any other reasonable cause.

(2) Where the Corporation suspend, revoke or refuse to renew any such licence under this section they shall give to any such proprietor notice of the grounds on which the licence has been suspended or revoked or on which they have refused to renew such licence.

(3) Any proprietor aggrieved by a decision of the Corporation under this section may appeal to the Crown Court.

17.—(1) Notwithstanding anything in the Act of 1847 or in this Act, the Corporation may suspend or revoke, or (on application therefor under section 46 of the Act of 1847 or section 9 (Licensing of drivers of private hire vehicles) of this Act, as the case may be) refuse to renew, the licence of a driver of a taxicab or a private hire vehicle—

Suspension and revocation of drivers' licences.

- (a) on the ground that he has since the granting of the licence been convicted of an offence involving dishonesty, indecency or violence;
- (b) for any offence under, or non-compliance with, the provisions of the Act of 1847 relating to taxicabs or of this Part of this Act; or
- (c) for any other reasonable cause.

(2) Where the Corporation suspend, revoke or refuse to renew any such licence under this section they shall give to any such driver notice of the grounds on which the licence has been suspended or revoked or on which they have refused to renew such licence.

(3) Any driver aggrieved by a decision of the Corporation under this section may appeal to the Crown Court.

18.—(1) Notwithstanding anything in this Act the Corporation may suspend or revoke, or (on application therefor under section 11 (Licensing of operators of private hire vehicles) of this Act) refuse to renew, an operator's licence on any of the following grounds:—

Suspension and revocation of operators' licences.

- (a) any offence under, or non-compliance with, the provisions of this Part of this Act;

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- (b) any conduct on the part of the operator which appears to the Corporation to render him unfit to hold an operator's licence;
- (c) any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
- (d) for any other reasonable cause.

(2) Where the Corporation suspend, revoke or refuse to renew any such licence under this section they shall give to any such operator notice of the grounds on which the licence has been suspended or revoked or on which they have refused to renew such licence.

(3) Any operator aggrieved by a decision of the Corporation under this section may appeal to the Crown Court.

Penalties on proprietors and operators in respect of unlicensed vehicles and unlicensed drivers.

19.—(1) No proprietor of a private hire vehicle licensed under this Act shall employ as the driver thereof for the purpose of any hiring any person who does not have a current licence to drive private hire vehicles under section 9 (Licensing of drivers of private hire vehicles) of this Act.

(2) No person licensed as an operator of a private hire vehicle under section 11 (Licensing of operators of private hire vehicles) of this Act shall in the city invite or accept bookings for the hire as a private hire vehicle of any vehicle in respect of which—

- (a) a current licence under section 6 (Licensing of private hire vehicles) of this Act is not in force; or
- (b) the driver does not hold a current licence to drive private hire vehicles under section 9 (Licensing of drivers of private hire vehicles) of this Act.

(3) If any person contravenes the provisions of this section, he shall be guilty of an offence.

Stands for taxicabs.

20.—(1) For the purposes of their functions under the Act of 1847, the Corporation may from time to time appoint stands for taxicabs for the whole or any part of a day in any street in the city and, with the consent of the owner, on any land not forming part of a street.

(2) Before appointing any stand for taxicabs in exercise of the powers of this section, the Corporation shall give notice to the chief officer of police for the city and shall also give public notice of the proposal by advertisement in a local newspaper circulating in the city and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice.

(3) Nothing in this section shall empower the Corporation to appoint any such stand—

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- (a) so as unreasonably to prevent access to any premises;
- (b) so as to impede the use of any points authorised to be used in connection with a road service licence granted under section 134 of the Road Traffic Act 1960, or a 1960 c. 16. permit granted under section 30 of the Transport Act 1968, as points for the taking up or setting down of 1968 c. 73. passengers, or so as to interfere with access to any station or depot of any passenger road transport operators, except with the consent of those operators;
- (c) in any station of the British Railways Board, except with the consent of the board; or
- (d) on any part of the estate of The Mersey Docks and Harbour Company except with the consent of the company.

(4) Any taxicab byelaws made by the Corporation before the passing of this Act for fixing stands for taxicabs shall cease to have effect, but any stands fixed by such byelaws shall be deemed to have been appointed under this section.

21.—(1) No person shall cause or permit any vehicle other than a taxicab to wait on any stand for taxicabs during any period for which that stand has been appointed, or is deemed to have been appointed, by the Corporation under the provisions of section 20 (Stands for taxicabs) of this Act. Prohibition of other vehicles on taxicab stands.

(2) Notice of the prohibition in this section shall be indicated by such traffic signs as may be authorised for the purpose by the Secretary of State in pursuance of his powers under sections 54 and 55 of the Road Traffic Regulation Act 1967. 1967 c. 76.

(3) If any person contravenes the provisions of this section, he shall be guilty of an offence.

(4) In any proceedings under this section against the driver of a public service vehicle it shall be a defence to show that, by reason of obstruction to traffic or for other compelling reason, he caused his vehicle to wait on a stand or part thereof and that he caused or permitted his vehicle so to wait only for so long as was reasonably necessary for the taking up or setting down of passengers.

22.—(1) The Corporation may fix the rates or fares, as well for time as distance, to be paid in respect of the hire of taxicabs Fixing of fares for taxicabs.

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—cont.

within the prescribed distance, by means of a table (hereafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.

(2) (a) When the Corporation make or vary a table of fares they shall publish in at least one newspaper circulating in the city a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the office of the town clerk and shall at all reasonable hours be open to public inspection without payment.

(3) If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in subsection (2) of this section, or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(4) If objection is duly made as aforesaid and is not withdrawn, the table of fares or variation shall be of no effect unless and until it is confirmed by the Secretary of State and before confirming a table of fares or variation the Secretary of State may, if he thinks fit, cause a local inquiry to be held into the same and, after considering the report of the person who held the inquiry, may confirm the table of fares or variation with or without modification.

