

Shropshire Council

Special Hackney Carriage (Rickshaw) Licence Conditions

Legal Status

1. These Conditions were made pursuant to Sections 47 and 59 of the Local Government (Miscellaneous Provisions) Act 1976.
2. Breach of one or more of these Conditions may lead to suspension, revocation or refusal to renew the licence pursuant to Sections 60 and 61 of the said Act.

Interpretation

1. In these Conditions the following words shall bear the meaning ascribed to them below:-

The "Act" means the Local Government (Miscellaneous Provisions) Act 1976

The "Act of 1847" means the Town Police Clauses Act 1847

The "Council" means Shropshire Council

"Driver" means a driver/rider licensed by the Council as a hackney carriage driver

"Hackney Carriage" has the same meaning as in the Act of 1847

The "Licence" means a licence granted in respect of a rickshaw/pedicab Hackney Carriage for working in one zone of the Council granted pursuant to Section 37 of the Act of 1847

The "licensed vehicle" means the rickshaw/pedicab special Hackney Carriage

"Vehicle plate" means the plate provided by the Council for affixing to the licensed vehicle pursuant to Section 38 of the Act of 1847

2. References to the male gender shall be construed as including reference to the female gender where appropriate.
3. All other words and phrases in these Conditions shall bear the meanings ascribed to them (if any) in the Act and the Act of 1847.
4. All obligations contained in these Conditions are to be construed as the obligations of the Licence.

Conditions

General

1. The licensed vehicle shall carry a maximum of three passengers.

2. The licensed vehicle shall be fitted with operational warning instruments, operational front and rear light. Those lights shall be in operation at all times when the licensed vehicle is on duty. The licensed vehicle shall also have mirrors fitted to the nearside and offside.
3. The applicant for a Hackney Carriage licence must be the person who is the legal owner of the rickshaw/pedicab. Prior to licensing and thereafter, as required, satisfactory evidence must be produced to the satisfaction of the Council.
4. The licensed vehicle shall, so far as is appropriate, comply with the requirements of the Road Traffic Acts and any other Acts relating to vehicles using a public highway.
5. The Licence holder must inform the Council of any change of address prior to the change, where possible, but in any event no more than 7 (seven) days after that change.
6. The Licence holder and/or Driver must not demand any fare from the passenger or anyone else in connection with any journey, although this will not restrict any amount paid as a gratuity for any journey.
7. Any Driver of the licensed vehicle must have passed a cycle proficiency course and provided a copy of the certificate of completion of that course to the Council prior to driving the licensed vehicle.
8. All reasonable steps shall be taken to ensure the safety of passengers entering, being conveyed in and alighting from the licensed vehicle.
9. The Driver shall not convey any animal unless it is in the custody of the hirer and in any case shall ensure that the animal is securely restrained.

Seatbelts

10. Individual seat belts shall be fitted to the licensed vehicle and shall be readily available for each passenger's use at all times. All seatbelts shall be maintained in good working condition. The Driver shall ensure that passengers are made aware of the seatbelts before commencing each journey.
11. All children must occupy a seat and parents/guardians be made aware of the seatbelt for their safety. That no person under the age of 16 shall ride unaccompanied without an adult.

Maintenance and Inspection of the Vehicle

12. A licensed vehicle shall meet the Council's fitness requirements and for this purpose will be required to be inspected prior to the grant or renewal of the Licence and at 4 (four) monthly intervals. Such inspections will be independent mechanical inspections undertaken by an approved outlet to certify the roadworthiness of the licensed vehicle. Written confirmation of the same from that outlet to be provided by the Licence holder to the Council.

13. No material alteration or change in specification, design, condition or appearance of the licensed vehicle shall be made without the prior approval in writing of the Council.
14. The licensed vehicle shall be maintained in accordance with the manufacturer's recommendations. It must comply with the Pedal Cycle (Construction and Use) Regulations 1983, the Pedal Cycle (Safety) Regulations 2003 and the Road Vehicle Lighting Regulations 1989.
15. The licensed vehicle and its fittings must all times when it is available for hire be in a safe working condition, clean and tidy. The licensed vehicle must be maintained throughout the term of the Licence, to a high standard of appearance to the complete satisfaction of the Council.
16. This Licence is issued subject to the production of further mechanical inspection reports as may from time to time be required by any authorised officer of the Council. Furthermore, the licensed vehicle may be called in for inspection at any reasonable time by an authorised officer of the Council.

Insurance

17. Prior to licensing and thereafter, as required, satisfactory evidence must be produced by the Licence holder to the Council that there is in force appropriate insurance to carry passengers for hire and reward and public liability insurance for a minimum of £5,000,000 (five million pounds). A copy of the certificate of insurance or cover note shall be available for inspection at all times whilst operating as a Hackney Carriage.

Licence Plate

18. The Vehicle plate shall be securely affixed to the outside rear of the licensed vehicle to the reasonable satisfaction of the Council. Such plate to be kept clean and free of any defects.
19. The Council must be informed immediately should the Vehicle plate be broken, lost or defaced. On no account must the licensed vehicle operate as a Hackney Carriage without a Vehicle plate being displayed.

Signs etc and advertising

20. No signs, notices, advertisements, plates, marks, letters/figures, symbols, emblems or devices whatsoever shall be displayed on on in the licensed vehicle without the prior approval in writing from the Council.
21. Any sign permitted must be positioned so as not to impede visibility.

Accident/Damage to the licensed vehicle

22. Notification shall be given in writing by the Driver and/or the Licence holder to the Council as soon as reasonably practicable and in any event no later than 72 (seventy-two) hours after the occurrence of any accident or damage to the licensed vehicle. An authorised officer will then, after the licensed vehicle has

been inspected decide if the licensed vehicle can continue in service. The Council may at any time suspend the Licence and by notice in writing require the Licence holder to return the Vehicle plate to them within 7 (seven) days after service of the notice.