

## Penalty points scheme

### Enforcement

As a licence holder you have accepted the legal responsibilities, which come with the benefit of holding a licence. There are regulations and disciplinary policies adopted by the council as part of the licensing process. Enforcement is viewed as part of the overall licensing control process exercised by the council and is seen as an important way of maintaining and improving the standards within the trade and the quality of service delivered to the general public.

Usually enforcement action will be taken to:

- protect the public interests
- support the policies of the council
- respond to individual public and trade complaints
- support partnerships with other agencies like the Police and Vehicle Inspectorate
- compliment the council's corporate enforcement policy.

Authorised officers of the council are empowered to give and recommend any of the following disciplinary measures:

- verbal warning
- written warning
- points
- appearance before committee/delegated officer
- prosecution

Licence holders have a clear legal duty to offer assistance and information to any authorised officer and must not wilfully obstruct or give false information.

### Penalty points scheme

This council has adopted a penalty points scheme as a 'fast track' disciplinary code whereby points are issued to licence holders for breaches of licensing conditions, non-compliance of the law or because of unsatisfactory conduct.

The main features of the scheme are as follows;

- points are issued to licence holders for breaches of licensing conditions, legislation or byelaws
- a total of 12 points credited to an individual licence/licensee in any 12 month period will result in a review of the licence at committee/by delegated officer.
- in the case of a private hire operator licence the total number of points credited in any licensing year is extended to 30 points
- any outstanding points against a licence holder will be automatically removed after 12 months have elapsed from the date the points were issued.
- licence holders have a written right of appeal within seven days of the points being issued.

There is no financial penalty associated with this scheme and you may continue to work even if points are awarded.

A list of offences covered by the scheme, together with the points that can be awarded for each offence is shown below.

	<b>Offences</b>	<b>Driver</b>	<b>H/C Prop</b>	<b>P/H Vehicle</b>	<b>P/H Operator</b>
1.	Failure to display drivers ID badge in the correct manner	3			
2.	Unsatisfactory appearance of the driver	2			
3.	Failure to notify change of address/any convictions received /medical grounds not to drive	3	3	3	3
4.	Failure to behave in a civil and orderly manner towards customers, members of the public <b>and council officers</b> from the Authority at all times.	1-5	1-5	1-5	1-5
5.	Obstruction of an authorised officer	3-6	3-6	3-6	3-6
6.	Failure to produce licence/insurance when requested by authorised officer	4	4	4	4
7.	Failure to report accident damage within 72 hours	3	3	3	3
8.	Overdue medical examination	3-6	3-6	3-6	3-6
9.	Carrying more passengers than permitted by the vehicle licence	10	10		10
10.	Refusal to carry passengers without a reasonable excuse	5			
11.	Failure to convey or assist with carrying luggage	2			
12.	Failure to display tariff of fares correctly	2	2	2	2
13.	Failure to recalibrate meter to the correct tariff		2	2	2
14.	Failure to display interior and/or exterior identity plate correctly	3	3	3	3
15.	P/H Exempt vehicles only: - Failure to display interior plate, carry exemption certificate and carry exterior plate	2		2	2
16.	Unreasonable prolongation of a journey or any other misconduct regarding the charging of fares.	5			
17.	Failure to be with taxi on rank	3			
18.	Failure to comply with the conditions/use of bus lanes	3			
19.	Failure to display door signs on Private Hire Vehicle	2		2	2
20.	Failure to have operational fire extinguisher fitted	2	2	2	2
21.	Failure to carry adequate first aid kit	2	2	2	2
22.	Failing to display approved roof sign	3	3		
23.	Unsatisfactory condition of vehicle interior/exterior	3-6	3-6	3-6	3-6
24.	Failure to deal appropriately with items of property accidentally left in vehicle	2	2	2	2
25.	Using/permitting licensed vehicle with no insurance	9-12	9-12	9-12	9-12
26.	<b>Using an un-licensed vehicle</b>	9-12	6	6	9-12
27.	Unauthorised advertising on licensed vehicle		3	3	3
28.	Standing or plying for hire in a private hire vehicle	5			3
29.	Failure to attend a hiring punctually	3			3
30.	Touting	6			
31.	Defective taxi meter	3	3	3	3
32.	Failure to keep or produce records of private hire bookings/documents required to be kept or produced.				4-6
33.	Any other breach or unsatisfactory behaviour	1-6	1-6	1-6	1-6
34.	<b>Using vehicle with incorrect or no road tax (VED)</b>	6	6	6	6
35.	<b>Smoking in hackney or private hire vehicles of any product (to include cigarettes or electronic inhaler type cigarettes).</b>	9-12	9-12	9-12	9-12
36.	<b>Driving a licensed Hackney/Private Hire vehicle with incorrect driving licence.</b>	6			6
37.	<b>Vehicle found with defective or worn tyres (points issued per tyre)</b>	3-12	3-12	3-12	3-12