

Schedule of Conditions Attached to Hackney Carriage Vehicle Licences :

1. In these Conditions unless the subject, or context otherwise requires :
“**Authorised Officer**” means an Officer of the Council who is authorised in writing by the Council to exercise powers and duties conferred by legislation, including the Local Government (Miscellaneous Provisions) Act 1976; “**the Proprietor**” means the holder of a Hackney Carriage Vehicle Licence; “**the Council**” means the Council of the City of Sunderland; and “**Licence**” means Hackney Carriage Vehicle Licence.

2. (a) The Proprietor must cause the number of the Licence granted to them in respect of a vehicle to be legibly marked on the outside of the vehicle on a plate affixed thereto, such plate to be of the colour, size and shape and in such position as determined by the Council.

(b) The Proprietor must not wilfully, or negligently cause, or suffer the number, or Licence Plate marked, or attached in pursuance of this Condition to be concealed from public view, or to be so defaced that any figure, or material particular is illegible.

3. (a) The Proprietor of a hackney carriage, other than a purpose-built London type cab with an inbuilt sign showing the word TAXI, must cause a sign not less than 95cm, (37.4 inches), or more than 105cm long, (41.3 inches), and 18cm, (7 inches), high to be fitted to the roof of the vehicle. The face of the sign must bear the word TAXI in black lettering on a white, yellow, or orange background with such insignia as determined by the Council on each side.

(b) The sign must show red to the rear and bear the telephone number of the Hackney Carriage company, or Proprietor in black numerals not more than 5cm, (1.9 inches), in height with the Licence number of the vehicle to which it is attached, in black numerals not less than 7cm, (2.7 inches), in height at each side.

(c) Such sign must be illuminated when the vehicle is available for hire, but not at any other time.

(d) The Proprietor must cause a “For Hire” sign to be displayed in a conspicuous position on the vehicle and illuminated when the vehicle is available for hire, but not at other times.

(e) The “Taxi” and “For Hire” signs referred to in this Condition must be so constructed as to switch off automatically when the Taximeter is operating.

(f) The Proprietor must cause such insignia as determined by the Council to be displayed on the exterior of each of the two front doors of the vehicle.

(g) The Proprietor must not willfully, or negligently cause, or suffer the

signs, or insignia attached in pursuance of this Condition to be concealed from public view, or to be so defaced that any figure or material particular is illegible.

(h) The Proprietor may cause a sign not exceeding 8cm, (3.1 inches), in height and 50cm, (19.6 inches), in length to be displayed on the front nearside windscreen and / or on the rear windscreen stating the name of the Hackney Carriage company, or firm. Such sign must be in black lettering on a white background and must not be illuminated.

(i) The Proprietor may attach, affix, or cause to be attached, or affixed to the vehicle, an advertisement, or advertisements provided that before so doing the proprietor must obtain the approval of the Council to each advertisement.

(j) The Proprietor must not attach, or affix or cause to be attached, or affixed to a vehicle any sign, or mark other than one required or authorised by Conditions 2(a), 3(d), or 3(h).

4. A Proprietor must ensure with regard to the vehicle to which their Licence relates, :-
 - (a) That the vehicle is provided with sufficient means by which any person in the vehicle may communicate with the Driver and that such means of communication is maintained;
 - (b) That the vehicle is maintained in a clean, comfortable, safe, watertight and mechanically sound condition; and
 - (c) That the vehicle is provided with adequate means for securing luggage.
5. The Proprietor must cause the vehicle to be provided with a Taximeter that is so constructed, attached and maintained as to comply with the following requirements, :-
 - (a) The Taximeter must be so constructed that it is not possible for any person manually to alter the tariff rate without breaking the seals affixed thereto;
 - (b) The Taximeter must be fitted with a key, flag or other device (such as a digital or calendar control), the operation of which will bring the machinery of the Taximeter into action and cause the word "hired" to appear on the face of the Taximeter;
 - (c) Such key, flag or other device must be capable of being locked in such a position that the machinery of the Taximeter is not in action and that no fare is recorded on the face of the Taximeter;
 - (d) When the machinery of the Taximeter is in action, there must be recorded on the face thereof in figures clearly legible and free from

ambiguity the fare which the Proprietor, or Driver is entitled to demand and take for the hire or the carriage by distance;

- (e) The word "fare" must be printed on the face of the Taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - (f) The Taximeter must be so placed that all letter and figures on the face thereof are at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures must be suitably illuminated during any period of hiring. The switch for operating the light providing the said illumination must be incorporated in and operated in conjunction with the key flag, or other device which brings the machinery of the Taximeter into action and no other method of operating the said light must be employed; and
 - (g) The Taximeter and all the fittings thereon must be so affixed to the vehicle with seals, or other appliances that it is not be practicable for any person to tamper with them except by breaking, damaging, or permanently displacing the seals or other appliances.
6. The Proprietor must at the request of an Authorised Officer produce, :-
- (a) The current Driver's Licence of any person authorised to drive the vehicle;
 - (b) The vehicle registration document; and
 - (c) The insurance document for the vehicle.
7. A Proprietor who wishes to renew a Licence must make application at least 14 days before its expiration.
8. A Proprietor must inform the Licensing Section in writing within one calendar month after changing their address.
9. The Proprietor must at all times during the duration of the Licence ensure a policy of insurance is held authorising the use of the vehicle for hire, or reward and complying with the Road Traffic Acts and any regulations or amendments thereto.
10. The Proprietor must ensure that every Driver employed by them holds a Licence to Drive Hackney Carriages and that they are acquainted with, understands and observes the Council's Code of Conduct for Licensed Drivers and the statutory provisions relating to such Licence.
11. A Proprietor must not by calling out, or otherwise importune any person to hire his carriage and must not make use of the services of any other person for such purpose.
12. The Proprietor must regularly search their vehicle for any property which may have been accidentally left therein.