(5) A table of fares made or varied under this section shall have effect for the purposes of the Act of 1847 as if it were included in taxicab byelaws made thereunder.

(6) On the coming into operation of a table of fares or variation under this section, any taxicab byelaws fixing the rates and fares or any table of fares previously made under this section, as the case may be, shall cease to have effect.

(7) Section 252 of the Act of 1933 shall extend and apply to a table of fares made or varied under this section as it applies to byelaws made by the Corporation.

Fares for  
long  
journeys

23.—(1) No person, being the driver of a taxicab licensed by the Corporation, and undertaking for any hirer a journey ending outside the prescribed distance, or such other distance as the



Corporation may by byelaw prescribe for the purposes of this section, and in respect of which no fare was agreed before the hiring was effected, shall require for such journey a fare greater than that indicated on the taximeter with which the taxicab is equipped.

(2) If any person contravenes the provisions of this section, he shall be guilty of an offence.

**24.—**(1) No taxicab shall be used under a contract or purported contract for private hire except at the same rate of fares or charges as may be prescribed from time to time in a table of fares made or varied by the Corporation under section 22 (Fixing of fares for taxicabs) of this Act and, when any such taxicab is so used, the fare or charge shall be calculated from the point at which the hirer commences his journey. Taxicabs used for private hire.

(2) The proprietor or driver of a taxicab which is used in contravention of this section shall be guilty of an offence.

**25.** Any authorised officer or any constable shall have power at all reasonable times to inspect, for the purpose of ascertaining its fitness, any taxicab, or any private hire vehicle in respect of which a proprietor's licence issued by the Corporation is for the time being in force, or any taximeter affixed to such a vehicle and if he is not satisfied as to the fitness of the taxicab or private hire vehicle or as to the accuracy of its taximeter he may by notice in writing require the proprietor of the taxicab or private hire vehicle to make it or its taximeter available for further inspection at such reasonable time and place as may be specified in the notice and suspend the proprietor's licence until such time as such authorised officer or constable is so satisfied: Fitness of taxicabs and private hire vehicles.

Provided that, if the authorised officer or constable is not so satisfied before the expiration of a period of two months, the said licence shall, by virtue of this section, be deemed to have been revoked and subsections (2) and (3) of section 16 (Suspension and revocation of proprietors' licences) of this Act shall apply with any necessary modifications.

**26.—**(1) No person being the driver of a taxicab, or of a private hire vehicle licensed by the Corporation, shall without reasonable cause unnecessarily prolong, in distance or in time, the journey for which the taxicab or private hire vehicle has been hired. Prolongation of journeys.

(2) If any person contravenes the provisions of this section, he shall be guilty of an offence.

**27.—**(1) Subject to the provisions of subsection (2) of this section, the Corporation may charge such fees for the issue of Fees for proprietors' and operators' licences.

PART II  
—cont.

proprietors' and operators' licences as may be resolved by the council from time to time and as may be sufficient in the aggregate to cover in whole or in part—

- (a) the cost of the carrying out by or on behalf of the Corporation of inspections of taxicabs and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;
- (b) the cost of providing taxicab stands; and
- (c) any administrative or other costs in connection with the foregoing and with the control and supervision of taxicabs and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

- (a) for the issue of a proprietor's licence in respect of a taxicab, twenty pounds;
- (b) for the issue of a proprietor's licence in respect of a private hire vehicle, twenty pounds; and
- (c) for the issue of an operator's licence, twenty pounds;

or, in any such case, such other sum as may, on an application made by the Corporation under subsection (3) of this section, be approved from time to time by the Secretary of State.

(3) (a) On making application to the Secretary of State for the approval of any alteration of any sums specified in subsection (2) of this section, the Corporation shall publish in at least one newspaper circulating in the city a notice setting out the proposed alteration and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the proposed alteration can be made to the Secretary of State.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall, for the period of fourteen days from the date of the first publication thereof, be deposited at the office of the town clerk and shall at all reasonable hours be open for public inspection without payment.

(c) The Secretary of State may approve the alteration with or without modification and, if objection to the proposed alteration is duly made as aforesaid and is not withdrawn, may, if he thinks fit, cause a local inquiry to be held.

Information  
as to basis  
of charge.

**28.**—(1) No operator of a private hire vehicle which is licensed by the Corporation under this Act shall invite or accept a booking for such vehicle, or control or arrange a journey to be undertaken by such vehicle, without first making available in writing, or giving orally, to the person making the booking information as to the basis of charge for the hire of the vehicle.

(2) If any person contravenes the provisions of this section, he shall be guilty of an offence.

PART II  
—cont.

Calls by  
drivers of  
private hire  
vehicles.

29.—(1) No person being the driver of any private hire vehicle licensed under this Act shall in the city make on behalf of any person, or cause or procure any person to make himself, any call by telephone or by wireless telegraphy for the purpose of effecting any hiring of the vehicle.

(2) Nothing in this section shall prevent the making of any call by telephone or by wireless telegraphy for the purpose of effecting the hiring by a person of a private hire vehicle if—

- (a) the call is made during, or at the conclusion of, a journey by that person in that vehicle;
- (b) the hiring relates to a further journey in that vehicle by that person (or any other person accompanying him on the journey during, or at the conclusion of, which the call was made) commencing at the point at which that person was set down from that vehicle at the conclusion of the last-mentioned journey; and
- (c) the further journey is to commence within not more than one hour, or such longer period of time as may in all the circumstances be reasonable, after the call was made.

(3) If any person contravenes the provisions of this section, he shall be guilty of an offence.

