

## Appendix 2

**EXAMPLE OF PENALTY POINT SYSTEM FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS, VEHICLE PROPRIETORS AND OPERATORS**

Where an offence or breach has been witnessed by a Council Officer, Police Officer, or Councillor and/or admitted, then Points will be endorsed against an individual or Operator. When an individual has accrued 12 points within a three-year rolling period, or commits the same offence/breach twice in a 12-month period, then the individual may be referred to the Licensing Sub-Committee.

The Scheme will not bar the Authority from administering a Caution or initiating legal proceedings following an offence or breach of condition or Byelaw. Points may also be issued following a prosecution in appropriate cases. If more than one offence takes place, the points will be added consecutively to the individual's record.

***The Scheme shows the maximum points for an offence. Officers will have discretion to decide on the points given based on circumstances. If more than one offence takes place, the points will be added consecutively to the individual's record.***

| <b>Vehicle</b>                                                                                                                                                                                                           | <b>Points</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Failure to keep the interior and exterior in a clean and tidy condition, free from damage                                                                                                                                | 6             |
| Failure to keep vehicle in roadworthy condition                                                                                                                                                                          | 12            |
| Failure to display internal identification plate and/or securely fix the external identification plate to the rear of the vehicle as instructed by an Authorised Officer, or failure to keep exemption notice in vehicle | 6             |
| Failure to carry a fully serviceable fire extinguisher or first aid kit                                                                                                                                                  | 6             |
| Failure to present vehicle for inspection at time appointed by an Authorised Officer                                                                                                                                     | 6             |
| Failure to return plate after notice given after expiry, revocation or suspension of private hire vehicle licence (except dual licensed vehicles)                                                                        | 6             |
| Evidence of smoking in a vehicle ascertained by officers whilst carrying out vehicle checks or smoking in a vehicle                                                                                                      | 6             |
| Carrying an offensive weapon in the vehicle                                                                                                                                                                              | 12            |
| Carrying more passengers than stated on the Vehicle licence plate                                                                                                                                                        | 6             |
|                                                                                                                                                                                                                          |               |
| <b>Conduct and Demeanour</b>                                                                                                                                                                                             | <b>Points</b> |
| Failure to be clean and presentable whilst working (clothing to be clean, smart casual and secure footwear suitable for driving must be worn i.e. no vests or flip flops)                                                | 6             |
| Obstruction of an authorised officer or police officer wishing to examine a licensed vehicle                                                                                                                             | 12            |
| Failure to observe rank discipline, queue jumping, not moving down rank                                                                                                                                                  | 6             |
| Failure to carry an assistance dog without requisite exemption                                                                                                                                                           | 12            |
| Making false statements or withholding information to obtain a licence                                                                                                                                                   | 12            |
| Operating a private hire vehicle without a private hire operator's licence                                                                                                                                               | 12            |

|                                                                                                                                                          |               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Knowingly allowing drivers to operate in breach of penalty points system                                                                                 | 6             |
| Plying for hire, unlawful touting or soliciting customers                                                                                                | 12            |
| Refusal to take a passenger without good cause                                                                                                           | 6             |
| Charging more than the metered fare or agreed fare                                                                                                       | 6             |
| Using an unlicensed or uninsured vehicle for hire or reward                                                                                              | 12            |
| Stationary hackney carriage vehicle plying for hire whilst parked other than on a designated rank                                                        | 6             |
| Failure to reasonably assist passengers without good cause or exemption certificate                                                                      | 6             |
| Driving a licensed vehicle without a valid hackney or private hire driving licence                                                                       | 12            |
| Driver leaving a hackney carriage unattended, or obstructing other hackney carriages                                                                     | 6             |
| Failure to wear drivers badge in prominent position without exemption                                                                                    | 6             |
| Admitting to unnecessarily prolonging a journey                                                                                                          | 6             |
| Failure to attend a time appointed by an Authorised Officer                                                                                              | 6             |
| Driving in a careless and inconsiderate manner in accordance with the Road Traffic Act                                                                   | 12            |
| Using threatening or offensive language or behaviour                                                                                                     | 6             |
| Officer observing a licensed driver sleeping on a taxi rank                                                                                              | 6             |
| Using a mobile phone whilst driving or stationery with engine running                                                                                    | 6             |
|                                                                                                                                                          |               |
| <b>Administration</b>                                                                                                                                    | <b>Points</b> |
| Operator failing to keep accurate, current records of bookings, or failure to present records to an Authorised Officer upon request at an appointed time | 6             |
| Failure to keep records of private hire vehicles/drivers operated by operator                                                                            | 6             |
| Failure to notify council of convictions within a seven day period                                                                                       | 6             |
| Failure to follow Council's conditions on signage                                                                                                        | 6             |
| Failure to notify change of name, address, telephone number or operator within seven days of change                                                      | 6             |
| Failure to notify transfer of ownership for private hire or hackney carriage                                                                             | 6             |
| Failure to return private hire driver licence after notice given after revocation or suspension                                                          | 6             |
| Failure to notify change of name, address, telephone number, operator, medical condition which may impact on driving within seven days of change         | 6             |
| Failure to produce DVLA drivers licence within seven days on request of the Authority                                                                    | 6             |
| Failure to report an accident to Local Authority                                                                                                         | 6             |
| Failure to report an accident to Local Authority Operator not attending Private Hire Forum without informing the Local Authority                         | 6             |
| Failure to provide to the authority a DBS renewal certificate within 7 days of receipt.                                                                  | 6             |