

CARLISLE CITY COUNCIL

Report to:- **THE CHAIRMAN AND MEMBERS OF
THE LICENSING & REGULATORY PANEL**

Date of Meeting:- 17th April 2002

Agenda Item No:-

A.3

Public	Operational	Delegated Yes
--------	-------------	---------------

Accompanying Comments and Statements	Required	Included
Cumbria Fire Service	No	No
Cumbria Constabulary	No	No
Environmental Services	No	No

**Title:- APPLICATION FOR A HORSE DRAWN HACKNEY
CARRIAGE**

Report of:- CITY SOLICITOR & SECRETARY

Report reference:- TC. 71/02

Summary:-

Legislation and conditions are in place covering the use of Hackney Carriages within the City of Carlisle. The conditions are geared towards mechanically propelled vehicles, as opposed to the original horse drawn Hackney Carriages. Interest is now being shown as a tourism initiative, for horse drawn carriages to work in both the Carlisle and Brampton areas. In anticipation of an application, varied conditions and fees have been drawn up for consideration.

Recommendation:-

To reach a decision after considering the options available.

J M Egan
City Solicitor & Secretary

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers:- Hackney Carriage Conditions, copies of which are attached.

To the Chairman and Members of the Licensing & Regulatory Panel
on 17th April 2002

BACKGROUND

1. Legislation covering the licensing of Hackney Carriages is to be found in the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, City of Carlisle Byelaws in respect of Hackney Carriages and local Hackney Carriage conditions. The latter were written for mechanically propelled vehicles as opposed to the original horse drawn carriages.
2. Enquires have been made from two local sources, showing interest in using horse drawn Hackney Carriages in both the Carlisle and Brampton areas. One enquirer, Mr Charlie Parker of Clark's Hill, Gilsland, Brampton will attend the Panel
3. Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 is the legislation which allows the Council to impose such conditions on a Hackney Carriage licence as they consider reasonably necessary (Appendix A).
4. To allow the use of horse drawn hackney vehicles a number of issues must be addressed:
 - a) The Department for Transport Local Government and the Regions have issued a document entitled '*Code of Practice for Horse Drawn Vehicles*' (Appendix B). It is recommended that this Council adopt these guidelines.
 - b) It is suggested that new conditions, based on the existing Hackney Carriage conditions, be adopted by the Council in respect of:
 1. Horse drawn Hackney Vehicles (Appendix C)
 2. Horse drawn Hackney Drivers (Appendix D)

Consideration has been given to Blackpool Borough Council Byelaws when varying these conditions.

- c) An annual veterinary inspection of the horse is carried out.
(Utilising the Veterinary Surgeons practice currently used under the Riding Establishments Act. Fee payable to the Veterinary Surgeon)
- d) An annual mechanical inspection of the carriage is carried out by a Council approved examiner, prior to licensing the carriage in any year.
(Fee payable to the examiner)
- e) All drivers to complete a road driving assessment through the British Driving Society the Heavy Horse Training Committee and achieve a 'Certificate of Competence'.
- f) A requirement that public liability insurance be provided to a minimum of £1,000,000.

- g) A scale of tariff charges be agreed. (Appendix E)
- h) The annual licensing fees be agreed. It is suggested that these fees be 2/3rd of the current Hackney Carriage licences in recognition of the reduced season for horse drawn carriages and the fact that operations will be restricted in inclement weather. The suggested fees are:

Hackney Carriage Licence	£88 (£132)
Hackney carriage Drivers Licence	£28 (£42)

It is recommended that members reach a decision in line with the options available after due consideration.

OPTIONS

1. Approve the recommendations with or without amendment
2. Refuse the recommendations

Prepared by J A Messenger

PART II, 1976 ACT.

SECTION 47.

LICENSING OF HACKNEY CARRIAGES.

- (1) A District Council may attach to the grant of a Hackney Carriage under the **Act of 1847** such conditions as the District Council may consider reasonably necessary.
- (2) Without prejudice to the generality of the foregoing **Subsection**, a District Council may require any Hackney Carriage licensed by them, under the **Act of 1847**, to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a Hackney Carriage.
- (3) Any person aggrieved by any conditions attached to such a licence may appeal to a **Magistrates Court**.