(4) In this section the expression “ wireless telegraphy ” has the meaning assigned to it in section 19 of the Wireless Telegraphy Act 1949.

1949 c. 54.

30.—(1) As from the appointed day, no private hire vehicle shall be used for hire in the city equipped with any form of taximeter unless such taximeter has been tested and approved by or on behalf of the Corporation.

Taximeters.

(2) Any person who—

- (a) not being an authorised officer or constable, tampers with any seal on any taximeter; or
- (b) alters any taximeter with intent to mislead;

shall be guilty of an offence.

31.—(1) The Corporation may from time to time make byelaws for all or any of the following purposes, that is to say:—

Byelaws.

- (a) for regulating the conduct of the proprietors, drivers and operators of private hire vehicles and the issuing and wearing of drivers’ badges;
- (b) for requiring the return to the Corporation of any driver’s badge in circumstances prescribed in such byelaws.

(2) The confirming authority for the purpose of section 250 of the Act of 1933 in relation to byelaws made under this section shall be the Secretary of State.

PART II  
—cont.

Offences due  
to fault of  
other person.

32.—(1) Where the commission by any person of an offence under this Part of this Act is due to the act or default of some other person that other person shall be guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this section whether or not proceedings are taken against the first-mentioned person.

(2) Where a person who is charged with an offence in respect of a contravention of a provision in this Part of this Act proves to the satisfaction of the court—

- (a) that he exercised all due diligence to secure that the provision in question would not be contravened; and
- (b) that the contravention was due to the act or default of another person;

the first-mentioned person shall, subject to the next following subsection, be acquitted of the offence.

(3) A person shall not, without the leave of the court, be entitled to rely on the defence provided by subsection (2) of this section unless, not later than seven clear days before the date of the hearing, he has served on the prosecutor a notice in writing giving such information identifying, or assisting in the identification of, the other person in question as was then in his possession.

Offences by  
bodies  
corporate.

33. Where an offence under this Part of this Act which has been committed by a body corporate is proved to have been committed with the consent and connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Power to  
make test  
hirings.

34. Any authorised officer shall have power to make such hirings of taxicabs and private hire vehicles as may appear expedient for the purpose of determining whether or not the provisions of the Act of 1847 or of this Act, or of any byelaws made thereunder, are being complied with.

Power of  
entry.

35.—(1) Any authorised officer or any constable may, after giving not less than forty-eight hours' notice to the owner or occupier of any premises and on production of his authority if required, enter upon the premises at any time between the hours of nine in the forenoon and six in the afternoon for the purpose of any inspection necessary for enforcing and carrying into effect any of the provisions of this Part of this Act.

(2) Any authorised officer or any constable to whom admission is refused may apply to a justice after giving to the owner or

occupier of the premises reasonable notice of his intention to make the application, and the justice may by order under his hand require that person to admit the authorised officer or constable into the premises during the hours aforesaid.

(3) If the owner or occupier of the premises cannot be found the justice shall, on oath made before him of that fact, by order under his hand authorise any authorised officer or any constable to enter into or upon the premises during the hours aforesaid.

(4) Any such order made by a justice shall continue in force until the purposes for which admittance was required have been fulfilled or executed.

(5) Any person who refuses to obey an order of a justice under this section shall be guilty of an offence.

36.—(1) Any person who—

- (a) wilfully obstructs an authorised officer or constable acting in pursuance of this Act or the Act of 1847; or
- (b) wilfully fails to comply with any requirement properly made to him by such officer or constable under this Act; or
- (c) without reasonable cause fails to give such an officer or constable so acting any other assistance or information which he may reasonably require of such person for the purpose of the performance of his functions under this Act or the Act of 1847;

Obstruction  
of authorised  
officers.

shall be guilty of an offence.

(2) If any person, in giving any such information as is mentioned in the preceding subsection, makes any statement which he knows to be false, he shall be guilty of an offence.

37.—(1) In this Part of this Act “appointed day” means such day, not being earlier than the 1st April, 1973, as may be fixed by resolution of the council subject to and in accordance with the provisions of this section.

The appointed  
day.

(2) The Corporation shall cause to be published in a local newspaper circulating in the city notice—

- (a) of the passing of any such resolution and of the day fixed thereby; and
- (b) of the general effect of the provisions of this Act coming into operation as from that day;

and the day so fixed shall not be earlier than the expiration of one month from the date of publication of the said notice.

(3) Either—

- (a) a copy of any such newspaper containing any such notice; or

PART II  
—cont.

- (b) a photostatic or other reproduction certified by the town clerk to be a true reproduction of a page, or part of a page, of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

(4) Where any provision of this Act coming into operation on a day fixed by resolution under this section requires the licensing of a person carrying on any business, or of any vehicle used by a person in connection with any business, it shall be lawful for any person who—

- (a) immediately before that day was carrying on that business; and  
 (b) had before that day duly applied for the licence required by that provision;

to continue to carry on that business until he is informed of the decision with regard to his application and, if the decision is adverse, during such further time as is provided under section 40 (Appeals) of this Act.

Saving for certain vehicles.

38. Nothing in this Part of this Act shall—

- (1) apply to a vehicle used for bringing passengers or goods within the city in pursuance of a contract for the hire of the vehicle made outside the city if the vehicle is not made available for hire within the city;
- (2) apply to a vehicle carrying passengers for hire or reward under a contract for the hire of such vehicle by the week or for longer periods of hire;
- (3) apply to a vehicle of a funeral director used wholly or mainly for the purpose of funerals;
- (4) require the display of any plate, disc or notice in or on any private hire vehicle licensed by the Corporation under this Act during such period that such vehicle is used for carrying passengers for hire or reward—
  - (a) in connection with the business of a funeral director or owner of funeral vehicles if notice that it is so used has been given by the proprietor to the Corporation; or
  - (b) to, from or in connection with any wedding ceremony; or
  - (c) under a contract for the hire of such vehicle by the day or for longer periods of hire.

