

CONDITIONS ATTACHED TO A HACKNEY CARRIAGE PROPRIETORS LICENCE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

In these conditions, unless the subject or context otherwise requires "the Proprietor" means the holder of a Hackney Carriage Proprietors Licence "the Council" means the Council of the City of Newcastle upon Tyne, "the Licence" means a Hackney Carriage Proprietor Licence issued by the Council and "the Act" means the Local Government (Miscellaneous Provisions) Act 1976.

1 Emission Standards

1.1 The following emission standards will be implemented as below:

- From 1st November 2023 no new or replacement vehicle will be granted a licence, unless compliant with the stipulations of the Newcastle upon Tyne Clean Air Zone.
- From 1st November 2028 no vehicle will be licensed unless compliant with the stipulations of the Newcastle upon Tyne Clean Air Zone.
- From 1st November 2033 no wheelchair accessible vehicles will be licensed unless compliant with the stipulations of the Newcastle upon Tyne Clean Air Zone.

1.2 All "Full Electric" and zero emission at source vehicles will be exempted from this standard.

2 Supplemental Documents

2.A In addition to the application and associated fee, a proprietor's licence will only be issued where the vehicle has evidence of:

- Valid vehicle insurance certificate specifically stating that the vehicle is to be used for private hire / hire or reward.
- Certificate of Mechanical Compliance Test from the Council's vehicle test centre.
- V5 vehicle registration document. In the case of a new vehicle the sales invoice which must show engine and chassis numbers, shall be produced at the time of application. The registration document shall be produced when it is received from the DVLA. The registration document must in all cases be produced within 6 weeks of the licence being issued.
- A current MOT certificate (if applicable) for the vehicle.

3 Maintenance of Vehicle

- 3.1 The vehicle, all of its fittings and any attached equipment shall at all times when the vehicle is in use or available for hire, be kept in a clean, safe, tidy and efficient state, and must also comply with all relevant statutory provisions including in particular those contained in the Road Vehicles (Construction and Use) Regulations 1986.
- 3.2 No material alteration or change to the vehicle, its fittings or any attached equipment shall be made without the prior approval of the Licensing Authority.

4 Exterior Identification Plate

- 4.1 The red licence plate supplied by the Licensing Authority shall be securely fixed externally on or about the rear bodywork or bumper of the vehicle in a conspicuous position and in such a manner as to be easily removed if necessary, by an Authorised Officer of the Licensing Authority or a Police Officer. The plate must be maintained in a satisfactory condition.
- 4.2 "Securely fix" using the approved bracket provided by the Licensing Authority. but does not include fixing by magnets, ties or straps.
- 4.3 The proprietor shall not wilfully or negligently cause or suffer the said plate or disc 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.
- 4.4 The licence plate always remains the property of the Licensing Authority.
- 4.5 The licensee shall report the loss of any plate or the licence to the Licensing Authority as soon as the loss becomes known and arrange for a replacement to be issued within three working days. In the event of ceasing to use his vehicle for private hire purposes, shall return the licence plate to the Licensing Authority within 7 days.
- 4.6 In the event of a licence plate being stolen, lost, damaged or destroyed, the full cost of the replacement of the plate shall be payable by the proprietor.

5 Interior Identification Markings

- 5.1 The two red markings referred to as decals supplied by the Licensing Authority showing the number of the licence and the number of passengers prescribed in the licence, shall be displayed inside the vehicle on the upper nearside proportion of the windscreen and rear nearside quarter light area, in a prominent position so as to be clearly visible to all passengers. The decal must be maintained in a satisfactory condition and be legible.
- 5.2 The numbered decals always remain the property of the Authority.

- 5.3 The proprietor shall report the loss of any numbered decal to the Licensing Authority as soon as the loss becomes known and arrange for a replacement to be issued within three working days. In the event of ceasing to use his vehicle for private hire purposes, shall return the numbered decal to the Licensing Authority within 7 days.

