

## **Appendix 1 - Schedule of Enforcement Penalty Points**

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
1	Failure to notify the Licensing Authority of relevant change to licence details within the time specified in the associated licence conditions.	2
2	Failure to notify the Licensing Authority of change of operator through whom he/she works.	2
3	Failure of a licence holder to disclose convictions as specified in the associated licence conditions.	9-12
4	Failure to notify a medical condition or change in medical circumstance.	9
5	Failure to report without reasonable excuse an accident within one working day.	3
6	Failure to submit an accident report form without reasonable excuse to the Licensing Authority within 5 working days.	4
7	Failure to return hackney carriage or private hire driver's licence within 7 days following its expiry.	6-12
8	Concealing or defacing a vehicle licence plate.	6
9	Failure to display or maintain external plates as issued by the Licensing Authority or displaying them incorrectly i.e. in the window of a vehicle.	3-6
10	Failure to produce a hackney carriage or private hire licence upon request.	3
11	Failure to wear hackney carriage or private hire licence as specified in the associated licence conditions.	3
12	Failure to comply with the licensed driver dress code.	2
13	Failure by a private hire operator to ensure that all vehicles operated are adequately insured.	12
14	Failure of a private hire operator to keep the operating premises in accordance with the Licensing Authorities requirements.	3-12
15	Failure of a private hire operator to undertake sufficient checks to ensure the suitability of both drivers and vehicles that are employed or contracted.	6
16	Failure of a private hire operator to maintain public liability insurance cover for the operating premises.	9
17	Failure of a private hire operator to produce records of private hire bookings or other documents required.	9
18	Failure of a private hire operator to keep records of private hire bookings or other documents required.	12

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
19	Operating/using a vehicle that is not in a safe condition internally or externally	6-12
20	Operating/using a vehicle that is not clean and tidy internally or externally	2
21	Operating/using a vehicle that does not comply with the Local Authority's licensing policy or relevant legislation where such a breach of policy/legislation is not otherwise specified herein.	4-12
22	Failure to ensure the safety of passengers	12
23	Failure to comply with the requirements for the safe carrying of a wheelchair.	6
24	Failure to comply with the requirements for the safe carrying of a child.	6
25	Permitting the vehicle to be used for any illegal or immoral purposes.	12
26	Driving with no insurance or inadequate insurance for the vehicle.	12
27	Using a non – hands free mobile telephone whilst driving/engine running	6-12
28	Smoking in the vehicle at any time	4
29	Conveying a greater number of passengers than permitted.	6-12
30	Modifying a licensed vehicle without the consent of the Licensing Authority.	6-12
31	Allowing a Private Hire vehicle to stand in such a position as to suggest that it is plying for hire or using a hackney carriage stand.	6
32	Private hire vehicles soliciting for hire or accepting a fare that is not pre-booked.	9-12
33	Affixing or displaying a roof sign on a private hire vehicle.	3
34	Displaying a sign or advertisement on a licensed vehicle that does not satisfy the policy requirements or has not been approved by the Licensing Authority.	3
35	Failure to operate the taximeter from the commencement of the journey and/or charging more than the fixed charge for hire of a hackney carriage.	9-12
36	Using a taximeter that does not conform to Licensing Authority requirements.	6

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
37	Failure to provide a written receipt for a fare when requested.	2
38	Failure to give reasonable assistance with passenger's luggage.	1
39	Failure to display a correct up to date fare card	3
40	Driving or allowing a hackney carriage vehicle to be driven with tinted windows which do not conform to licence conditions.	3
41	Refusal to take a fare without reasonable excuse	6-12
42	Leaving a hackney carriage unattended whilst parked on a taxi rank	3
43	Failure to observe rank discipline.	3
44	Inappropriate behaviour whilst on a taxi rank	1-12
45	Driving or allowing a hackney carriage or private hire vehicle to be driven without displaying the door signs, displaying the signs incorrectly or attaching signs other than in accordance with the Council's policy.	2
46	Failure to produce Hackney Carriage or Private Hire Vehicle for re-testing when required	6
47	Failure to return vehicle licence plate within 7 days after due notice following expiry of such licence.	9-12
48	Failure to return vehicle licence plate immediately following suspension or revocation of such licence.	12
49	Failure to comply with request of an authorised officer	6
50	Failure to attend a pre-arranged appointment at the request of the Licensing Authority for interview without reasonable cause.	2
51	Obstruction of an authorised officer or police officer wishing to examine a licensed vehicle	9-12
52	Unsatisfactory behaviour or conduct of driver	3-12
53	Failure to behave in a civil and orderly manner, or bringing the trade into disrepute.	3-12
54	Unsatisfactory condition of vehicle either interior or exterior	3
55	Failure to carry an approved and in date fire extinguisher	2

