 **Rochdale MBC Licensing Proposed Penalty Points Scheme**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Offence(s) / Breach of Condition(s)** | **Points Applicable\*** | **Driver** | **Vehicle Proprietor or Operator** |
| 1 | Failure to notify, in writing, the Council of change ofaddress within 7 calendar days. | 3 |  |  |
| 2 | Failure to produce relevant documents including failing to provide proof of insurance within timescale when requested by an Authorised Officer. | 3 |  |  |
| 3 | Failure to carry fire extinguisher. | 3 |  |  |
| 4 | Failure to use authorised roof light. | 3 |  |  |
| 5 | Evidence of smoking in vehicle. | 3 |  |  |
| 6 | Failure to wear driver’s badge in such a position and manner as to be plainly and distinctly visible. | 3 |  |  |
| 7 | Unsatisfactory appearance of driver. | 3 |  |  |
| 8 | Failure to issue receipt on request  | 3 |  |  |
| 9 | Failure to return vehicle licence/plate and/or Private Hire Drivers/Hackney Carriage Drivers licence/badge within 7 days after due notice following expiry, revocation or suspension of such licence. | 3 |  |  |
| 10 | Cause excessive noise from any radio or sound-reproducing equipment | 3 |  |  |
| 11 | Operating the horn as a means of signalling that the vehicle has arrived | 3 |  |  |
| 12 | Failure to give assistance, without reasonable cause, with loading/unloading luggage to or from any building or place.  | 3 |  |  |
| 13 | Failure to display fare card. | 3 |  |  |
| 14 | Failure to comply with any other conditions and by-laws contained in the Private Hire/Hackney Carriage Driver’s conditions, vehicle conditions and Private Hire Operator conditions.  | 3 |  |  |
| 15 | Failure to take found property to the Licensing Office within 72 hours of finding | 3 |  |  |
| 16 | Unsatisfactory condition of vehicle, interior and/orexterior. | 3 |  |  |
| 17 | Failure to display external/internal licence plate orsigns as required. | 3 |  |  |
| 18 | Displaying unauthorised, unsuitable or inappropriate sited signs or advertisements in or on the vehicle. | 3 |  |  |
| 19 | Using a non-calibrated taximeter. | 3 |  |  |
| 20 | Displaying any feature on private hire vehicle thatmay suggest that it is a taxi. | 3 |  |  |
| 21 | Failure to carry spare wheel / Gel as per the requirement of Vehicle Compliance Testing  | 3 |  |  |
| 22 | Driving or attempting to drive a licensed vehicle with a bald tyre. | 3 per tyre |  |  |
| 23 | CCTV not conforming to the Council’s requirements. | 3 |  |  |
| 24 | Parking a Vehicle contrary to Road Traffic Regulations | 3 |  |  |
| 25 | Using a licensed vehicle with a bulb not operational i.e. light bulb, brake light, indicator bulb, fog light etc | 3 |  |  |
| 26 | Failure to report, in writing, within 72 hours of accident or damage to licensed vehicle, which would cause the vehicle to breach licence condition. | 4 |  |  |
| 27 | Failure to notify transfer of Private Hire or HackneyCarriage vehicle licence within 14 days. | 4 |  |  |
| 28 | Unreasonable prolongation of journeys or anymisconduct regarding the charging of fares. | 4 |  |  |
| 29 | Failure to observe rank discipline (relating to Hackney Carriage Drivers) | 4 |  |  |
| 30 | Allowing a Private Hire Vehicle to use a Hackney Carriage stand | 4 |  |  |
| 31 | Failure to produce Hackney Carriage or Private Hirevehicle for testing when required. | 4 |  |  |
| 32 | Providing false or misleading information on licence application form / failing to provide relevant information or the relevant fee. | 6 |  |  |
| 33 | Failure to maintain records in a suitable form of thecommencement and cessation of work of each driver each day. | 6 |  |  |
| 34 | Failure to produce on request records of drivers work activity. | 6 |  |  |
| 35 | Failure to maintain proper records of private hirevehicle. | 6 |  |  |
| 36 | Failure to keep or produce records of Private Hirebookings or other documents required to be kept orproduced. | 6 |  |  |
| 37 | Failure to notify, in writing as soon as is reasonably practicable, a change in medical circumstances. | 6 |  |  |
| 38 | Misleading use of the words ‘Taxi’ or ‘Cab’ onadvertising materials. | 6 |  |  |
| 39 | Failure to notify the Council immediately, in writing, of any motoring and/or criminal convictions and/or cautions, warnings, reprimands during initial application and/or the period of current licence. | 6 |  |  |
| 40 | Failure to display valid and current vehicle excise licence. | 6 |  |  |
| 41 | Obstruction of an Authorised officer or Police officerin the execution of his/her duties. | 6 |  |  |
| 42 | Driving whilst using a mobile phone or the contravention of any other driving/road traffic offence, whether convicted or not | 6 |  |  |
| 43 | Urinating or defecating in a public place | 6 |  |  |
| 44 | Carrying more passengers than stated on the vehiclelicence. | 6 |  |  |
| 45 | Modifying a vehicle without the consent of the Council. | 6 |  |  |
| 46 | Displaying the incorrect Operator Award or advertising the incorrect Award | 6 |  |  |
| 47 | Driving a licensed Private Hire/Hackney Carriage vehicle without a valid Private Hire/Hackney Carriage Driver’s Licence | 9 |  |  |
| 48 | Plying for hire. | 12 |  |  |
| 49 | Driver not holding a current DVLA Licence. | 12 |  |  |
| 50 | Using an unlicensed vehicle or licensed vehicle without valid and current motor insurance for Private Hire / Hackney Carriage purposes. | 12 |  |  |
| 51 | Failure to carry an assistance dog without the requisite valid and current exemption. | 12 |  |  |
| 52 | Failure to ensure the reasonable safety of passengers conveyed in, entering or leaving the vehicle | 12 |  |  |
| 53 | Using a vehicle subject to a suspension order issuedby an Authorised officer or a Police officer. | 12 |  |  |
| 54 | Using a vehicle for which the licence has beenrevoked. | 12 |  |  |
| 55 | Failure to comply with the requirements for the safe carrying of a wheelchair. | 12 |  |  |
| 56 | Driving or attempting to drive vehicle when unfit through drugs or being in possession of drugs whilst in vehicle  | 12 |  |  |
| 57 | Unsatisfactory/Inappropriate behaviour or conduct of driver (May be referred to the Panel) | 1-12 |  |  |
| 58 | Failure to behave in a civil and orderly manner(May be referred to the Panel) | 1-12 |  |  |
| 59 | Refusal to accept hiring without reasonable causee.g. Drunk or rude customer etc. (May be referred to the Licensing Panel) | 1-12 |  |  |
| 60 | Appeal of points by way of Licensing Panel. | 4-12 |  |  |

* Ticks indicate potential recipients of penalty points for infringements.
* Certain infringements may result in both 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 decided upon its own merits.

* Where there is a range in points available, the Authorised officer has the discretion to award the number of points according to the severity of the breach.
* Certain matters are specific to hackney carriages, private hire drivers or private hire operators.
* **\*** The points applicable that maybe awarded by Authorised Officers. If the matter is referred to the Licensing Panel, the Panel may impose up to 12 points.