6 Hackney Carriage Minimum Vehicle Specifications

- 6.1 Every hackney carriage vehicle must meet the following dimensions:

Bench seat width (i.e. rear seat of a saloon vehicle) – 124.5cm

Width between rear doors – 132cm

Seat squab height measured from vehicle floor – 30cm

Seat squab depth – 41cm

Headroom measured from centre of seat to underside of roof – 86cm

Minimum boot space capacity – 0.303cm Metres

- 6.2 The Director of Operations & Regulatory Services and their delegated Officers are able to exercise their discretion as to the suitability of a vehicle where the measurements are below the above dimensions.

7 Wheelchair Facilities

- 7.1 The licensee shall ensure that:

- The equipment for securing a wheelchair complies with the hackney carriage and private hire vehicle specification and is always in a safe working order.
- The ramp for use in loading a wheelchair user is in a safe working order and is safely stored and secured when not in use.
- Any drivers engaged in driving the licensed hackney carriage have been instructed in the correct usage of the wheelchair equipment, its maintenance and storage.

8 Signage, Livery & Advertising

- 8.1 No signs, advertisements, video or audio display or other markings shall be displayed on, in or from the vehicle subject to the following exceptions:

8.1.A Any sign, notice or other marking required to be displayed by legislation or any other condition attached to this licence.

8.1.B The bonnet of the area must be wrapped white in colour.

8.1.C The Proprietor shall always securely fix and display the red city crests supplied by the Authority and incorporating the hackney carriage proprietor's licence number centrally on the two front doors of the vehicle.

- 8.1.D “Securely fix” does not include fixing the door crests by magnets.
- 8.1.E Advertising on the rear (side) passenger doors of the vehicle, of two-dimensional insignia type, of a maximum size of 1000mm x 400mm may be approved by the Licensing Authority. All adverts must be approved by the Licensing Authority in writing, prior to the advert being appended to the vehicle.
- 8.1.F Advertising to the rear most doors of wheelchair accessible hackney carriage vehicles will also be permitted as per the above dimensions. “Contravision” style advertising will be allowed to the glass of the rear most door(s) windows.
- 8.1.G Signs, notices or advertisements must not be of a content that the Authority deems to be offensive or abusive. No approval shall be given for any advert to be displayed on a licensed vehicle for products containing tobacco or nicotine-based products.
- 8.1.H The Proprietor shall cause to be displayed on the vehicle, if not already incorporated into the vehicles design, a WHITE roof sign on the vehicle in a specification set in the Authority’s Policy and affixed in a manner approved at the time the vehicle is submitted for examination by the Authority.
- 8.1.I The top sign must display the words “CITY OF NEWCASTLE UPON TYNE” and “TAXI” (minimum size 35cm wide and 10cm high) and must be capable of being illuminated when available for hire. The rear of the sign, when illuminated, must be illuminated red to comply with the Road Vehicle Lighting Regulations 1989.
- 8.1.J A “FOR HIRE” sign must also be displayed in a conspicuous position on the vehicle. This sign must be illuminated when the vehicle is available for hire and must show orange or green light only.
- 8.1.K The “TAXI” and “FOR HIRE” signs must switch off automatically when the taximeter is operating.
- 8.1.L A sign must be affixed to the inside of the vehicle indicating that smoking is prohibited in the vehicle.

9 Colour of Hackney Carriage

- 9.1 The base colour of all Hackney Carriage vehicles must be black. No colour other than black is permitted by these conditions.

10 Maintenance of Vehicle

- 10.1 The proprietor must ensure that the licensed hackney carriage is maintained in a clean, safe, watertight and mechanically sound vehicle both inside and out to ensure the safety of passengers conveyed therein.

10.2 Any accident or occurrence materially affecting the safety, performance or appearance of the vehicle must be reported to the Licensing Authority within 72 hours of such occurrence.

11 Proprietor's Address

11.1 The proprietor shall on application for grant or renewal of the vehicle licence state the address of the place where the vehicle is kept when not in use and shall allow access for any necessary inspection or testing by an Authorised Officer of the Licensing Authority.

11.2 The proprietor shall notify the Licensing Authority in writing within 7 days of any change in address during the period of the licence.

