

## Schedule of Conditions Attached to Private Hire 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 Private Hire Vehicle Licence; “**the Council**” means the Council of the City of Sunderland; and “**Licence**” means a Private Hire Vehicle Licence issued by the Council.
  
2.
  - a) The Proprietor must cause the number of the Licence granted to them in respect of the 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 willfully, or negligently cause, or suffer the Licence Plates 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;
  - c) Subject to Condition 2 (d) below the Private Hire Operator / Proprietor must not attach, or affix, or cause to be attached, or affixed to a vehicle any sign, or mark other than required by Condition 2(a) and **ANY** of the following, namely, :-
    - i) A sign fitted to the roof of the vehicle, positioned in the center of the roof of the vehicle, such sign measuring a minimum of 12.7cm, (5 inches), in height and 30.5cm, (12 inches), in width and a maximum of 17.8cm, (7 inches), in height and 45.7cm, (18 inches), in width, bearing the words indicating the operating company name or trading name. Additionally, below this name, the words “PRIVATE ONLY” must be shown to the front and rear of the sign. The letters of the words and any numbers must be of a minimum height of 2.54cm, (1 inch), and a maximum of 5.1cm, (2 inches);
    - ii) Such sign must be white, with black lettering, and must not carry the words “TAXI(S)”, or “CAB(S)”, or any other word which in the opinion of the Council implies the vehicle is a Hackney Carriage. The sign referred to in this section **may** bear the telephone number of the operating company. The telephone number, if affixed to the sign, must be above the operating company name, or trading name. The letters and numbers must be marked by means of adhesive insignia. The sign referred to in this section **may** be capable of illumination.  
  
Any illumination of such sign must be controlled by a switch independent of the vehicles other lighting systems, or controlled by the ignition system in a way which ensures that when the ignition is on the roof sign switches off. The sign must only be illuminated when the vehicle is stationary at, or as near as practicable to a pre-arranged point of pick-up;

- iii) A display on, or affixed within the upper panel of the rear nearside and rear offside passenger doors of the vehicle, (and the wheelchair access doors on Wheelchair Accessible Vehicles, (WAVs), if desired), not exceeding a size of 38.1cm, (15 inches), in height and 61cm, (24 inches), in width bearing words and figures indicating the trading name of the Operator and in characters not less than 7.6cm, (3 inches), in height, the words "BY PRIOR BOOKING ONLY" and with no reference to the words TAXI(S), or CAB(S), or any other word which in the opinion of the Council implies that the vehicle is a Hackney Carriage. The display referred to in this section may show a telephone number of the Private Hire Operator, or other means of contacting the Operator. WAVs must bear a reference to that facility in any such door display;

**OR**

- iv) Signs not exceeding 7cm 6mm, (3 inches), in height displayed in the top sections of the windscreen and rear window bearing the trading name of the Private Hire Operator, provided that the signs must not be so positioned, or of such a length as to contravene the Road Traffic Acts, or Regulations made thereunder and must not carry the word TAXI(S), or CAB(S), or any other word which in the opinion of the Council implies that the vehicle is a Hackney Carriage and must not illuminate in any way. The signs referred to in this section may show a telephone number of the Private Hire Operator, or other means of contacting the Operator.
- d) 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.
3. 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.
4. The Proprietor of a vehicle which is fitted with a Taximeter must ensure that such Taximeter is 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) 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;
  - (e) The Taximeter must be so placed that when in use all letter and figures on the face thereof must be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures must when in use be suitably illuminated during any period of hiring and 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
  - (f) The Taximeter and all the fittings thereon must be so affixed to the vehicle with seals, or other appliances that it must not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.
5. Where a Taximeter is used to record the fare for hiring the Proprietor must, :-
- (a) Cause a table indicating the fare scale governing such hiring to be fixed upon the vehicle in such a position and manner that the letters and figures of such table are distinctly and plainly visible to any person being conveyed in such vehicle;
  - (b) Not willfully, or negligently cause or suffer the table required by Condition 5(a) 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;
  - (c) There must be recorded on the face of the Taximeter, 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; and
  - (d) The Proprietor of a vehicle who displays in their vehicle during, or at the commencement of hiring a table of fares must not require for such hiring a fare greater than that authorised by the table of fares.
6. The Proprietor must ensure that every Driver employed by them holds a Licence to Drive Private Hire Vehicles and ensure that such Driver is acquainted with, understands and observes the Conditions attached to their

Licence, the Council's Code of Conduct for Licensed Drivers and the statutory provisions relating to such Licence.

7. The Proprietor must, at all times during the duration of the Licence, ensure a policy of insurance is held for hire, or reward by prior booking and complying with the Road Traffic Acts and any amendments thereto.
8. The vehicle must not convey a greater number of passengers than the number prescribed for the Licensed Vehicle;
9. 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.

10. The Proprietor must at the request of an Authorised Officer produce, :-
  - (a) Their vehicle registration document; and
  - (b) A valid insurance documentat the offices of the Council's Licensing Section within seven days of the request being received by the Proprietor.
11. A Proprietor must inform the Licensing Section in writing within one calendar month after changing their address.
12. While driving, or in charge of the vehicle the Proprietor must not, :-
  - (a) Tout, solicit on a road, or other public place any person to hire, or to be carried in any Private Hire Vehicle;

- (b) Cause, or procure any other person to tout, or solicit on a road, or public place any person to hire, or to be carried in any Private Hire Vehicle; or
- (c) Offer the vehicle for immediate hire while the vehicle is on a road, or other public place.

13. 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.
14. 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, save for specific pre-booked journeys whereupon the seating may be removed and re-installed.