

<b>REPORT TO:</b>	Licensing Committee
<b>DATE:</b>	5 <sup>th</sup> December 2018
<b>LEAD OFFICER:</b>	Head of Planning and Public Protection Services
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<b>SUBJECT:</b>	Update on Penalty Points Policy & Procedure

## **1. PURPOSE OF THE REPORT**

- 1.1 To provide members with an update on the Penalty Points 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 and further updated in September 2015
- 2.2 The issuing of points has been active since January 2015.

## **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 The Penalty Point Policy and Procedure was adopted as a process for identifying those drivers, vehicle proprietors or operators who repeatedly behave in a manner which, if taken as a whole, indicates that they are not fit and proper persons to hold a licence. It is a means by which officers can identify and record both serious and also relatively low-level breaches of an unacceptable nature. The Scheme acts as a record of a licensed individual's behaviour and conduct, and will provide the Council with guidance as to whether a person is "fit and proper" to hold the relevant licence

- 3.3 The last review of the Penalty Point Policy and Procedure was in September 2015. This review implemented some amendments to the policy and procedure and the current version is attached at Appendix A.
- 3.4 The document is to be reviewed at least every 3 years.
- 3.5 Officers have reviewed the Penalty Point Policy and Procedure and consider it still fit for purpose and are therefore not proposing any changes to the scheme.
- 3.6 The following tables provide an update to Members on the number of incidents and type of breach where points have been issued during this year and last.

<b>2017</b>		
<b>No of Incidents</b>	<b>Issue</b>	<b>No. of points per issue</b>
1	Smoking in a smoke free place namely a licensed vehicle	10 points
1	Driving a licensed vehicle in a manner likely to cause danger to a member of the public	10 points
1	Driving a licensed vehicle with a defective tyre below the minimum tread depth of 1.6mm namely 0.9 mm	10 points
2	Drive a licensed vehicle with a filthy interior	6 points
1	Providing false or misleading information on a licence application form	10 points
	Driver non-compliant licensable condition namely without consent of the hirer convey or permit to be conveyed any other person in the vehicle	3 points
2	Fail to notify the Council in writing of a speeding Fixed Penalty within seven working days	6 points
1	Present licensed vehicle for Test in an unsafe or dangerous condition	20 points

<b>2018</b>		
<b>No of Incidents</b>	<b>Issue</b>	<b>No. of points per issue</b>
1	Fail to notify road traffic collision within 72 hours	6 points

2	Fail to disclose two separate motoring convictions for speeding to the Council in writing within seven working days	6 points
1	Fail to notify the Council in writing of a speeding conviction within seven working days	6 points

**4. RECOMMENDATIONS**

- 4.1 Members acknowledge the information provided on the breakdown of the points issued