12 Taxi Meter & Table of Fares

12.1 The proprietor must provide a meter in the hackney carriage which shall be clock/calendar control type, programmed to change to any premium tariff rate specified by the Licensing Authority automatically at the relevant date and time.

12.2 The meter must comply with the Licensing Authority's hackney carriage fares scale and shown on the meter as tariff 1 and 2.

12.3 Any tariff other than the Licensing Authority's Hackney Carriage fares scale, shall be known and displayed on the taximeter as tariff 3, 4, 5 etc as appropriate to the number of additional tariffs programmed. Any additional tariffs must not be greater than the Authority's tariff. There must be no additional charge for "extras" such as number of person or quantities of luggage.

12.4 When the meter is working, the fare must be clearly legible. This fare must be unambiguous and must not exceed the rate as given in the Licensing Authority's Hackney Carriage Fares Scale.

12.5 The Proprietor shall not tamper with or permit anyone to tamper with, any taximeter with which a vehicle is provided, with the fittings thereof or the seals affixed thereto.

12.6 The Proprietor shall use his best endeavours to ensure that:

- During the continuance of such hiring the display face of the taximeter is not concealed in any manner or by any means and that such display is distinctly and plainly visible to any person hiring or being conveyed in the vehicle.
- The display face of the taximeter is kept properly illuminated throughout the hiring.
- Any failure of the taximeter is immediately reported to the Licensing Authority.
- The meter is fitted with seals so that it is not practicable for any person to tamper with it.

12.7 The proprietor of a hackney carriage vehicle shall, at the request of an Authorised Officer or a Police Officer, produce the official Taximeter Certificate of Compliance supplied to the agent by the Licensing Authority and duly signed by the agent.

12.8 A table of fares must be prominently displayed within the vehicle for passengers to clearly view.

13 Hackney Carriage Byelaws

13.1 A set of hackney carriage bylaws must be held in the hackney carriage and must be available for inspection on request.

14 Lost Property

14.1 After a hiring, the hackney carriage must be checked for any misplaced or lost property. The licensee shall, if any property is accidentally left in their licensed hackney carriage by any person who may have been conveyed in that vehicle, take it forthwith or within 24 hours to the Lost Property Office Northumbria Police, Newcastle upon Tyne.

14.2 Northumbria Police shall not accept any lost property unless it is:

- Any item that is illegal to possess such as drugs or firearms;
- An identifiable item such as passports or driving licences;
- Items of high value or significant sentimental value;
- Items which store electronic data such as mobile phones, laptops etc;
- Large quantities of cash.

- 14.3 All other items of lost property should be held by the proprietor for a period no less than 3 months. At the end of a period of 3 months, the item may be deemed to be unwanted and a waste. If a decision is made to discard it, it should dispose of appropriately and in doing so, the waste hierarchy and waste duty of care code of practice should be applied. Details can be found at www.gov.uk.

15 Vehicle Use/Letting to Hackney Carriage Drivers

- 15.1 If the Proprietor permits or employs any other person to drive the vehicle as a hackney carriage vehicle, the proprietor shall retain a copy of the person's hackney carriage driver's licence until such time as the driver ceases to be permitted or employed to drive the vehicle.

Note - No person may drive a hackney carriage vehicle unless they hold a valid hackney carriage driver's licence issued by Newcastle City Council.

- 15.2 The proprietor shall ensure that every licensed driver employed by him is acquainted with, understands and observes the conditions attached to his or her hackney carriage driver's licence and the conditions of the hackney carriage proprietor's licence.

16 Insurance

- 16.1 All vehicles must always have a current valid policy of insurance appropriate to the vehicle.

- 16.2 If a vehicle is off the road and uninsured the licensee of the vehicle must advise the Licensing Authority in writing or in any event within 72 hours.

- 16.3 When licensing or re-licensing a vehicle, the insurance cover produced must cover the vehicle for public hire use and must include the names of all the persons who will be driving for public hire purposes.

