Penalty Points Form
Hackney Carriage and Private Hire Licensing

Cheshire East Council

Name	

Licence Number (s)	

Offence/breach/misdemeanour (including date):

Number of points issued	

Declaration

I_____hereby accept the above penalty points in accordance with Cheshire East Council's Hackney Carriage and Private Hire Licensing Penalty Points Policy for the the offence/breach/misdemeanour set out above. I understand that by signing this form the Council undertakes not to commence any enforcement action against me in respect of this offence/breach/misdemeanour. I also understand that if I reach the tariff of 12 penalty points in a 12 month rolling period my licence(s) will be referred to the Council's General Licensing Sub-Committee for it to determine whether I remain a fit and proper person.

Signed		Date	

Issuing officer		Designation	

Signed		Date	

General
Where there is a range in points available the Licensing Officer has the discretion to award the number of points according to the severity of the breach. Unless a subsequent offence of the same nature is committed when the maximum number of points will automatically be applied.

Drivers/Operators/Proprietors
On accumulation of 12 or more points in a rolling 12 month period, a driver will be subject to a referral to the General Licensing Sub-Committee

Suspension/Revocation
All suspensions and revocations will be determined by the General Licensing Sub-Committee

Any driver or operator subject to suspension or revocation has a right to appeal to the Magistrates Court within 21 days of the decision

Suspensions and revocations will not be implemented until the 21 day appeals period has elapsed; however, driver suspensions on public safety grounds will take immediate effect

	Offence/Breach/Misdemeanour	Points	Driver	Op / Prop
1	Unsatisfactory condition of a vehicle (interior or exterior)	1 - 6	✓	✓
2	Refusal to accept hiring without reasonable cause	1 - 6	✓	
3	Unsatisfactory behaviour or conduct of a driver	1 – 9	✓	
4	Use/Cause/Permit a vehicle to be driven with a defect contrary to Road Vehicle (Construction & Use) Regs 1986 (as amended) (per defect)	1 - 9	✓	✓
5	Failure to wear driver's badge	3	✓	
6	Failure to notify the Council, in writing, of a change of address within 7 working days	3	✓	✓
7	Displaying unsuitable, inappropriate or unauthorised signs or advertisements in or on a vehicle	3	✓	✓
8	Using a private hire vehicle with an appearance that might suggest it is a hackney carriage	3	✓	✓
9	Failure to display fare card	3	✓	✓
10	Failure to carry Driver/Vehicle Conditions in vehicle	3	✓	✓
11	Failure to give assistance with loading/unloading luggage	3	✓	
12	Failure observe rank discipline or etiquette	3	✓	
13	Failure to maintain proper records of private vehicle(s)	3		✓
14	Failure to carry a fire extinguisher, first aid kit, warning triangle, or florescent jacket	3 - 6	✓	✓
15	Unsatisfactory appearance of a driver	3 - 6	✓	
16	Failing to ensure the safety of a passenger entering, alighting or conveyed in a vehicle	3 - 6	✓	
17	Failure to produce relevant documents when requested by an Authorised Officer	4	✓	✓
18	Failure to display current vehicle excise licence	4	✓	✓
19	Failure to report an accident or damage to a licensed vehicle (in writing and within 72 hours)	4	✓	✓
20	Failure to display external/internal licence plate or signs as required	4	✓	✓
21	Failure to notify transfer of a Private Hire or Hackney Carriage vehicle licence	4		✓
22	Failure to maintain records in a suitable form	4		✓
23	Failure to produce records of drivers work activity when requested	4		✓
24	Failure to attend punctually at appointed time and place without reasonable cause	4	✓	✓
25	Failure to notify the Council, in writing, of any conviction, caution, fixed penalty or similar within 7 working days	6	✓	✓
26	Unreasonably prolonging a journey or any misconduct regarding the charging of fares	6	✓	
27	Carrying more passengers than stated on the vehicle licence	6	✓	
28	Using a non-approved or non-calibrated taximeter	6	✓	✓
29	Failure to provide proof of insurance when requested	6	✓	✓
30	Failure to produce a DVLA Licence when requested	6	✓	
31	Smoking or evidence of smoking in a vehicle	6	✓	✓
32	Failure to return a vehicle licence plate within 7 days after request	6		✓
33	Providing false or misleading information on a an application form / failing to provide relevant information or the relevant fee (including dishonoured cheques)	6 - 9	✓	✓
34	Charging hackney carriage passenger more than the metered or agreed fare	6 - 9	✓	
35	Failure to behave in a civil and orderly manner (including rude or aggressive behaviour)	6 - 12	✓	✓
36	Using insulting or threatening words or disrespectful behaviour towards any Officer of the Council	6 - 12	✓	✓
37	Plying for hire by Private Hire Drivers	9	✓	
38	Driving while using a mobile phone or any other driving offence (whether convicted or received FPN or penalty points or not)	9	✓	
39	Failure to undergo the 6 monthly vehicle test	9		✓
40	Failure to produce a Hackney Carriage or Private Hire vehicle for testing	9		✓
41	Failure to return any licence on suspension or revocation	9	✓	✓
42	Carrying an offensive weapon in the vehicle	9	✓	
43	Presenting a vehicle for testing in an unsafe or dangerous condition	9		✓
44	Collusion or interfering with evidence, victims or witnesses, when Officers of the Council are carrying out an investigation	9	✓	✓
45	Physical abuse towards any person	9 - 12	✓	✓
46	Using or allowing a vehicle to be used subject to a suspension issued by an Authorised Officer or Police Officer	12	✓	✓
47	Using a vehicle for which the licence has been suspended or revoked	12	✓	✓
48	Using an unlicensed vehicle or licensed vehicle without insurance	12	✓	✓
49	Driver not holding a current or valid DVLA licence	12	✓	
50	Failure to carry an assistance dog without an exemption notice	12	✓	
51	Any other offence/breach/misdemeanour not specifically covered in this scheme	1 - 12	✓	✓
52	Failure to comply with any other condition or byelaw	3 - 6	✓	✓
53	Failure to comply with any other legislation	6 - 12	✓	✓
54	Obstructing an authorised officer or police officer	12	✓	✓