Penalties.

39. Any person who commits an offence against any of the provisions of this Part of this Act in respect of which no penalty is expressly provided shall be liable on summary conviction to a fine not exceeding fifty pounds.

40. If any requirement, refusal or other decision of the Corporation against which a right of appeal is conferred by this Part of this Act—

- (a) involves the execution of any work or the taking of any action; or
- (b) makes it unlawful for any person to carry on a business which he was lawfully carrying on up to the time of the requirement, refusal or decision;

then, until the time for appealing has expired, or, when an appeal is lodged, until the appeal is disposed of or withdrawn or fails for want of prosecution—

- (i) no proceedings shall be taken in respect of any failure to execute the work, or take the action; and
- (ii) that person may carry on that business.

41. Subsection (1) of section 283, and sections 285 and 286 of the Act of 1936 shall have effect as if references therein to that Act included a reference to this Part of this Act.

Application of provisions of Act of 1936.

42. Notwithstanding anything in section 43 of the Act of 1847, any proprietor's licence or driver's licence granted by the Corporation under that Act, or any licence granted by the Corporation under this Part of this Act, shall not be required to be under the common seal of the Corporation, but if not so sealed shall be signed by the town clerk or by an authorised officer.

Authentication of licences.

43. In section 501 (Hackney carriages) of the Act of 1921—

- (a) paragraph (A) of subsection (1) shall have effect as if for the words "or approach thereto" there were substituted the words "and any air and sea terminus or the approach thereto, and any car park and hotel forecourt";
- (b) paragraph (c) of subsection (1) is hereby repealed; and
- (c) subsection (2) shall have effect as if, after the words "hackney carriages", there were inserted the words "or private hire vehicles (as defined in the Liverpool Corporation Act 1972)".

Amendment and repeal of enactments.

### PART III

#### MERSEY DOCKS AND HARBOUR COMPANY

44.—(1) In this Part of this Act the following expressions have the meanings hereby assigned to them, that is to say:—

Power to assist Mersey Docks and Harbour Company.

"the company" means The Mersey Docks and Harbour Company;

"undertaking" means the undertaking for the time being of the company.

PART III  
—cont.

(2) The Corporation may, on such terms and conditions as they think fit, lend to the company for the purpose of their undertaking such sum or sums of money as may be agreed between the Corporation and the company.

(3) The Corporation may, in such manner and subject to such conditions as they think fit, guarantee the repayment of capital of, or the payment of interest on, or both the repayment of capital of, and the payment of interest on, mortgages, debentures, debenture stock, bonds or other securities granted, created or issued by the company for securing the repayment of any sum or sums which the company are or may be authorised to borrow for the purposes of their undertaking.

(4) The Corporation may borrow such sums as may be requisite for the purposes of this section.

(5) Where any sum is borrowed by the Corporation for the purposes of this section, it shall be lawful for the Corporation for such periods as they may think fit to suspend any annual provision required to be made by virtue of any enactment for the time being in force for the repayment of the sum borrowed.

(6) All costs, charges and expenses incurred by the Corporation in respect of any loan or guarantee under this section shall be met by the company.

PART IV  
WATER

Amending  
agreements  
for supply  
of water.

45.—(1) The agreements referred to in subsection (2) of this section shall be read and have effect from 31st March, 1973, as if the rates therein mentioned were increased to such price equal to the cost incurred by the Corporation in providing the quantities of water specified in such agreements as may be agreed between the Corporation and the respective parties to those agreements or failing agreement, as may be determined by an arbitrator to be agreed upon by both parties or to be appointed, failing agreement by the Secretary of State on the application of either party.

(2) The agreements referred to in subsection (1) of this section are the following:—

The agreement made between the mayor, aldermen and citizens of the city of Liverpool and the mayor, aldermen and burgesses of the borough and liberties of Oswestry of 29th June, 1880, and any agreement supplementary thereto;

The agreement made between the mayor, aldermen and citizens of the city of Liverpool and the mayor, aldermen and burgesses of the borough of St. Helens of 1st July 1880, and any agreement supplementary thereto.



PART V

FINANCE

46. Section 561 (Provisions as to raising money by bills) of the Act of 1921, as amended by section 41 of the Act of 1966, is hereby amended by the substitution for paragraph (12) thereof of the following paragraph:—

Amendment of section 561 of Act of 1921.  
1921 c. lxxiv.

“(12) The aggregate amount payable on bills current at any one time shall not exceed one-fifth of the amount estimated to be produced by the general rate levied in the city during the then current financial year except by the amount payable on bills issued shortly before any other bills fall due in order to pay off those bills.”

47.—(1) Notwithstanding anything in any other enactment, the moneys standing to the credit of any capital, repairs, reserve, renewals, insurance, contingencies or other similar fund established by the Corporation, not being a fund applicable wholly or partly for the redemption of debt, (each of which funds is hereafter in this section referred to as “the fund”) may be invested as follows, namely:—

Investment of funds of Corporation.

- (a) in or upon any investments for the time being authorised by law for the investment of trust funds; or
- (b) in or upon any of the stocks, funds or securities of any dominion, commonwealth, union, dependency or colony forming part of the British Commonwealth of Nations or any province or state having a separate local legislature and forming part of any such dominion, commonwealth, union, dependency or colony; or
- (c) in or upon any of the stocks, bonds, mortgages or securities of any municipality or county or district council, or local or public authority or board, in the United Kingdom or in any such dominion, commonwealth, union, dependency, colony, province or state as aforesaid authorised under any general or special Act of the United Kingdom Parliament or of the legislature concerned to issue the same; or
- (d) in or upon any stocks, shares, bonds, mortgages or securities the capital whereof or a minimum rate of dividend or interest whereon is guaranteed by the United Kingdom Government or by the government of any such dominion, commonwealth, union, dependency, colony, province or state as aforesaid; or
- (e) in or upon any of the stocks, funds or securities of the government of any foreign country or state; or

PART V  
—cont.

