

Penalty Points Form Hackney Carriage and Private Hire Licensing



Name	
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Licence Number (s)	
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Offence/breach/misdemeanour (including date):

Number of points issued	
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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 (or in respect of drivers 18 during the course of the licence) 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	
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Issuing officer		Designation	
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Signed		Date	
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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 or 18 points during the course of the licence, the subject will be referred 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 give assistance with loading/unloading luggage	3	✓	
10	Failure observe rank discipline or etiquette	3	✓	
11	Failure to maintain proper records of private vehicle(s)	3		✓
12	Failure to carry a fire extinguisher, first aid kit, warning triangle, or fluorescent jacket (per item)	3 - 6	✓	✓
13	Unsatisfactory appearance of a driver	3 - 6	✓	
14	Failing to ensure the safety of a passenger entering, alighting or conveyed in a vehicle	3 - 6	✓	
15	Failure to produce relevant documents when requested by an Authorised Officer	4	✓	✓
16	Failure to display current vehicle excise licence	4	✓	✓
17	Failure to report an accident or damage to a licensed vehicle (in writing and within 72 hours)	4	✓	✓
18	Failure to display external/internal licence plate or signs as required	4	✓	✓
19	Failure to notify transfer of a Private Hire or Hackney Carriage vehicle licence	4		✓
20	Failure to maintain records in a suitable form	4		✓
21	Failure to produce records of drivers work activity when requested	4		✓
22	Failure to attend punctually at appointed time and place without reasonable cause	4	✓	✓
23	Failure to carry Driver/Vehicle Conditions in vehicle	6	✓	✓
24	Failure to display fare card	6	✓	✓
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	Failure to provide proof of insurance when requested	6	✓	✓
28	Failure to produce a DVLA Licence when requested	6	✓	
29	Smoking or evidence of smoking in a vehicle	6	✓	✓
30	Failure to return a vehicle licence plate within 7 days after request	6		✓
31	Providing false or misleading information on a an application form / failing to provide relevant information or the relevant fee (including dishonoured cheques)	6 - 9	✓	✓
32	Charging hackney carriage passenger more than the metered or agreed fare	6 - 9	✓	
33	Failure to behave in a civil and orderly manner (including rude or aggressive behaviour)	6 - 12	✓	✓
34	Using insulting or threatening words or disrespectful behaviour towards any Officer of the Council	6 - 12	✓	✓
35	Plying for hire by Private Hire Drivers	9	✓	
36	Driving while using a mobile phone or any other driving offence (whether convicted or received FPN or penalty points or not)	9	✓	
37	Failure to undergo the 6 monthly vehicle test	9		✓
38	Failure to produce a Hackney Carriage or Private Hire vehicle for testing	9		✓
39	Failure to return any licence on suspension or revocation	9	✓	✓
40	Presenting a vehicle for testing in an unsafe or dangerous condition	9		✓
41	Collusion or interfering with evidence, victims or witnesses, when Officers of the Council are carrying out an investigation	9	✓	✓
42	Physical abuse towards any person	9 - 12	✓	✓
43	Carrying an offensive weapon in the vehicle	9 - 12	✓	
44	Carrying more passengers than stated on the vehicle licence	12	✓	
45	Using or allowing a vehicle to be used subject to a suspension issued by an Authorised Officer or Police Officer	12	✓	✓
46	Using a vehicle for which the licence has been suspended or revoked	12	✓	✓
47	Using an unlicensed vehicle or licensed vehicle without insurance	12	✓	✓
48	Driver not holding a current or valid DVLA licence	12	✓	
49	Failure to carry an assistance dog without an exemption notice	12	✓	
50	Using a non-approved or non-calibrated taximeter	12	✓	✓
51	Any other offence/breach/misdemeanour not specifically covered in this scheme	1 - 12	✓	✓
52	Failure to comply with any other condition or by-law	3 - 6	✓	✓
53	Failure to comply with any other legislation	6 - 12	✓	✓
54	Obstructing and authorised officer or police officer	12	✓	✓