APP. 'B'

Department for Transport, Local Government and the Regions

Code of Practice for Horse Drawn Vehicles

This Code of Practice contains guidance jointly reviewed and agreed by the following organisations:

The Department for Transport, Local Government and the Regions
The British Driving Society
The British Horse Society
The Heavy Horse Driving Committee
The Joint National Horse Education & Training Council
International League for the Protection of Horses

Further copies of the Code of Practice can be obtained from:

The Department for Transport, Local Government and the Regions,
Vehicle Standards and Engineering Division,
Zone 2/04,
Great Minster House,
76 Marsham Street,
London SW1P 4DR.
Tel: 0207 944 5660, Fax: 0207 944 2069.

Introduction

Due to the increasing popularity of horse drawn vehicles on the road, a working group was set up which includes organisations experienced in the use of such vehicles. The main aim of the group was to produce a Code of Practice which could be used by drivers and operators of horse drawn vehicles, and especially those who use such vehicles to carry paying passengers.

The Code provides a simple but authoritative guide to the recommended minimum levels of competence (the 'road driving assessment') for drivers of horse drawn vehicles. The Code also includes full details of vehicle safety checks (the 'carriage check list').

Note

This Code of Practice should not be treated as a legal document. The emphasis is on the safety of the driver and passengers, carriage and horse(s) and other road users. Every effort has been made to provide true, helpful and accurate information.

Scope of the Code

The Code applies to all types of horse drawn vehicles used on the road but it is primarily aimed at those vehicles carrying paying passengers (ie vehicles used for 'hire and reward'). The type of vehicles referred to in the Code are: two or four wheeled modern carriages, two or four wheeled traditional carriages and horse drawn passenger carrying vehicles. The Code applies to these carriages whether driven to a single horse or pairs or teams of horses.

Objectives

The Code's objectives are:

- To provide guidance for new and existing drivers of horse drawn vehicles carrying paying passengers
- To summarise the road driving assessment for single, pair and teams of horses
- To provide details of a recognised carriage safety check list

S.

The Road Driving Assessment

This test is the recommended minimum competence for driving horses/ponies and vehicles carrying paying passengers on the public highway. The assessment is not a compulsory requirement for those wishing to drive horses but may be required if an operator wants to receive a local authority licence to operate a passenger carrying service. Applications for an assessment may be made either to the British Driving Society or the Heavy Horse Training Committee who appoint a panel of assessors. There is a small fee for the assessment and on satisfactory completion a certificate of competence (Road Driving Certificate) will be granted.

The practical driving section of the assessment, which can be carried out at the driver or operator's premises, may be taken with a single, pair or team and will carry the relevant certification. The harnessing and underpinning of knowledge must include a single and a pair.

Grandfather rights for this assessment can be retained by attaining a certificate of Approved Prior Learning. This certificate can only be issued by a group of approved and qualified assessors, namely the Harness Horse Training Board, the British Driving Society or the Heavy Horse Training Committee.

Method of Inspection

The competence will be assessed by direct observation of practical performance and oral questioning of underpinning knowledge. The assessment will be in line with safe yard practice and will take approximately 2 hours.

The British Driving Society Proficiency Test and the Heavy Horse Training Committee Road Driving Assessment test are directly accreditable.

The Carriage Check List

This is a comprehensive list of safety checks that should be carried out to ensure that the carriage and its fittings are safe and in good working condition. The checks can be carried out either by the driver/operator or by a panel appointed by the British Driving Society or the Heavy Horse Training Committee.

The Road Driving Assessment

Section A: Prepare horse and vehicle for road use

Performance Criteria

1. Control of the horse is maintained at all times
2. Harness is selected and fitted to the horse for road use
3. Horse is safely hitched to the vehicle following laid down procedures
4. The controlling position adopted is appropriate to the vehicle in use
5. The health, safety and security of the horse, self and others is maintained throughout

Range Statement

Harness: Show; exercise
Vehicle: Two wheeled; four wheeled

Knowledge and Understanding

1. Correct fitting of harness
2. Dangers of inappropriate procedures and adjustments to harness
3. Safety precautions to be taken when handling horses