- (f) in or upon the bonds, debentures, debenture stock, convertible debenture stock, obligations or securities of any company incorporated under any general or special Act of the United Kingdom Parliament or under any royal charter or registered or incorporated in any part of the world; or
- (g) in or upon any guaranteed, preference or ordinary stock or shares or any preferred or deferred or other stock or shares of any company incorporated under any general or special Act of the United Kingdom Parliament or under any royal charter or registered or incorporated in any part of the world, being stock or shares which at the time of making the investment are quoted on any recognised stock exchange or similar institution; or
- (h) in the purchase or taking a lease, whether alone or jointly or in common with any other person, of immovable property of any tenure or kind in the United Kingdom, the Isle of Man or the Channel Islands, or of any share or interest in such immovable property including any interest in such immovable property comprised in a building agreement providing for the grant of a lease of such property contingent on the erection or completion of the building specified in such agreement; or
- (i) in the advance of money upon the security of—
- (i) immovable property of any tenure or kind in the United Kingdom, the Isle of Man or the Channel Islands; or
  - (ii) any legal estate or interest in immovable property comprised in a building agreement as specified in paragraph (h) of this subsection; and in any such case, whether the security be taken by a separate and distinct mortgage or security made exclusively to the Corporation, or by a mortgage or security made jointly to the Corporation and any other person; or
- (j) in undertaking or financing, whether alone or jointly with any other person—
- (i) the erection of a new building or the improvement or extension of an existing building; or
  - (ii) building operations or other development; on land belonging to the Corporation or to any other person or on land which is, or will be, held jointly by the Corporation and any other person; or
- (k) upon the security of freehold or leasehold ground rents, land charges or rentcharges;

with power of varying such investments from time to time by sale and reinvestment or otherwise:

Provided that—

PART V  
—cont.

- (i) the investment of such moneys as aforesaid in any investment of the nature specified in paragraphs (g), (h) or (j) of this subsection shall be subject to the qualification that no investment shall be made at any time when the value of all the investments made under the said paragraphs (g), (h) and (j) which form part of the fund equals or exceeds 75 per cent. of the total value of all the investments which form part of that fund;
- (ii) so long as the value of all the investments made under paragraphs (h) and (j) of this subsection which form part of the fund is equal to or greater than 25 per cent. of the value of all the investments which form part of the fund, no further investment shall be made under the said paragraphs (h) or (j).

(2) For the purposes of the foregoing subsection the value of any investment of moneys forming part of the fund shall be treated as being the value of the investment at the time at which it was made.

(3) For the purposes of the foregoing provisions of this section an investment in the units of a unit trust scheme or in participation certificates or in any form of participation under any trust or scheme established in the United Kingdom or elsewhere having the effect of enabling persons to participate in the profits and income arising from the acquisition, holding, management or disposal of such securities or of such property or interest in property as are specified in subsection (1) of this section shall be regarded as an investment in the securities or property in question.

(4) In this section—

“ participation certificate ” means any document conferring upon the holder the right to participate in (or constituting evidence of the right of the holder to participate in) the profits or income arising from the acquisition, holding, management or disposal of a particular investment specified or described in the document;

“ quoted on any recognised stock exchange or similar institution ” in its application to stock or shares not registered in the United Kingdom means, in relation to a security, that the security has been granted an official quotation or is listed on a recognised security market or that dealing prices on such a market in respect of that security are published not less frequently than once a week;

“ recognised security market ” in its application to stock or shares not registered in the United Kingdom means a stock exchange, an association of stock and share dealers

PART V  
—cont.

or an over-the-counter market recognised as a market or association in which dealings in the country concerned normally take place;

1958 c. 45.

“ recognised stock exchange ” in its application to the United Kingdom means any body of persons which is for the time being a recognised stock exchange for the purposes of the Prevention of Fraud (Investments) Act 1958;

“ securities ” includes shares, debentures, treasury bills and tax reserve certificates;

“ unit trust scheme ” has the meaning assigned thereto by subsection (1) of section 26 of the Prevention of Fraud (Investments) Act 1958.

## PART VI

## MISCELLANEOUS

Amendment of section 320 of Act of 1921.

48. Section 320 (Regulation of hoardings) of the Act of 1921 shall have effect as if for the words “ two pence per month for every superficial yard ” there were substituted the words “ three new pence per month for every square metre ”.

Extension of section 11 of Liverpool Corporation Act 1955.  
1955 c. xvi.

49. Where any land abutting on a highway which it is proposed to stop up by an order made under section 11 (Stopping up and diversion of highways) of the Liverpool Corporation Act 1955 is specified in a compulsory purchase order made by the Corporation under any enactment and duly confirmed, the Corporation shall, consequent upon the service by the Corporation of a notice of their intention to exercise the powers conferred upon them to enter on and take possession of such land, be deemed to be the owner of such land for the purposes of subsection (4) of the said section 11.

Amendment of section 18 of Act of 1966.

50. Paragraph (a) of subsection (15) of section 18 (Entertainment clubs) of the Act of 1966 shall have effect as if the following sub-paragraph were included:—

1968 c. 65.

“ (v) any premises in respect of which there is for the time being a justices’ licence granted or renewed in accordance with the provisions of Schedule 2 to the Gaming Act 1968 ”.

Separate drains for foul sewage and surface water.

