

URGENT ITEM.

TRAFFORD COUNCIL

PUBLIC PROTECTION SUB-COMMITTEE – 17th JANUARY 2013

REPORT OF THE HEAD OF PUBLIC PROTECTION

REPORT REF. NO.

TO REVIEW THE COUNCIL'S PENALTY POINT SYSTEM FOR LICENSED HACKNEY CARRIAGE DRIVER'S

PURPOSE

The Sub-Committee is asked to consider this report and determine one of the following options below.

OPTIONS

The Sub-Committee is invited to consider the report and either:

- a) Agree the amendment to the Council's Penalty Point System
- b) Refuse the amendment to the Council's Penalty Point System

IAIN VEITCH
Head of Public Protection

Proper Officer for the purposes of L.G.A. 1972, s. 100D
Head of Public Protection

Background Papers:

Further Information From:
Name: Steve Bate
Senior Licensing Officer
Extension: 4144

1. BACKGROUND

- 1.1 It has been observed by several members of the Licensing Team that Hackney Carriage Vehicles have been parked on ranks within the Borough in excess of the permitted numbers.
- 1.2 Under the Council's current Hackney Carriage Driver Byelaws and Conditions, the Council has decided that the Penalty Points System should be used to prevent abuse of taxi ranks in the Borough (see attached).
- 1.3 Currently 25 penalty points can be awarded against the driver of any Hackney Carriage Vehicle which is parked at a rank in excess of the permitted number.
- 1.4 This report is to request Members of the Sub-Committee to consider increasing the amount of penalty points that are currently awarded for this abuse from 25 points to 50 points.
- 1.5 The Sub-Committee is also asked to consider amending the following paragraph:

"When a total of 150 penalty points has been awarded against a particular driver or a particular vehicle proprietor, the driver and/or owner ~~may~~ **will be invited reported** to the **Public Protection Sub-Committee. The Sub-Committee has the option of suspending or revoking the driver or proprietor licence if it considers necessary**".

2. OPTIONS

- 2.1 The Sub-Committee is invited to consider the report and either:
 - a) Agree the amendment to the Council's Penalty Point System
 - b) Refuse the amendment to the Council's Penalty Point System

PENALTY POINT SYSTEM

DRIVER - PENALTY POINTS SYSTEM

The penalty points table approved by Trafford Council is as follows:

	<u>Number of points</u>
Refusal to carry a disabled passenger's assistance – animal	150
Failing to be clean and respectable in dress and in person	20
Poor cleanliness outside the vehicle	10
Poor cleanliness inside the vehicle	15
No licence plate number displayed in the passenger compartment	15
No table of fares displayed	20
Failure to display a valid certificate of compliance notice	15
Failure to wear a driver's badge and display interior badge	50
No First Aid box	10
No fire extinguisher	10
Defective tyres in use on the vehicle	50 (each tyre)
Defective or no spare tyre	30
Defective bodywork/mechanical fault	25
Dangerous bodywork/mechanical fault	50
Failure to report damage to the vehicle as per conditions within	50
3 working days	
Failure to display an approved roof sign	50
Failure to display/fix identification plate in accordance with conditions	30
No vehicle excise licence/fail to display excise licence	25
Sounding horn to attract customer attention	25
Failing to notify change of address as per conditions – within 7	25
working days	
Failure to disclose convictions (per conviction)	75
Motoring – within 6 months of date of offence	
Other offences – within 28 days	
Report of defective lights (requested to attend garage)	10
Failure to attend Depot for defective lights the following working day after issue of notification	50

When a total of 150 penalty points have been awarded against a particular driver or a particular vehicle proprietor, the driver and/or the owner may be invited for interview by the Licensing Committee. Penalty points will lapse on the third anniversary of the date of the offence.

The Council has decided that the Penalty Points System should be used to prevent abuse of taxi ranks in the Borough. **25 penalty points may be awarded against the driver of any Hackney Carriage which is parked at a rank in excess of the permitted number.**

The Council has made it clear that the following matters for which penalty points may be awarded relate to offences by drivers only (not proprietors): -

Abuse of taxi rank

Lack of cleanliness inside and outside the vehicle

Failure to wear a driver's badge and display interior badge

The Council has decided that the penalty points system should include cases of gross misconduct by drivers and that all such cases should be considered by the Licensing Committee.

The Council has also decided that the penalty points system should be extended to include such other matters of a substantial nature as the Licensing Committee feels are detrimental to the reputation of the Trafford Hackney Carriage/Private Hire Service.