4. State of feet and the effect on pulling power
5. Implications of the Road Traffic Act when preparing vehicle
6. Importance of safety checks
7. Mounting and dismounting procedures
8. Why is it important to adopt the correct driving position

Section B: Carry out road driving manoeuvres

Performance Criteria

1. Horse and vehicle are driven smoothly at a speed appropriate to road conditions
2. Obstacles encountered during driving are safely negotiated
3. The vehicle is correctly positioned on the road for safe and effective driving
4. Road safety procedures are adhered to at all times
5. Agreed cooling down procedures are followed on completion of work
6. The health, safety and security of horse, self and others is maintained throughout

Range Statement

Conditions: Traffic; road surface; weather; noise level; gradients; pedestrians
Obstacles: Road junctions; stationary vehicles; traffic lights; roundabouts

Knowledge and Understanding

1. Horses reactions when working alone and in company
2. Importance of returning a horse 'cool' from work
3. Effects of weather on road surfaces
4. Operating limits on vehicles
5. Application of the Highway Code and Road Traffic Acts
6. Use of the whip
7. Procedures in the event of a road traffic accident
8. Types of hand signals

Section C: Attend to horse and vehicle after driving

Performance Criteria

1. Vehicle is parked and secured at designated location
2. Horse is unhitched from the vehicle, harness removed and returned to relevant location
3. Approved cooling down procedures are implemented before horse is returned to stables
4. Control of the horse is maintained at all times
5. The health, safety and security of the horse, self and others is maintained throughout

Range Statement

Vehicles: Two wheeled; four wheeled

Knowledge and Understanding

1. Safety procedure when unhitching
2. Recommended cooling down procedures
3. Methods of braking and securing vehicles
4. Circumstances when assistance is required
5. Correct storage and security of vehicle

Carriage Check List

Section A - 2 wheel carriages (traditional)

Area of inspection	Check	Reason for rejection
Wheels	1. End play on axle	End play of 12mm or more
	2. Tight joints into hub	Any looseness found in these areas, by using manual force
	Spokes into felloes	Any looseness found in these areas, by using manual force
	Steel rim or clincher on felloes	Any looseness found in these areas, by using manual force
	3. Rubbers for protrusion	Rubbers protruding from the channel
4. General soundness of wood	Evidence of woodworm, rot or cracks	
Axles	1. Collinge axle - nuts and split pin in place	Signs of corrosion, looseness or missing components
	2. Mail axle - check hub bolts and nuts on inside of moon plate	Signs of corrosion, looseness or missing components
	3. Lubrication (both axle types)	Lack of lubrication
	4. Washers and seals	Signs of corrosion, looseness or missing components
Shafts	1. Thickness and strength	Inadequate thickness and strength in keeping with carriage size
	2. Wood and laminations	Evidence of woodworm, rot or cracks and delaminations
	3. Slack and movement where shaft joins vehicle at drawbar	Excessive slackness and movement
	4. Shaft fixings, bolt and bolt attachments	Signs of corrosion, looseness or missing components
	5. Tug stops and breeching staples	Incorrectly positioned, signs of corrosion, looseness or missing components and excessive wear
Springs	1. Leaves and fixings, especially ends of full elliptic springs	Broken, excessive wear or collapsed
	2. U-bolts supporting springs and their fixings to the axle	Signs of corrosion, looseness or missing components
	3. Threads of nuts	Stripped or worn threads
	4. Leatherwork and tension brackets on C springs	Deterioration of leatherwork and tension brackets
Body	1. Woodwork	Evidence of woodworm, rot or cracks
	2. Panels	Cracks and safety related damage
	3. Spring mountings and shaft fixings	Signs of corrosion, looseness or missing components
	4. All bolts and screws	Insecure or general looseness
	5. Seat securing mechanism	Insecure or general looseness
	6. Cushion straps	Missing or damaged, insecure or general looseness

	7. Straps and mounting irons	Missing or damaged, insecure or general looseness and deterioration
Swingletree	1. Swingletree (wood or metal) including trace hooks and fixing bolts, chains (if fitted)	Insecure, hook screws not in place, signs of corrosion, worn or missing components, evidence of woodworm, rot, cracks and safety related damage

Section B - 2 wheel carriages (modern)