51.—(1) Where the Corporation have determined to provide separate public sewers for surface water and foul sewage in any area in the city, they may, if they think fit, by notice require any person carrying out any development in that area which will drain directly or indirectly into a public sewer to provide separate drains for the reception of surface water and of foul sewage respectively.

(2) The provisions of subsections (1) to (5) of section 290 of the Act of 1936 shall apply in relation to notices given under this section as they apply in relation to the notices mentioned in subsection (1) of that section.

PART VI  
—cont.

(3) Subject to the right of appeal provided under the provisions of the said section 290 as applied by subsection (2) of this section, if a person fails to comply with a notice under subsection (1) of this section he shall be liable to a fine not exceeding twenty pounds and to a daily fine not exceeding five pounds.

(4) Nothing in this section shall in any way limit, affect or add to the obligations which The Mersey Docks and Harbour Company are under to make and keep in repair sewers and drains under the dock estate as provided by the Act of 1921.

**52.**—(1) The provisions of the enactments specified in columns (1) and (2) of the Schedule to this Act shall have effect as if the maximum fine which may be imposed on summary conviction of an offence specified in the enactment were a fine not exceeding the amount specified in column (4) of that schedule instead of a fine of, or not exceeding, the amount specified in column (3) of that schedule. Increase of fines.

(2) To give effect to the provisions of the Schedule to this Act relating to the imposition of daily fines and penalties for second or subsequent offences the enactments hereinafter mentioned shall be amended as follows:—

(a) Liverpool Corporation Act 1921—

1921 c. lxxiv.

(i) in section 410 (Penalty on selling cinematograph film to children and young persons) for the words “two pounds and in the case of a second offence to a fine not exceeding five pounds and in the case of a third or subsequent offence to a fine not exceeding ten pounds” there shall be substituted the words “twenty pounds and in the case of a second or subsequent offence to a fine not exceeding fifty pounds”;

(ii) in section 465 (Penalty for receiving in lodging-houses persons suffering from certain diseases), in subsection (1) the words “for a first offence or not exceeding one hundred pounds for a second or subsequent offence” shall be omitted;

(iii) in section 505 (Drunkenness disorderly conduct &c. in certain premises) the words “for a first offence and on a second or subsequent conviction to a penalty not exceeding fifty pounds” shall be omitted.

PART VI  
—*cont.*  
1955 c. xvi.

(b) Liverpool Corporation Act 1955—

in section 68 (Registration of weighing machines), in subsection (1) the words “and to a daily penalty not exceeding forty shillings” shall be omitted.

PART VII

GENERAL

Saving for  
powers of  
Treasury.

1946 c. 58.

**53.**—(1) It shall not be lawful to exercise the powers of borrowing conferred by the foregoing provisions of this Act except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act 1946.

1947 c. 14.

(2) Nothing in this Act shall be taken as exempting the Corporation from the provisions of the Exchange Control Act 1947.

Local  
inquiries.

**54.**—(1) Any Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.

(2) Subsections (2) to (5) of section 290 of the Act of 1933 shall apply in relation to any such inquiries; and for that purpose the definition of “department” in subsection (8) of that section shall include any Minister of the Crown having functions under this Act as well as the Ministers therein mentioned.

1946 c. 31.

(3) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown (Transfer of Functions) Act 1946.

Restriction  
on right to  
prosecute.

**55.** The written consent of the Attorney-General shall be requisite for the taking of proceedings in respect of an offence created by or under this Act by any person other than a party aggrieved or the Corporation or, in the case of an offence created by or under Part II of this Act, a constable.

Protection  
of members  
and officers of  
Corporation  
from personal  
liability.  
1875 c. 55.

**56.** Section 265 of the Public Health Act 1875 shall apply to the Corporation as if any reference in that section to the said Act of 1875 included a reference to this Act and as if any reference in that section to a member of a local authority included a reference to a member of a committee of a local authority.

Costs of Act.

**57.** All the costs, charges and expenses, preliminary to, and of and incidental to, the preparing, applying for, obtaining and passing of this Act shall be paid by the Corporation.

**SCHEDULE**  
INCREASE OF FINES

Section 52.

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
Liverpool Corporation Act 1921	Section 207 (Penalty for non-payment of tolls)	£2	£10.
	Section 227 (Registration of private mortuaries and byelaws with respect thereto) Subsection (2) Subsection (5)	£5 and a daily fine of £1	£20 and a daily fine of £5.
		£2	£10.
	Section 275 (Dwelling-house not to be erected until street laid out)	£20 and a daily fine of £2	£100 and a daily fine of £10.
	Section 277 (Elevation of new buildings fronting to street)	£5 and a daily fine of £2	£20 and a daily fine of £5.
	Section 283 (Dangerous structures)	£10 per day	£20 per day.
	Section 290 (Advertisement hoardings)	£5 and a daily fine of £1	£20 and a daily fine of £5.
	Section 291 (Proceedings on failure to comply with building regulations)	£5 per day	£10 per day.
	Section 296 (Approval and conditions of formation of streets)	£20 and a daily fine of £2	£100 and a daily fine of £10.
	Section 301 (As to direction or position of new streets)	£10 and a daily fine of £2	£50 and a daily fine of £10.
	Section 303 (Building line in new streets to be shown on plan)	£20 and a daily fine of £2	£100 and a daily fine of £10.
	Section 305 (Corporation may fix a line of frontage in existing streets)	£5 and a daily fine of £2	£20 and a daily fine of £5.
	Section 309 (Relaxation of Acts and byelaws)	£5 and a daily fine of £2	£20 and a daily fine of £5.
Section 319 (Streets broken up to be reinstated)	£5 and a daily fine of £2	£20 and a daily fine of £5.	
Section 324 (Restrictions on placing wires in streets)	£5	£20.	

1921 c. lxxiv.

SCH.  
—cont.

	Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
1921 c. lxxiv.	Liverpool Corporation Act 1921 (continued)	Section 327 (Separate sewers for sewage and surface water)	£5 and a daily fine of £2	£20 and a daily fine of £5.
		Section 333 (Reconstruction of drains to be approved)	£5 and a daily fine of 25p	£10 and a daily fine of £2.
		Section 336 (Prohibiting entry of petrol into sewers)	£10 and a daily fine of £5	£50 and a daily fine of £10.
		Section 351 (Storage of saltpetre nitrate of soda and chlorates)	£50 and a daily fine of £10	£100 and a daily fine of £10.
		Section 354 (Production of warehousemen's licences)	£2	£10.
		Section 355 (Occupiers of warehouses to keep warehousemen)	£20	£100.
		Section 356 (Penalty on employing unlicensed warehousemen)	£5	£20.
		Section 357 (Duties of licensed warehousemen)	£5	£20.
		Section 358 (Penalty on persons having combustibles in their possession)	£5	£20.
		Section 359 (Penalty on persons causing danger from fire)	£10	£100.
		Section 363 (Fire prevention byelaws)	£20 and a daily fine of £10	£100 and a daily fine of £10.
		Section 364 (Penalties)	£20 and a daily fine of £5	£100 and a daily fine of £10.
		Section 380 (Offences against this Part of Act)	£20 and a daily fine of £10	£100 and a daily fine of £10.
		Section 408 (Penalties for offences in respect of celluloid factories)	£20 and a daily fine of £10	£100 and a daily fine of £10.
Section 410 (Penalty on selling cinematograph film to children and young persons)	£2, for a second offence £5 and for a subsequent offence £10	£20 and for a second or subsequent offence £50.		



Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)	SCH. —cont.	
Liverpool Corporation Act 1921 (continued)	Section 416 (Penalty for certain street offences)	£2	£20.	1921 c. lxxiv.	
	Section 418 (Regulations as to carts carriages and vehicles)	£5	£100.		
	Section 424 (Penalties under Part XXII of Act)	£5 and for a second or subsequent offence £10	£20 and for a second or subsequent offence £50.		
	Section 431 (Licensing keepers of weighing machines)	£10 and a daily fine of £2	£20 and a daily fine of £5.		
	Section 432 (Names of weighing machine keepers to be written on premises)	£10	£20.		
	Section 441 (Penalty on withholding information from medical officer)	£2	£20.		
	Section 443 (For preventing spread of infectious disease)	Subsection (1)	£1		£10.
		Subsection (2)	£5		£20.
	Section 455 (Provisions with regard to cattle dying on vessels)	£20	£100.		
	Section 457 (Prohibition on bringing rats into city)	£2	£20.		
	Section 458 (Power to exclude children from assemblies in certain cases)	£5	£20.		
	Section 459 (For preventing spread of infectious disease amongst children)	£2	£20.		
	Section 460 (Cleansing of children and their clothing)	Subsection (2)	50p		£10.
	Subsection (3)	50p	£10.		
Section 463 (Medical examination of inmates of common lodging-houses where infectious disease prevails)	£2	£10.			

SCH.  
—cont.

	Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
1921 c. lxxiv.	Liverpool Corporation Act 1921 (continued)	Section 465 (Penalty for receiving in lodging-houses persons suffering from certain diseases)	£50 and for a second or subsequent offence £100	£100.
		Section 469 (Cellar dwellings)	£10 and a daily fine of £1	£20 and a daily fine of £5.
		Section 470 (Sanitary regulations)	£5 and a daily fine of £2	£20 and a daily fine of £5.
		Section 472 (Furnaces to consume their own smoke)	£5 and a daily fine of £1	£100 and a daily fine of £10.
		Section 473 (Justices to have power to order alteration of chimneys)	£5 and a daily fine of £2	£50 and a daily fine of £5.
		Section 476 (Penalty for keeping cattle on unlicensed premises)	£1 for each animal	£10 for each animal.
		Section 482 (Licensed premises to be kept in good order)	£1 and a daily fine of 50p	£20 and a daily fine of £5.
		Section 493 (Power to inspect cows and procedure where tuberculosis suspected)		
		Subsection (4) Subsection (7)	£5 £5 and a daily fine of £2	£100. £100 and a daily fine of £10.
		Section 499 (Power to enter premises used for entertainments)	For letting unlicensed building £20. For performing in unlicensed building £2	For letting unlicensed building £100. For performing in unlicensed building £50.
		Section 501 (Hackney carriages)	£2	£20.
		Section 502 (Marine store dealers)	£20 and a daily fine of £5	£100 and a daily fine of £10.
		Section 503 (Porters) Subsection (3) Subsection (4) (B)	£1 £5	£10. £20.
Section 504 (Restriction of young girls in common lodging-house)	£10 and a daily fine of £2	£100 and a daily fine of £10.		
Section 505 (Drunkenness disorderly conduct &c. in certain premises)	£50 and on a second or subsequent conviction £50	£100.		

