

# **Conditions Attached to Licences to Drive Private Hire Vehicles :**

## **Preliminary :**

These Conditions apply to all Licences that the Council has issued in respect of Licences to drive Private Hire Vehicles.

## **Conditions Applying to Licences to Drive Private Hire Vehicles :**

### **1. Change of Home Address and Contact Details :**

- a) All Licensed Drivers must notify the Council in writing of any change of their home address and their contact details during the period of the Licence within one calendar month of any such changes taking place;
- b) Contact details includes their e-mail address and their telephone number, ie. landline and mobile; and
- c) Changes in home address and contact details are required to be notified via the Council's web page using;  
<https://www.sunderland.gov.uk/Taxi-Licensing-change-of-details>

### **2. Conduct of Licensed Drivers :**

All Licensed Drivers are required to comply with the Council's Code of Conduct for Licensed Drivers, ("the Code").

### **3. Self-Reporting Obligations on the Part of Licensed Drivers :**

- a) All Licensed Drivers are 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 Licensed Driver 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) If the Self-Reported Information relates to any sexual offence, any offence involving dishonesty, or violence, or any motoring offence then this could lead the Council undertaking a review of whether the Licensed Driver remains a “*fit and proper person*” to hold their respective Licence, although this does not prevent such consideration in relation to any other criminal offences;
- 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 Licensed Driver 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 an Enhanced Disclosure and Barring Certificate, or in a Renewal Application), then the failure on the part of the Licensed Driver 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 Licensed Driver 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 Licensed Driver, or when the Council became aware of the same if the Licensed Driver had failed to notify the Council; and
- f) Should a Licensed Driver have any queries about how to report the Self-Reported Information then they should immediately contact the Council’s Licensing Section.

#### **4. Driver’s Badge :**

All Licensed Drivers are always required when acting in accordance with their issued Licence to drive Private Hire Vehicles wear their issued Driver’s Badge in such a position and in such a manner that it is plainly and distinctly visible.

#### **5. Equal Opportunities :**

All Licensed Drivers must always treat passengers, or any potential passengers with courtesy and respect. They must not discriminate against any person because of the following: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion, or belief; sex; and sexual orientation.

**6. Fare to be Demanded :**

Licensed Drivers must not demand a fare that is greater than that previously agreed with the passenger and the Operator. If a Taximeter is in use only the fare displayed, or a lesser fare may be charged to the passenger.

**7. Animals :**

- a) Licensed Drivers must not carry any animals in the Licensed Vehicle that is being used by them other than those belonging to, or in the care of their passengers;
- b) With the exception of Assistance Dogs who are not restricted to the rear of the Private Hire Vehicle, any animal belonging to, or in the care of any passenger should only be carried in the rear of the Licensed Vehicle; and
- c) When in a Licensed Vehicle, dogs or other animals must be suitably restrained so they cannot distract the Driver. A seat belt harness, pet carrier, dog cage or dog guard are ways of restraining animals in cars.

**8. Property :**

- a) When passengers have been dropped off by the Licensed Driver at their destination the Private Hire Vehicle must be checked by the Licensed Driver for any misplaced, or lost property, (“Passenger Property”);
- b) If any such Passenger Property is found by the Licensed Driver, they are required to undertake reasonable efforts to return the Passenger Property to the passenger(s);
- c) Should the return of the Passenger Property not be possible, 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.

All other Passenger Property should be returned by the Licensed Driver to the registered office of the Private Hire Operator responsible for dispatching the fare, as licensed by the Council, with an appropriate receipt obtained; and

- d) Depending upon the Passenger Property in issue, the Licensed Driver should apply a common-sense approach in deciding whether efforts are made to

return the Passenger Property to the passenger(s), or whether it is taken to Northumbria Police's Lost Property Office.

**9. Medical Conditions :**

All Licensed Drivers are required to immediately notify the Council in writing of any deterioration in their health, or medical condition that may affect their ability to drive. Such information is required to be reported via the Council's website portal : <https://www.sunderland.gov.uk/Taxi-Licensing-change-of-details>

**10. Soliciting, or Touting :**

While driving, or in charge of the vehicle Licensed Drivers 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.

**11. Prompt Attendance :**

Licensed Drivers must always pick up passengers on time, unless unavoidably delayed. If a Driver is to be delayed, then they, or their Operator is expected to notify the passenger of any such delay as soon as possible.

**12. Carrying Passengers :**

Licensed Drivers must not, :-

- a) Convey a greater number of passengers in their Licensed Vehicle than the number prescribed in the respective Private Hire Vehicle Licence;
- b) Carry more than one person in the front seat, unless the Licensed Vehicle is furnished with a bench type front seat that is 1270mm, or more in length between the doors and is provided with seat belts for all front seat passengers. Only two passengers may be carried using this front seat; or
- c) Unless the consent of the Hirer is obtained, carry any additional person in the Private Hire Vehicle.

**13. Receipts :**

If requested to do so by a passenger the Licensed Driver must provide the passenger with a written receipt for the fare paid, including the amount of VAT, (if applicable), shown separately, if asked to do so. The Driver should provide details of the journey, including the date, the fare, the Licensed Vehicle and Operator details. They should include their name and should sign the receipt.

**14. Taximeters in Private Hire Vehicles :**

If the Licensed Vehicle driven by the Licensed Driver is fitted with a meter the Driver must, :-

- a) Not cancel, or conceal the fare recorded until the Hirer has had a reasonable opportunity of examining it and has paid the fare, unless credit is to be given;
- b) Ensure that when the Licensed Vehicle is not being hired the key is to be locked and the machinery kept inactive, with the meter showing no fare;
- c) Ensure that the meter is sufficiently illuminated when in use and is visible to all passengers in the Licensed Vehicle;
- d) Ensure that the meter is only brought into action and the fare, or charge must only commence when the Hirer starts their journey; and
- e) Ensure that the fare charged does not exceed the fare displayed on the meter at the end of their respective journey.

**15. Drug and Alcohol Testing :**

Should the Council have reason to believe that a Licensed Driver may be abusing drugs, or alcohol, the Driver will be required to undertake a drug, or alcohol test as may be required by the Council. The cost of the test will be undertaken at the Licensed Driver's expense and will be carried out within the time scales required by the Council.

**16. CCTV & Other Recording Devices :**

- a) Licensed Drivers are in a position of trust and passengers can reasonably expect complete privacy and discretion when hiring their Licensed Vehicle; and
- b) Licensed Drivers must not video, or record passengers other than through a CCTV system that has been installed specifically for the purposes of deterring or detecting crime and which complies with the requirements of the Data Protection Act 2018. Any footage obtained of passengers must not be made publicly available. No still, moving images, or audio recordings, or transcripts

of audio recordings are permitted to be made available, shown, or shared on social media, or by other means. It must only be processed in accordance with the requirements of the CCTV Operating Procedure.

**17. The Council's Complaints Procedure :**

At all times Licensed Drivers must display in the Licensed Vehicle that is being used by them the Council's Complaints Procedure about how to make a complaint to the Council about matters relating to Hackney Carriage and Private Hire matters.