Area of inspection	Check	Reason for rejection
Wheels / Axles	If not steel: check as for traditional; otherwise	
	1. Welds	Evidence of fatigue or cracks
	2. Bearings Adjustment	Excessive play, roughness or tightness
Shafts	If not steel: check as for traditional; otherwise:	
	1. Material and construction (especially where shaft joins carriage)	Evidence of fatigue (often indicated by cracks in paintwork), excessive wear around bolt mountings, incorrect components
	2. Tug stops and breeching staples	Incorrectly positioned, signs of corrosion, looseness or missing components and excessive wear
Springs	As for traditional vehicle, and:	
	1. Coil spring	Incomplete, cracked or fractured, worn or corroded so that its cross-sectional area is seriously weakened
	2. Damper Unit (if fitted)	Damage, corrosion, insecurity of attachment and fluid leakage
	3. Rubber suspension unit	Looseness, cracks or fractures, damage or corrosion, separation between flexible element and metal
Body and Swingletree	As for traditional vehicle, and:	
	1. Sliding body balance system (if used)	Insecure, hook screws not in place, signs of corrosion, missing or loose components, evidence of woodworm, rot, cracks and safety related damage

Section C - 4 wheel carriages (traditional)

Area of inspection	Check	Reason for rejection
Additional Checks	As for 2 wheel carriages, and:	
	1. Forecarriage turntable and centre pin	Excessive play, worn centre pin, woodworm, rot or cracks
	2. Support plates	Insufficient lubrication
	3. Polehousing, polepin polehead and bearing (if fitted)	Stress cracking, excessive wear and excessive play in bearing
	4. Shaft bolts (if fitted)	Signs of corrosion, looseness or missing components
	5. Mounting steps, rails etc. and seats	Sharp edges, insecure, worn or inappropriate components

6. Hoods and folding moveable safety features	Sharp edges, insecure, worn or inappropriate components
7. Brakes:	
(a) <i>Traditional</i>	Worn, damaged or insecure blocks, excessive play or wear to linkage
(b) <i>Modern (hydraulic)</i>	Low fluid level or leakage, worn pads, excessive play or wear to linkage, damage to hydraulic line

SECTION D - 4 wheel carriages (modern)

Area of inspection	Check	Reason for rejection
Additional Checks	As for 2 wheel carriages and 4 wheel traditional, and:	
	1. Ball bearing turntable (if fitted)	Excessive play and insufficient lubrication
	2. Pole springing system	Signs of corrosion, missing or loose components

Horse

It is recommended that any horse which is to be used for the carriage of passengers should be at least six years old. It is not the aim of this Code to set out guidance or information on veterinary checks for horses and it is recommended that operators seek the advice of a veterinary surgeon on the suitability of any animal for the purpose of drawing a carriage.

Harness

Drivers should ensure that all harnesses are properly fitted and appropriate for their particular use. Harnesses should also be regularly checked for soundness and safety.

Organisations for Reference

The British Driving Society
27 Dugard Place, Barford, Nr Warwick CV35 8DX
Telephone: (01926) 624420

The British Horse Society (Horse Driving Trials Association)
Dykelands Farm, Whenby, nr. Bradsby, York, YO61 4SF
Telephone: (01347) 878 789

The Heavy Horse Training Committee
British Equestrian Centre, Stoneleigh Park, Kenilworth, Warwickshire CV8 2LR
Telephone: (01203) 696697

Further Reading

All books below may be obtained from The British Driving Society at the above address.

The British Driving Society Introduction to Driving
(The British Driving Society) published by the BDS, Warwick

Guidelines on Road Safety for Harness Horse Drivers
The British Driving Society

Breaking a Horse to Harness
(Sallie Walrond) published by J A Allen, London

Driving a Harness Horse
(Sallie Walrond) published by J A Allen, London

On the Box Seat: A Manual of Driving
(Tom Ryder) published by Swiveltrees

The Art of Driving
(Max Pape) published by J A Allen, London

Last updated 15 February 2002

[Return to Vehicle Standards: Safety Index](#)

[Return to Roads Index](#)

[Return to DTLR Home Page](#)

