

REPORT TO:

Licensing Committee

DATE:

23 September 2015

LEAD OFFICER:

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SUBJECT:

Review of Current Penalty Points Policy & Procedure

1. PURPOSE OF THE REPORT

- 1.1 To provide members with feedback following implementation of the Penalty Points Policy & Procedure and to seek authority to consult with licensees on amendments to the Policy & Procedure.

2. EXECUTIVE SUMMARY

- 2.1 The Penalty Points Policy and Procedure is a single document encompassing how the Council will deal with minor breaches in respect of taxi licensing and was approved by Members in September 2014.
- 2.2 The issuing of points has been active since January 2015. A breakdown of the points awarded to date is provided in this report.
- 2.3 Since its introduction issues on the level of awarded points and on clarity have arisen. Amendments to the Penalty Points Policy and Procedure to clarify those issues will require further consultation with those most affected by this Policy and Procedure.

3. BACKGROUND INFORMATION

- 3.1 The council's key responsibility under the licensing legislation is to ensure that only fit and proper persons are granted and remain hackney carriage / private hire drivers or operators. This is to ensure the safety of those using hackney carriages and private hire vehicles and general public.
- 3.2 Members will be aware that Officers presented a revised Penalty Point Policy and Procedure at the September 2014 Committee meeting.
- 3.3 Member resolved to adopt the revised Penalty Points Policy and Procedure, following a grace period of one month in which time Officers would provide advice and guidance to licence holders who commit a

breach/infringement under the Policy and Procedure.

- 3.4 In adopting the Policy and Procedure members requested a progress report on the on the anniversary of the introduction of the Policy and Procedure.
- 3.5 The current Penalty Points Policy and Procedure, together with a list of offences and penalty point tariffs for infringements, can be found at Appendix A
- 3.6 Points have been awarded throughout the year to 12 drivers in total, some of whom have had more than one breach and therefore multiple points being issued. Some of these drivers have appeared before the Committee or are due to do so. A report detailing the awarded points to date can be found at Appendix B
- 3.7 A workshop was held on 28th July 2015 with was attended by some taxi industry professionals. During the event comments were made on some aspects of the Penalty Point Scheme. These comments, together with comments of operational staff in the Council, have led to amendments to the Policy and Procedure document, including the Scale of Penalty Points. An amended version of the Policy and Procedure document is at Appendix C and a table identifying the proposed amendments to the Scale of Penalty Points is at Appendix D.

4 Consultation

- 4.1 No formal consultation has taken place although, as stated above, a workshop was convened to which to which all licensed drivers were invited. Focus was on private hire vehicles with some time set aside for Penalty Point matters. A small number of taxi industry representatives attended.

5. Recommendations

- 5.1 Members acknowledge the information provided on the breakdown of the points issued.
- 5.2 For Members to authorise Officers to start formal consultation. Following consultation, any relevant representations received would be reported back to the next Licensing Committee for Members consideration. Where no relevant representations are received, the revised Policy and Procedure will come into effect one month after the end of the consultation period has expired.