- 16.4 The proprietor shall produce his Certificate of Vehicle Insurance:

- When presenting the vehicle for test at the Council's vehicle testing centre.
- When making an application for or to renew the vehicle licence with the Licensing Authority; and
- At the request of an Authorised Officer of the Authority or Police Officer.
- If the document(s) is (/are) not produced on the above occasions the vehicle examination will not be carried out nor the licence granted.

17 Vehicle Inspection by Authorised Officer of Licensing Authority or Police

- 17.1 The proprietor of the vehicle shall at all times permit an Authorised Officer or Police Officer to inspect the vehicle or any taximeter affixed to it for the purpose of ascertaining its fitness.
- 17.2 Should the Authorised Officer or Police Officer not be satisfied as to the fitness of the vehicle or its taximeter the proprietor of the vehicle shall comply with any request to make the vehicle available for further inspection and testing at such reasonable time and place as may be specified by notice in writing given by the Authorised Officer or Police Officer.
- 17.3 The proprietor of the vehicle shall comply with any notice given by an Authorised Officer or Police Officer suspending the vehicle licence until such time as they are satisfied as to the vehicle's fitness, or the fitness of the taximeter affixed to it.

18 Testing of Vehicles and Renewal of Licences

- 18.1 Licences are granted subject to the vehicle passing the Council's vehicle compliance testing requirements. The cost of such test shall be borne by the proprietor of the vehicle.
- 18.2 All licensed hackney carriages shall be submitted for test in accordance with instructions issued by the Director of Operations and Regulatory Services and their delegated officers.
- 18.3 All licensed hackney carriages up to 36 months old from the first date of registration, including the date of test shall be submitted for test at 12-month intervals in accordance with instructions issued by the Director of Operations and Regulatory Services and their delegated officers
- 18.4 All licensed hackney carriages over the age of 36 months on the day of test shall be submitted for test at 6 monthly intervals in accordance with instructions issued by the Director of Operations and Regulatory Services and their delegated officers.
- 18.5 In the event that the proprietor of the vehicle fails to submit a vehicle for testing at the pre-arranged appointment time without sufficient cause, the hackney carriage proprietor's licence shall be suspended.
- 18.6 In the event of any licensed vehicle failing the Council's test, the vehicle licence shall be suspended. The removal of the suspension will be conditional upon the subsequent re-testing of the vehicle in accordance with instructions issued by the Director of Operations and Regulatory Services and their delegate officers.
- 18.7 The cost of all tests and re-tests required shall be borne by the proprietor of the vehicle.

18.8 A proprietor who wishes to make application for the renewal of their licence shall submit application and the appropriate fee to the Council on or before the date of its expiry.

19 Transfer of Interest

19.1 The proprietor shall notify the Licensing Authority in writing, giving the name and address of the new proprietor of the vehicle within 14 days of the date he transfers his interest in the vehicle to another person.

20 Replacement Vehicles

20.1 Proprietors are reminded that it is an offence to use any unlicensed vehicle for hackney carriage purposes and that the licence is granted in respect of the vehicle itself. Replacement vehicles, therefore, cannot be used for hackney carriage purposes unless they have passed the Council's hackney carriage vehicle test and the licence has been issued.

21 Additional Charges

21.1 The proprietor shall pay the Council any reasonable additional charges to be determined by the Council for:

- a) the replacement of any lost, stolen or damaged plate, decal or sign provided by the Licensing Authority (and which is required to be attached or displayed on or in the vehicle as a condition of this licence);
- b) any vehicle test appointment for which the licensee of the vehicle fails to present the vehicle for testing, or which is cancelled by the proprietor without giving at least 72 hours - notice to the Licensing Authority.
- c) transfer of interest of a vehicle.
- d) reinspection of the vehicle following failed test/licence suspension.

22 Refunds

22.1 Where a proprietor surrenders his hackney carriage proprietors' licence and plate to the Licensing Authority a refund will be made equivalent to 1/12th of the licence fee for each unexpired month of the surrendered licence, subject to a maximum refund equivalent to half of the licence fee.

23 CCTV Installation

23.1 If a CCTV system or dashcam is installed in this vehicle, the holder of this licence must comply with the Council's "Taxi and Private Hire Vehicle CCTV Policy".