CITY OF CARLISLELOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976TERMS AND CONDITIONS ATTACHED TO HACKNEY CARRIAGE VEHICLE LICENCES
IN RESPECT OF HORSE DRAWN CARRIAGES

The Proprietor (being that person to whom the Council issue this licence) of a hackney carriage shall observe and perform all the following terms and conditions which shall be attached to and form part of every hackney carriage vehicle licence issued to him:-

- 1 The licence plate issued by the Council shall at all times be kept affixed to the outside of the rear of the vehicle in such a manner and place that it is clearly visible from the road at the rear of the vehicle. The plate shall be fitted in such a manner as to be easily removable by an authorised officer of the Council or a Constable.
- 2 The licence plate shall remain the property of the Council and shall be returned to them within seven days of the suspension or revocation of or refusal or failure to renew this licence. The deposit, a sum which may be determined from time to time, shall be paid to the Council on the issue of the plate which shall be refunded upon the plate being returned to the Council in good condition, regard being had to fair wear and tear.
- 3 The Proprietor shall permit an authorised officer of the Council or a police constable to inspect and test the vehicle at all reasonable times. If the officer or constable is not satisfied as to the fitness of the hackney carriage, he may immediately suspend the licence and give notice in writing to the Proprietor to make the hackney carriage available for further inspection and testing at such reasonable time and place as specified in the notice.

Provided that if the officer or constable is not so satisfied within a period of two months, the licence shall be deemed to be revoked.

- 4 The licence plate shall on suspension or revocation of this licence be handed to an authorised officer of the Council but will be returned upon the reinstatement of the licence.
- 5 Without prejudice to the provisions of Condition 3 above the Proprietor on receipt of notice in writing from an authorised officer of the Council shall present the hackney carriage for inspection and testing by or on behalf of the Council within such period and at such a place as is specified in the notice. The separate occasions of inspection and testing shall not exceed three in number in any one period of twelve months. The appropriate test fee(s) shall be paid on application for the licence.
- 6 At all times the Proprietor shall during the currency of the licence keep in force in relation to the user of the vehicle as a hackney carriage a policy of public liability insurance to a minimum of £1,000,000, which covers third party liability both in respect of physical injury or death and in respect of damage to personal belongings, and a current copy of the said certificate shall be lodged with the Licensing Section in The Civic Centre, Carlisle.

- 7 Should the said certificate or cover note lapse, the Proprietor shall within seven days produce a valid certificate to the Licensing Section at The Civic Centre, Carlisle. Failure to comply with the provisions of Condition 6 and this condition shall result in the automatic suspension of this licence.
- 8 The Proprietor shall not cause or suffer or permit to be conveyed in the vehicle a greater number of persons exclusive of the driver than the number of persons specified in this licence.
- 9 A fully equipped first aid box complying with the provisions of the Community Bus Regulations, 1978, shall be carried at all times.
- 10 The vehicle shall be clean and tidy and maintained in good mechanical and roadworthy condition at all times. The bodywork shall be uniform and free from any rust or damage, the paintwork shall be of a good overall colour match and the exterior and interior trim complete and undamaged.
- 11 The current table of fares as fixed from time to time by the Council shall be exhibited inside the carriage and the Proprietor shall not cause the fares table to be concealed or rendered illegible at any time while the vehicle is plying for hire or being used for hire.

12 **SIGNS, NOTICES ETC..**

No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision (including bye-laws) or required or permitted by these conditions, provided however that this condition shall not apply to any sign which has been produced to and specifically authorised by the Council in advance of display, and which -

- (a) is displayed in on or from the vehicle while it is stationary;
 - (b) contains no words or numbers other than the name and address of an operator of the vehicle or the name under which he carries on his business and its address and, in either case, the name of a passenger or passengers to be carried in the vehicle; and
 - (c) is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.
- 13 The Proprietor shall cause to be affixed and maintained on the vehicle such markings or signs as from time to time may be specified by the Council.
 - 14 The Proprietor shall not assign or in any way part with the benefit of this licence without the prior consent in writing of the Council, such consent not to be unreasonably withheld, and shall within fourteen days of the transfer of his interest in the vehicle give notice in writing to the Clerk and Chief Executive specifying the name and address of the person to whom the hackney carriage has been transferred.

