

### EXISTING PENALTY SYSTEM

- In an attempt to ensure all licensees and vehicles remain suitable to carry members of the public, the Council has adopted a penalty system
- The chart below shows how the system works
- Should licenses be suspended or revoked, the licensee always has the right of appeal. This is achieved by lodging an appeal with a Magistrates Court within 21 days of the written notice of suspension or revocation
- The imposing of penalty points is not negotiable
- Licensees will receive notification in writing of the reason for penalty points and the number of points obtained
- The minimum period of suspension will be 20 days
- This period may increase and is mainly dependant on how points were obtained

EXAMPLE: A driver reaching 20 points made up of relatively minor offences will be suspended for 20 days

For more major offences, a period of 60 days may be warranted

Officers will keep records of this to maintain continuity

LICENCE	OFFENCE	PENALTY	MAX	
DRIVER	Failure to notify convictions and/or driving offences	10	20	*
	Failure to notify change of name and/or address	3	20	
	Failure to notify medical condition	10	20	
	Speeding (in any vehicle)	As endorsed multiplied by 2	20	
LICENCE	OFFENCE	PENALTY	MAX	
	Other endorsed traffic offences	As endorsed	20	*
	Failure to display ID badge	6	20	*
	Overcharging	10	20	
	Overloading	20	20	
	Plying for hire illegally	20	20	
	Non-compliance of dress code	3	20	
	Refusal to carry Assistance Dog	4	20	
OPERATOR/ HC PROP	OFFENCE	PENALTY	MAX	
	Failure to keep proper records of bookings	4	20	
	Using an unlicensed vehicle	20	20	
	Employing an unlicensed driver	20	20	
	Failure to keep record of vehicle and drivers	4	20	

	Failure to ensure vehicle attends at appointed time	5	20	
	Failure to notify criminal convictions	10	20	
	Failure to display current fares, if applicable	7	20	
	Failure to notify change of Operating address	6	20	
PRIVATE HIRE VEHICLE AND HACKNEY CARRIAGE LICENSEE	Failure to display official plate(s) door stickers	10	20	
	Failure to comply with advertisement conditions	5	20	
	Failure to report damage to vehicle	4	20	
	Failure to ensure vehicle is clean and tidy	2-6	20	*
	Failure to ensure vehicle meets Construction & Use Regs	2-20	20	*
	Failure to notify adaptation to vehicle	5	20	
	Failure to carry fire extinguisher and/or first aid kit	7	20	
	Failure to notify criminal convictions	10	20	
	Failure to comply with Council's fixed scale of fares	5-10	20	*
ALL LICENSEES	Failure to comply with Authorised officer or Constable, or failure to assist	7	20	

- \* Convictions: this is dependent on the relevance of the conviction. Serious offences may warrant an immediate revocation of licence, regardless of penalty points obtained not reaching 20.
- \* Driving offence: serious driving offences, such as without due care, failing to stop after an accident, driving whilst under the influence of drink or drugs may warrant an immediate suspension or revocation regardless of penalty points obtained not reaching 20.
- \* Failing to display the identification badge: customers, parents and Officers of the Council and Police must be able to see that drivers are properly licensed.
- \* Clean, tidy, Construction & Use: this could mean anything from a bulb missing on number plate light to having four illegal tyres. Licensing Officer to determine penalty points.
- \* Failure to comply with Council's fares: this could range from not having a meter in the Hackney Carriage to having a meter with an incorrect tariff. Licensing Officer to determine penalty points
  - **Penalty points obtained will be deleted if no further points have been gained within 2 years (date taken from the most recent "offence")**
  - **The Council reserve the right to suspend and revoke licences under the provisions of the relevant legislation regardless of the penalty points obtained not reaching 20**
  - **The maximum of 20 can be made up of all offences**
  - **Points obtained will be kept strictly confidential, held by the Licensing Officer, and will not be divulged to any other person**