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)	SCH. —cont.
Liverpool Corporation Act 1921 (continued)	Section 506 (Pawnbrokers not to receive pledges from persons apparently under sixteen years of age)	£5	£20.	1921 c. lxxiv.
	Section 517 (Penalty for compounding informations)	£10	£50.	
	Section 521 (Penalties for offences in respect of lying-in homes) Subsection (1) Subsection (2)	£50 and a daily fine of £20 £5 and a daily fine of £2	£100 and a daily fine of £20. £20 and a daily fine of £5.	
	Section 635 (Penalty on occupier refusing execution of Act)	Daily fine of £2	Daily fine of £10.	
	Section 636 (Penalty for obstructing execution of Act)	£5	£50.	
Liverpool Corporation Act 1927	Section 152 (Penalty for contraventions of section 320 of Act of 1921)	£5 and a daily fine of £2	£20 and a daily fine of £5.	1927 c. lxxxviii.
	Section 156 (Prohibition of infected person carrying on business)	£2	£20.	
	Section 172 (Penalties) Subsection (1)	In respect of paragraph (i) £50 and a daily fine of £20. In respect of paragraphs (ii) and (iii) £5 and a daily fine of £2	In respect of paragraph (i) £100 and a daily fine of £20. In respect of paragraphs (ii) and (iii) £20 and a daily fine of £5.	
Liverpool Corporation (General Powers) Act 1930	Section 27 (Lighting of staircases of tenement buildings) Subsection (2) Subsection (3)	£5 and a daily fine of £2 £5	£20 and a daily fine of £5. £20.	1930 c. cxii.
	Section 29 (Sites for advertisements)	£5 and a daily fine of £1	£100 and a daily fine of £10.	
	Section 31 (Unauthorised riding upon vehicles)	£2	£20.	

SCH. —cont.	Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
1930 c. cxii.	Liverpool Corporation (General Powers) Act 1930 (continued)	Section 35 (Penalties legal proceedings &c.)	£2 or in the case of a second or subsequent offence £5	£20 or in the case of a second or subsequent offence £50.
		Section 36 (Supplemental provisions)	£20	£50.
1936 c. cxxii.	Liverpool Corporation Act 1936	Section 32 (Power to prohibit use of hosepipe)	£5 and a daily fine of £2	£20 and a daily fine of £5.
		Section 52 (Certain elevations on front lands to require approval)	£5 and a daily fine of £2	£50 and a daily fine of £10.
		Section 60 (Notice of existence of disused drains)	£2	£10.
		Section 63 (Entry into premises in case of dangerous infectious disease)	£5	£50.
		Section 64 (Removal of infirm and diseased persons in certain cases)	£10	£50.
		Section 66 (Power to prohibit persons in advanced stage of tuberculosis from handling &c. food)	£2 and a daily fine of 50p	£50 and a daily fine of £10.
		Section 70 (Penalty for failure to carry out work until after issue of summons)	£5	£20.
		Section 76 (Registration of hawkers of meat fish fruit and vegetables and premises)	£5 and a daily fine of £1	£20 and a daily fine of £5.
		Section 77 (Further provisions as to shell-fish)	£5	£20.
		Section 78 (Registration of ice-cream and preserved meat manufacturers and premises)	£2 and a daily fine of £1	£20 and a daily fine of £5.
		Section 79 (For regulating manufacture and sale of ice-cream &c.) Subsection (1)	£2	£50.
Section 80 (Prohibition of private slaughterhouses)	£5	£50.		

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)	SCH. —cont.
Liverpool Corporation Act 1936 (continued)	Section 81 (Power to require provision of dust- bins)			1936 c. cxxii.
	Subsection (4) (b)	£1 and a daily fine of 25p	£10 and a daily fine of £2.	
	Subsection (5) (b)	50p	£10.	
	Section 82 (Accommoda- tion of refuse receptacles)			
	Subsection (1) (b)	£5 and a daily fine of £2	£50 and a daily fine of £10.	
	Subsection (2) (b)	£1 and a daily fine of 25p	£10 and a daily fine of £2.	
	Section 83 (Prohibition of sale of verminous furniture &c.)			
	Subsection (2)	£5	£20.	
	Subsection (3) (b)	£5	£20.	
	Section 118 (Power of entry)	£5	£50.	
Section 119 (Penalty on occupier refusing execution of Act)	Daily fine of £2	Daily fine of £5.		
Liverpool Corporation Act 1955	Section 6 (Prohibition of building until street formed and sewered)	£20	£50.	1955 c. xvi.
	Section 7 (Termination of new streets)	£20	£50.	
	Section 9 (Trees grass verges and gardens)	£1	£20.	
	Section 15 (Maintenance of footways &c.)	£2 and a daily fine of £1	£10 and a daily fine of £2.	
	Section 17 (Means of access to buildings)	£20	£50.	
	Section 21 (Provision of sanitary conveniences at places of amusement)	£5 and a daily fine of £2	£20 and a daily fine of £5.	
	Section 29 (Demolition of buildings)	£5	£50.	
	Section 35 (Power to require vacation of premises during fumigation)	£5 and a daily fine of 50p	£50 and a daily fine of £10.	

SCH.  
—cont.

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
1955 c. xvi.  Liverpool Corporation Act 1955 (continued)	Section 38 (Registration of premises used in connection with the sale &c. of animal feeding meat)		
	Subsection (1) (a)	£10 and for a subsequent offence £50	£50 and for a subsequent offence £100.
	Subsection (1) (g)	£5	£20.
	Section 40 (Registration of vendors of shell-fish and their premises)	£2 and a daily fine of £1	£10 and a daily fine of £2.
	Section 53 (Derelict petrol tanks)	£5 and a daily fine of £2	£50 and a daily fine of £10.
	Section 54 (Underground car parks)	£5 and a daily fine of £2	£50 and a daily fine of £10.
	Section 55 (Further provision as to underground car parks)	£5 and a daily fine of £2	£50 and a daily fine of £10.
	Section 68 (Registration of weighing machines)	£5 and a daily fine of £2	£20.
1966 c. xl.  Liverpool Corporation (General Powers) Act 1966	Section 11 (Excavations near streets)	£100	£200.
	Section 13 (Building operations affecting public safety)	£100	£200.
	Section 18 (Entertainment clubs)		
	Subsection (2) (b)	£50	£100.
	Subsection (8) (b)	£10	£50.
Section 40 (False statements to obtain rent rebates, etc.)	£50	£100.	

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# Liverpool Corporation Act 1972

## CHAPTER xli

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