- 15 The Council may decide to suspend revoke or refuse to renew this licence for any reasonable cause whatsoever including where the vehicle is unfit for use as a hackney carriage or where any offence under or non-compliance with the provisions of the Town Police Clauses Act, 1847 or Part II of the Local Government (Miscellaneous Provisions) Act, 1976 has been committed by the Proprietor, the operator or the driver.
- 16 The Proprietor shall, within seven days of any change of address of the place where a vehicle is kept when not in use, notify the Clerk and Chief Executive in writing of the new address and further shall at every address where a vehicle is so kept if so required by the Council afford to them such facilities as may be reasonably necessary to enable them to cause the vehicle to be tested there.
- 17 The Proprietor shall report to the Clerk and Chief Executive as soon as reasonably practicable, and in any case within seventy-two hours of the occurrence thereof, any accident to the vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of the persons carried therein.
- 18 Any alterations in the design of the vehicle whether to the machinery or the body shall be reported to the Clerk and Chief Executive and the Council may require the Proprietor to submit the vehicle for further examination.
- 19 If during the currency of this licence any of the particulars supplied in the Proprietor's application shall change, details of the change shall forthwith be notified in writing to the Clerk and Chief Executive.
- 20 The vehicle shall not be used in the district of the Council under a contract or purported contract for private hire except at a rate of fares or charges not greater than that fixed by the current bye-laws or tables of fares and when the vehicle is so used, the fare or charge shall be calculated from the point in the district at which the hirer commences his journey.
- 21 If the vehicle is fitted with a domestic car wireless, CD or cassette player such appliance or appliances shall not be used so as to cause annoyance to other persons by reason of loud continuous or repeated use whilst the hackney carriage is on hire or is standing on a designated hackney carriage stand.

No C.B. radio or frequency scanner shall be fitted in, or carried in, the vehicle. A two-way radio working to a control station only is permissible.
- 22 The Council may at any time add to, delete or alter any of the foregoing conditions and upon notice thereof having been served upon the Proprietor such additions deletions or alterations shall as from the date of such service be deemed to be incorporated herein.
- 23 Any notice required to be served by the Council under this licence or under any of the provisions of the Town Police Clauses Act, 1847 or Part II of the Local Government (Miscellaneous Provisions) Act, 1976 shall be deemed to have been properly served if sent by them by pre-paid post to or left at the last known address of the Proprietor.

- 24 The Proprietor shall within seven days disclose to the Council in writing details of any conviction imposed on him (or, if the proprietor is a company, on any of its directors) during the period of the licence.
- 25 The Proprietor shall not allow the hackney carriage to stand at The Court Square/Station Rank or to be used to ply for Hire within 50 metres of this rank.

Additional conditions in respect of horse drawn Hackney Carriages

- 1 The proprietor or driver of a Hackney Carriage shall not while standing, plying or driving for hire, drive or allow to be driven, or harness or allow to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage, or any person traversing any street, to risk of injury.
- 2 The proprietor or driver of a Hackney Carriage drawn by any animal or animals shall, while standing, plying or driving for hire, cause every part of the harness of the animal or animals drawing the carriage to be kept in order, so that the animal or animals shall be properly and securely attached to the carriage and under due control.
- 3 A proprietor or driver of a horse drawn Hackney Carriage shall not, in any street, feed or allow to be fed any horse harnessed or otherwise attached to such carriage, except with food contained in a proper bag or other receptacle suspended from the head of such horse or from the centre pole of the carriage, or which is held in and delivered with the hand of the person feeding such horse.
- 4 A proprietor or driver of a horse drawn Hackney Carriage shall not ply for hire during the hours between half an hour before sunset and half an hour after sunrise.
- 5 The proprietor or driver of a horse drawn Hackney Carriage shall at all times when operating, carry adequate equipment for the cleaning of the highway.

CITY OF CARLISLELOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976TERMS AND CONDITIONS ATTACHED TO HACKNEY CARRIAGE DRIVER'S LICENCES
IN RESPECT OF HORSE DRAWN CARRIAGES

The holder of a Hackney Carriage driver's licence (hereinafter called the driver) shall observe and perform all the following terms and conditions which shall be attached to and form part of his Hackney Carriage driver's licence.