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
56	Failure to carry a fire extinguisher marked with vehicle registration.	1
57	Failure to carry a first aid kit.	2
58	Failure to carry a first aid kit marked with vehicle registration.	1
59	A licensed vehicle with a bald, dangerous or defective tyre (points awarded per tyre).	9
60	A licensed vehicle with a tyre below the Local Authorities minimum required tread depth of 2mm. (points awarded per tyre)	3
61	Failure to install a taxi camera system	6-12
62	Failure to maintain taxi camera system to ensure it is fully operational whilst the vehicle is a licensed vehicle.	6
63	Failure to ensure video recording is switched on at all times during working hours.	6
64	Failure to comply with request of an authorised officer to access taxi camera footage	6-12
<b><u>Local Government (Miscellaneous Provisions) Act 1976.</u></b>		
65	S46 (1) (a) – A licensed driver using an unlicensed vehicle for private hire purposes.	12
66	S46 (1) (b) – Driving a private hire vehicle without a private hire driver's licence.	12
67	S46 (1) (c) – Proprietor of a private hire vehicle permitting or employing an unlicensed driver to drive a private hire vehicle.	12
68	S46 (1) (d) – Operating a private hire vehicle without a private hire operators' licence.	9-12
69	S46 (1) (e) – Operating an unlicensed vehicle as a private hire vehicle.	12
70	S46 (1) (e) – Operating a private hire vehicle when the driver is not licensed as a private hire driver.	12
71	S48 (6) – Failure to display a private hire vehicle plate.	3-6
72	S49 – Failure to notify the transfer of a vehicle licence.	3
73	S50(1) – Failure to present a hackney carriage or private hire vehicle for inspection upon request	6

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
74	S50 (2) – Failure to inform the Licensing Authority where a hackney carriage or private hire vehicle is stored, if requested.	3
75	S50(3) – Failure to report an accident to the Licensing Authority within one working day	3
76	S50 (4) – Failure to produce the vehicle and/or insurance upon request.	6
77	S53 (3) – Failure to produce a driver’s licence upon request.	6
78	S54(2) –Failure to wear a private hire driver’s badge	3
79	S56(2) – Failure of a private hire operator to keep proper records of all bookings, or failure to produce them upon request of an authorised officer of the Licensing Authority or a Police Officer within reasonable time/or time specified.	6-12
80	S56(3) – Failure of a private hire operator to keep proper records of all private hire vehicle licenses and driver licenses, or failure to produce them on request of an authorised officer of the Licensing Authority or a Police Officer within reasonable time/or time specified.	6-12
81	S56 (4) – Failure of a private hire operator to produce his licence upon request.	3
82	S57 – Making a false statement or withholding information to obtain a hackney carriage/private hire driver’s licence.	12
83	S58(2) – Failure to return a plate after notice has been given following expiry, revocation, or suspension of a hackney carriage or private hire vehicle licence.	9-12
84	S61 (2) – Failure to surrender a driver’s licence or badge on or after suspension, revocation, or refusal to renew.	12
85	S64 – Permitting a private hire vehicle to wait on a hackney carriage rank.	6
86	S66 – Hackney Carriage charging more than the meter fare for a journey ending outside the district, without prior agreement.	9
87	S67 - Hackney Carriage charging more than the meter fare when a hackney carriage is used as a private hire vehicle.	9
88	S69 – Unnecessarily prolonging a journey.	9
89	S71 – Interfering with a private hire taximeter with intent to mislead.	12

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
90	S73 (1) (a) – Obstruction of an authorised officer of the Licensing Authority or a Police Officer.	9-12
91	S73(1)(b) – Failure to comply with a requirement of an authorised officer of the Licensing Authority or Police Officer	6-12
92	S73 (1) (c) – Failure to give information or assistance to an authorised officer of the Licensing Authority or Police Officer.	4-12
<b><u>Town and Police Clauses Act 1847</u></b>		
93	S40 – Giving false information on a hackney carriage application.	6-12
94	S44 – Failure to notify change of address on a hackney carriage licence.	2
95	S45 – Plying for hire without a hackney carriage licence.	12
96	S47 – Driving a hackney carriage without a hackney carriage driver's licence.	12
97	S47 – Lending or parting with a hackney carriage driver's licence.	12
98	S47 – Hackney carriage proprietor permitting or employing an unlicensed driver to drive a hackney carriage vehicle.	12
99	S48 – Failure of a proprietor to retain in his/her possession copies of any hackney carriage driver's licence that permits them to drive their vehicle.	3
100	S48 – Failure of a proprietor to produce on request by an authorised officer any hackney carriage driver's licence for whom he has permitted to drive his/her vehicle.	3
101	S52 – Failure to display a hackney carriage plate.	3-6
102	S53 - Refusal to take a fare without reasonable excuse.	6-12
103	S54 – Charging more than the agreed fare.	9
104	S55 – Obtaining more than the legal fare (including failure to refund).	9
105	S57 – Failure to wait after a deposit to wait has been paid.	12
106	S58 – Charging more than the legal fare.	8-12
107	S59 – Carrying persons other than with the consent of the driver	6

<b>Ref No.</b>	<b>Offence</b>	<b>Penalty Points</b>
108	S60 – Driving a hackney carriage without the proprietor’s consent	12
109	S60 – Allowing a person to drive a hackney carriage without the proprietor’s consent	12
110	S62 – Driver leaving a hackney carriage unattended	3
111	S64 – Hackney carriage driver obstructing other hackney carriages.	3
112	S68 – Breach of byelaws	3-12