13. Upon the vehicle being returned to the possession, control, or custody of the Proprietor, the Proprietor must check the vehicle for any misplaced, or lost property that may have been left in the vehicle by passengers conveyed in the vehicle, ("Passenger Property"). If any such Passenger Property is found by the Proprietor then within 24 hours of discovery of the Passenger Property it must be taken to the Lost Property Office of Northumbria Police at Southwick Police Station, Church Bank, Sunderland, Tyne and Wear, SR5 2DU, with an appropriate receipt obtained. Northumbria Police will not accept any Passenger Property unless it constitutes the following, :-

- (i) An item that is illegal to possess, such as drugs, or firearms;
- (ii) An identifiable item, such as a passport, or Driving Licence;
- (iii) An item that has assumed high value, or significant sentimental value;
- (iv) Items that store electronic data, such as mobile telephones, laptops and data sticks etc; or
- (v) Large quantities of cash, ie. cash of £250.00, or more.

Depending upon the Passenger Property in issue, the Proprietor should apply a common-sense approach in deciding whether it is taken to Northumbria Police's Lost Property Office.

All other Passenger Property should be returned by the Proprietor to the Licensing Section at City Hall, with an appropriate receipt obtained; and

14. A Proprietor must, :-

- (a) Not require for a journey a fare greater than that authorised by the table of fares in force within the prescribed area;
- (b) Cause the Hackney Carriage Fare Table provided by the Council to be fixed upon the vehicle in such a position and manner that the letters of such table are distinctly and plainly visible to any person being conveyed in such carriage; and
- (c) Not willfully, or negligently cause, or suffer such table to be inverted, or detached, or altered, or the letters, or figures on such table to be in any manner, or by any means concealed at any time.

15. If the Proprietor transfers their interest in their vehicle to any person other than the Proprietor whose name is specified in the Licence, they must within 14 days after such transfer give notice in writing to the Council specifying the name and address of the person to whom the vehicle has been transferred.

16. The Proprietor must comply with the following, :-

- (a) The Proprietor is required to notify the Council in writing within 48 hours of the following matters, :-
 - (i) Their arrest and release, with the Council being advised as to the reason for their arrest; the name of the arresting Police force; the date of their arrest; the date of their release; and whether they have been released under investigation;

- (ii) The date that they were charged and / or convicted of a criminal offence, including details of the criminal charge, the date of their first Court Hearing, (if any), the date of their sentencing and details of the sentence imposed, as appropriate. For the avoidance of any doubt, if a Proprietor is convicted of a criminal offence and then pursues an Appeal against conviction, or sentence, the notification provisions still apply; and
- (iii) The date that they have accepted a caution and confirmation of what criminal offence the caution related to.

The above matters are collectively referred to as the “Self-Reported Information”. For the avoidance of any doubt, the self-reporting obligations apply seven days a week, ie. the 48-hour period does include weekends, bank holidays and public holidays.

- (b) Upon receipt of the Self-Reported Information” the Council will then consider whether the Licence should be suspended, or revoked, or whether a decision is required to be taken to refuse to renew the Licence. Depending upon the information received, no action may be taken by the Council;
- (c) Self-Reported Information is required to be reported via the Council’s website portal : <https://www.sunderland.gov.uk/Taxi-Licensing-Report-a-conviction>;
- (d) If a Proprietor fails to disclose the Self-Reported Information to the Council and the Council subsequently learns of the same by other means, (such as via the Police Common Law Disclosure, under a relevant Disclosure and Barring Certificate, or in a Renewal Application), then the failure on the part of the Proprietor to previously advise the Council about the Self-Reported Information may be considered to be behaviour that questions the honesty, and therefore the “fitness” of the Proprietor to hold their respective Licence;
- (e) The Council will take any failure to comply with the requirements to notify about Self-Report Information very seriously. Where there has been a failure to notify about cautions, or convictions within the stated 48 hours timescales the Council will consider that caution, or conviction as if it occurred on the date that it was disclosed to the Council by the Proprietor, or when the Council became aware of the same if the Proprietor had failed to notify the Council; and
- (f) Should a Proprietor have any queries about how to report the Self-Reported Information then they should immediately contact the Council’s Licensing Section.

17. There must be no material changes made to the licensed vehicle in any way from that which subsisted on the date of issue of this Licence without the prior written consent of the Council.