1. This Licence is personal to the driver named herein and the driver shall not in any circumstances assign it or in any way part with the benefit thereof to any other person.
2. The driver shall at all times when acting as a driver of a Hackney Carriage, wear or display the driver's current year identity card issued by the Council in such a position and manner as to be plainly and distinctly visible to the hirer.
3. The driver's identity card issued by the Council remains the property of the Council and shall be returned to the Council by the driver or a person appointed by them within seven days of the date of the suspension or revocation of or refusal or failure to renew this Licence.
4. The driver shall not, at any time whilst driving or in charge of any Hackney Carriage (the Hackney Carriage):-
 - (a) station the Hackney Carriage on any place which is marked out as a bus stop or loading bay, or on any length of highway during times when a prohibition on loading and unloading is in operation;
 - (b) station the Hackney Carriage on a public highway in such a manner so that it is double parked or otherwise obstructing the free flow of traffic and this condition shall apply at all times and including whilst and before and after the hirer is boarding or alighting from the Hackney Carriage;
 - (c) station the Hackney Carriage so as to obstruct the exit or fire exits of any place licensed for public entertainment or to station the Hackney Carriage in such a way that a condition attached to the public entertainment licence as to access for emergency vehicles cannot be complied with;
 - (d) leave the Hackney Carriage parked and unattended on a public highway whilst the horse is in harness.
5. (a) The driver shall not permit or cause or suffer to be carried in any licensed Hackney Carriage, a greater number of persons than that specified in the licence for that Hackney Carriage and shall provide that the seating arrangements are as specified in the licence for that Hackney Carriage.

(b) The driver shall not allow there to be conveyed in the front of a Hackney Carriage beside him:-

- (1) any child below the age of ten years; or
- (2) more than one person.

unless the Hackney Carriage has been specifically designed to provide more than one passenger seat in the front, in which case the above rules apply to each seat.

(c) The driver shall not without the consent of the hirer of a Hackney Carriage convey, or permit to be conveyed, any other person or animal in that Hackney Carriage.

6. The driver shall not demand from any hirer of a Hackney Carriage a fare in excess of any previously agreed for that hiring between himself and the hirer or in excess of the fare for the distance travelled.
7. The driver, except where he is the proprietor of the Hackney Carriage, shall report to the Proprietor of any Hackney Carriage as soon as practicable and in any case within 24 hours of its occurrence, details of any accident in which such Hackney Carriage has been involved.
8. The driver of a Hackney Carriage which has been hired to be in attendance at an appointed time and place shall unless delayed or prevented by some sufficient cause punctually attend at the appointed time and place.
9. The driver shall not refuse to carry within the vehicle any household pets providing they are accompanied by an adult and providing such pets are suitably restrained or contained so as not to cause a nuisance or damage.
10. At the end of each hiring and before commencing any further hiring the driver shall search the vehicle for any property accidentally left by the immediately preceding hirer and shall as soon as practicable and in any case within 48 hours after the discovery of any such property leave it at a Police Station within the Council's area and shall obtain a receipt for such property and hand the receipt therefor to the Proprietor of the vehicle.
11. The driver shall every three years, produce to the Council a certificate signed by his registered medical practitioner, to the effect that he is fit to be the driver of a horse drawn Hackney Carriage.
12. The driver shall at the request of any authorised officer of the Council or any police constable produce for inspection his Hackney Carriage Driver's licence either forthwith or before the expiration of seven days beginning with the day following the date of the request:-
 - (a) in the case of a request of an authorised officer of the Council at the offices of the Council's City Solicitor and Secretary, or
 - (b) in the case of a request of a police constable at any police station within the Council's area which is nominated by the driver when the request is made.

