

PENALTY POINTS SCHEME AND CODE OF CONDUCT

1. Issue of Penalty Points

- 1.1 Complaints concerning breaches of conduct, conditions of licence or policy will be subject to investigation by the Taxi Licensing Officer or their deputy who may then issue discretionary points.
- 1.2 Where a licence holder accumulates 12 or more penalty points in any 12 month period, the matter will be referred to the Environmental Health Manager. The Environmental Health Manager may then revoke a licence, or issue a warning to the licence holder, depending on the circumstances.
- 1.3 Points issued to either the proprietor of a vehicle, a driver or operator will usually be confirmed in writing within 10 working days from the discovery of the contravention.
- 1.4 The system will operate without prejudice to the Crawley Borough Council's ability to take other action that it is entitled to take under legislation, byelaws and regulations.
- 1.5 Any appeals regarding the issuing of penalty points will be referred to the Environmental Health Manager who will have the discretion to award a greater number of points than displayed on the tariff, if the appeal is not upheld. Any appeal must be submitted in writing to the Council within 21 days from the date they are notified of the points being issued.
- 1.6 If a decision is made to issue points to a proprietor/driver rather than prosecute, for a matter which is also a criminal offence e.g. bald tyres; no badge etc., those person(s) will not normally then be the subject of a prosecution by the Council in respect of the same matter for which the points were issued. Such matters will be looked at on a case by case basis

	Offence/Breach of Condition	Maximum Points	Driver	Proprietor or Operator
1	Providing misleading information on licence application form / failing to provide relevant information or the relevant fee (including dishonoured cheques).	6	✓	✓
2	Failure to notify, in writing, the Council of change of address within 14 calendar days.	3	✓	✓
3	Refusal to accept hiring without reasonable cause e.g. drunk or rude customer (Hackney Carriages only).	6	✓	
4	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares.	6	✓	
5	Plying for hire by private hire drivers.	9	✓	✓
6	Failure to have current vehicle excise licence.	4		✓
7	Driving or operating an unlicensed vehicle for carrying passengers for hire or reward or vehicle without insurance.	12	✓	✓
8	Failure to produce relevant documents within timescale, when requested by a Licensing Officer/Police Officer.	4	✓	✓

9	Failure to maintain vehicle in a satisfactory condition – including interior or exterior.	4	✓	✓
10	Failure to provide proof of insurance cover when requested.	6	✓	
11	Failure to produce hackney carriage or private hire vehicle for testing when required.	4		✓
12	Driving for reward or gain or operating a vehicle when the vehicle does not hold the appropriate licence (including where the vehicle had been licensed but where the licence is either suspended or has been revoked).	12	✓	✓
13	Failure to report an accident the at the earliest reasonable opportunity or damage to a licensed vehicle, which may affect the comfort or convenience of passengers.	4	✓	✓
14	Carrying more passengers than stated on the vehicle licence.	6	✓	
15	Failure to display external/internal licence plate as required.	4		✓
16	Carrying any article which would reasonably be considered an offensive weapon in the vehicle.	12	✓	
17	Failure to notify transfer of private hire or hackney carriage vehicle licence.	4		✓
18	Failure to carry fire extinguisher. Fire extinguishers carried in licenced vehicles must hold a current certificate of compliance.	4		✓

19	Failure to apply for prior approval for advertising signage on the outside of the vehicle.	3		✓
20	Displaying unsuitable or inappropriately sited signs or advertisements in or on the vehicle.	3		✓
21	Failure to use authorised roof sign.	4	✓	
22	Displaying unauthorised written or other material on any window.	4	✓	✓
23	Failure to provide information or assistance to a Licensing Officer/Police Officer.	6	✓	✓
24	Using a non-approved or uncalibrated taximeter.	6	✓	✓
25	Obstruction of Licensing Officer/Police Officer wishing to examine a licensed vehicle.	12	✓	✓
26	Evidence of food or drink in vehicle.*	3	✓	✓
27	Displaying any feature on a private hire vehicle that may suggest that it is a taxi.	6		✓
28	Failure to carry an assistance dog without requisite exemption.	12	✓	✓

29	Failure to wear driver's badge.	4	✓	
30	Failure to notify, in writing, a change in medical circumstances.	6	✓	✓
31	Unsatisfactory appearance of driver in as specified in the Code of Conduct.	3	✓	
32	Failure to observe rank discipline as specified in the Code of Conduct (hackney carriage only).	4	✓	
33	Failure to maintain proper records as required by any condition attached to the licence.	3		✓
34	Failure to keep or produce booking records of private hire bookings or other documents required to be kept or produced.	6		✓
35	Failure to issue receipt on request.	3	✓	
36	Unsatisfactory behaviour or conduct of driver as defined in the Code of Conduct.	4	✓	
37	Failure to notify the Council, in writing, of any motoring or criminal convictions within 7 days of said conviction or caution.	6	✓	✓
38	Failure to notify the Council, in writing, of being charged with any motoring or criminal convictions within 7 days of being so charged.	6	✓	✓

39	Failure to behave in a civil and orderly manner towards a Licensing Officer.	4	✓	✓
40	Failure to give assistance with loading/unloading a passenger's luggage to or from any building or place.	3	✓	✓
41	Failure to display table of fares. (Hackney carriage only.)	4	✓	✓
42	Failure to carry legal spare wheel or authorised suitable alternative and tools.	4	✓	✓
43	Failure to attend punctually at appointed time and place without sufficient cause.	4	✓	✓
44	Using a licensed vehicle with bald tyre(s). 4 Points will be awarded for each tyre.	4	✓	✓
45	Operating a licensed vehicle where the Certificate of Compliance has expired.	6		✓
46	Failure to display a current private hire vehicle or hackney carriage licence plate.	4		✓
47	Waiting or stopping on a double yellow line area, bus stop or private land (without the owner's permission) and double parking unless requested by a paying customer present in the vehicle.	3	✓	

Ticks indicate potential recipients of penalty points for infringements.

N.B. Certain infringements may result in drivers, proprietors or operators receiving penalty points. Points may be awarded to one or several persons depending upon the nature of the infringement, however each case must be determined on its own merits. The list above is not exhaustive and may

be subject to change.

If the matter is referred to the Environmental Health Manager they may impose up to 12 points.

Decisions taken above will be made with regard to the Council's General Enforcement Policy.