

GWYNEDD COUNCIL

RICKSHAW HACKNEY CARRIAGE CONDITIONS OF LICENCE

A. – 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.

B. – INTERPRETATION

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

”The Act of 1847” 1847	The Town Police Clauses Act
“The Act”	The Local Government (Miscellaneous Provisions) Act 1976
“The Council”	Gwynedd Council
“The Licence”	a licence granted in respect of a Rickshaw Hackney Carriage granted pursuant to Section 37 of the Act of 1847
“Hackney Carriage”	a vehicle in respect of which there is a licence in force under Section 37 of the Act of 1847
“Hackney Carriage Driver”	a driver licensed by the Local Authority to be in charge of a rickshaw hackney carriage
“Vehicle licence number”	the number allocated by the Council to a licence granted for a hackney carriage
“Licensed vehicle”	a hackney carriage
“Vehicle plate”	the plate provided by the Council for affixing to a hackney carriage

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 the Licence Conditions are to be construed as the obligations of the Licence.

C – THE CONDITIONS

1. All rickshaws must be presented to the Council when and where required and no rickshaw will be certified fit for public use unless it is properly finished and in good condition. The Licensee shall not prevent any authorised officer of the Council or Constable from inspecting the rickshaws at any time to ascertain its fitness for use.
2. At the time of inspection for licensing, a certificate of ownership and a policy of insurance which covers use for hire and reward and passenger risks shall be produced to the satisfaction of the Council.
3. 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.
4. The licensed vehicle and all its fittings shall be kept in a safe, efficient, clean and tidy condition and any authorised officer of the Council or Constable shall be permitted to inspect it on request and in any event the licensee shall:-
 - (a). comply with any notice served on him under Section 68 of the Act by such officer or Constable suspending the licence and requiring him to present the vehicle for inspection and testing at such reasonable time and place as may be specified for the purpose of ascertaining its fitness.
 - (b) ensure that the licensed vehicle is not used to carry passengers for hire and reward until its fitness has been ascertained.
 - (c) return the vehicle plate to the Council forthwith on being served with a suspension notice under Section 58 of the Act.
5. Prior to any alteration in the design or construction of the licensed vehicle being made, the Council must be notified, in writing, and full particulars of the alteration must be supplied, and the licensed vehicle will require further inspection.

6. The licensee shall notify the Council in writing within five days of:
 - (a) any accident involving the licensed vehicle
 - (b) any change of address of the licensee.
7. The seating provided in the licensed vehicle shall be measured in a straight line and the front of each length of 40 centimetres shall be deemed to provide sufficient space for one person.
8. The licensed vehicle shall be fitted with rubber tyres, which shall be kept in good order.
9. The number of passengers to be carried shall not exceed the number for which it is licensed as specified on the licence and the vehicle plate, and no person shall be permitted to travel sitting on the lap of any of the passengers. That the passengers of the vehicle be restrained by a lap belt at all times. That no person under the age of 16 shall ride unaccompanied without an adult.
10. The vehicle plate shall be affixed to the licensed vehicle to the satisfaction of the Council.
11. This licence is issued subject to the production of further mechanical inspection reports as may from time to time to be required by any authorised officer of the Council. That the rickshaw undergoes an annual independent mechanical inspection to be undertaken by an approved outlet to certify its roadworthiness.
12. The driver shall notify the Council, in writing, within five days of being convicted of:
 - (a) any offence under Road Traffic legislation or any offence of dishonesty, indecency or violence.
 - (b) becoming aware of any illness or disability which could impair his ability to drive.
13. The licensee shall produce any related documentation for inspection on request by an officer of the Council or any Constable and shall otherwise give such assistance and information as may be reasonably required by such officer or Constable in relation to his statutory duties.
14. The driver shall at all times be clean and respectably dressed and behave in a civil and orderly manner.
15. The driver shall not smoke or eat whilst the vehicle is in motion or carrying passengers.

16. All reasonable steps shall be taken to ensure the safety of passengers entering, being conveyed in and alighting from the licensed vehicle.
17. The driver shall if required provide the hirer with a written receipt for the fare paid.
18. The driver shall at all times when driving wear the driver's identification badge in a clearly visible position and shall immediately report the loss of the badge to the Council and obtain a replacement badge. The driver paying such fee as the Council may prescribe for the same.
19. The driver shall immediately upon termination of any hiring of a licensed vehicle or as soon as practicable thereafter carefully search the licensed vehicle for any property which may have been left in it and unless claimed by or on behalf of the owner any property found by the driver or any other person shall be taken by the driver as soon as is practicable (and in any case within 48 hours) to a Police Station within the County and left in the custody of the officer in charge upon the issue of a receipt.
20. The driver shall not demand of the hirer a fee in excess of that agreed between the hirer and the licensee.
21. 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.
22. The driver shall not, without the consent of the hirer, convey any other person or animal in the licensed vehicle, which is hired.
23. The driver shall not whilst driving or in charge of a licensed vehicle cause a nuisance to any occupiers of property or users of land.