13. The driver shall: -
- (a) if requested by the hirer of a Hackney Carriage provide him with a written receipt for the fare paid;
 - (b) at all times be clean and respectable in his dress and person and behave in a civil and orderly manner;
 - (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him;
 - (d) not without the express consent of the hirer smoke, drink or eat in the vehicle;
 - (e) not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle;
 - (f) at no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he is driving, to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle;
 - (g) at all times when driving a Hackney Carriage carry with him a copy of these conditions and shall make it available for inspection by the hirer or any other passenger on request;
 - (h) at all times ensure that the Hackney Carriage lights (where fitted) are fully operative, the Hackney Carriage is clean and tidy and that it has a fully stocked first aid kit readily available.
14. This licence may be suspended, revoked, or not renewed by the Council:-
- (a) if the driver commits an offence or otherwise fails to comply with any of the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976, or the Town Police Clauses Act 1847, including failure to comply with any part of these terms, Conditions or bye laws;
 - (b) if the driver has been convicted of an offence involving dishonesty, indecency or violence;
 - (c) on any other reasonable grounds;
15. The driver who as a result of any Court decision or other administrative or judicial process, is convicted, sentenced or receives any penalty in respect of any offence or other decision of the Court during the currency of this licence, shall within 7 days inform the Council in writing of such decision. Such notification may not be delayed until the next application for renewal of the licence is due.
16. The Council may at any time add to, delete or alter any of the foregoing conditions and upon notice thereof having been served upon the Driver such additions, deletions or alterations shall as from the date of such service be deemed to be incorporated herein.

- 17 Any notice required to be served by the Council under this Licence or under any of the provisions of the Local Government (Miscellaneous Provisions) Act 1976, or Town Police Clauses Act 1847, shall be deemed to have been properly served if sent by them by prepaid post to or left at the last known address of the driver.
- 18 This Licence shall continue in force until the 28th February next after the date of issue of this Licence unless previously suspended or revoked pursuant to any statutory or other provisions.
19. If the driver is permitted or employed to drive a Hackney Carriage of which the proprietor is someone other than himself, he shall before commencing to drive that vehicle, deposit his Hackney Carriage Driver's Licence with that proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle operated by that proprietor.
20. If during the currency of this Licence any of the particulars supplied in the driver's application shall change, details of the change shall be notified in writing to the City Solicitor and Secretary within seven days. Such notification may not be delayed until the next application for renewal of the Licence is due.
21. In the interpretation of the conditions the masculine gender shall be deemed to include the feminine and the singular shall be deemed to include the plural.

Additional conditions in respect of horse drawn Hackney Carriages

- 1 The driver of a Hackney Carriage shall not while standing, plying or driving for hire, drive or allow to be driven, or harness or allow to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage, or any person traversing any street, to risk of injury.
- 2 The driver of a Hackney Carriage drawn by any animal or animals shall, while standing, plying or driving for hire, cause every part of the harness of the animal or animals drawing the carriage to be kept in order, so that the animal or animals shall be properly and securely attached to the carriage and under due control.
- 3 The driver of a horse drawn Hackney Carriage shall not, in any street, feed or allow to be fed any horse harnessed or otherwise attached to such carriage, except with food contained in a proper bag or other receptacle suspended from the head of such horse or from the centre pole of the carriage, or which is held in and delivered with the hand of the person feeding such horse.
- 4 The driver of a horse drawn Hackney Carriage shall not ply for hire during the hours between half an hour before sunset and half an hour after sunrise.
- 5 The proprietor or driver of a horse drawn Hackney Carriage shall at all times when operating, carry adequate equipment for the cleaning of the highway.

CITY OF



CARLISLE

HORSE DRAWN HACKNEY CARRIAGE FARES

Fares for Mileage

TARIFF ONE

If the distance does not exceed one mile (approx 1.61km) **£4.00p**
For each subsequent 1/2 mile or uncompleted part thereof (approx 0.80km) **£0.75p**

TARIFF TWO

All day of Bank and Public Holidays and between 1200 hours and 2400 hours on Christmas and New Years Eve. **Plus One Half of Tariff One rate of fare.**

Fares for Time

20 If the time does not exceed one hour **£15.00**
If the time exceeds one hour for each quarter of an hour or uncompleted part thereof **£3.75p**

EXTRA CHARGES

For each person in excess of three (Mileage) **£0.50**
For each person in excess of three (Time) **£1.00**
(Two children between the ages of 3 and 12 years to be counted as one. Children under 3 years not to be counted)

A charge may be requested if the user soils the vehicle. This will not exceed:- **£25.00p**

17th April 2002

APP 'E'