

**REPORT FROM: REGENERATION SERVICES  
ENGINEERING AND SPECIAL PROJECTS MANAGER**

**TO: TAXI LICENSING COMMITTEE**

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**Report Author: Jackie Allen**  
**Tel No: 661638**  
**E-mail: jackie.allen@pendle.gov.uk**

## **PENALTY POINT SCHEME**

### **PURPOSE OF REPORT**

To review the effectiveness of the penalty point scheme.

### **RECOMMENDATIONS**

- (1) That the penalty point scheme remains.
- (2) That no penalty points be given for vehicles failing the Council's spot checks.

### **REASONS FOR RECOMMENDATIONS**

To enable the Taxi Licensing office to deal effectively with minor infringements by the licensing trade, and because vehicles failing spot checks will be dealt with by increasing the number of tests required each year.

### **BACKGROUND**

1. At a meeting of the Taxi Licensing Committee on 16 June 2011, a member of the trade asked for the penalty point scheme to be stopped as he felt it was not a deterrent to operators and drivers.
2. The point scheme was introduced in March 1991 to deal mainly with minor breaches of licence conditions, bylaws, etc and as an alternative to court procedures.
3. Pendle was one of the first councils to introduce a point scheme and many councils have since brought the same system in or are considering the introduction of such.
4. The point scheme applies to operators, vehicle proprietors and drivers. Points are considered following observations of licence infringements by the enforcement officers, police and members of the public.

5. Once an infringement has been reported, the licence holder is sent a letter informing him of the allegations and that penalty points may be put on his licence. They then have 10 working days to refute or accept the infringement.
6. The decision to issue the points is made by officers and the licence holder is informed of their decision by letter.
7. Should a licence holder accrue 15 or more points within a three-year period, consideration is given by the Taxi Licensing Committee as to whether the licence holder is a fit and proper person to hold a licence.
8. A right of appeal to the magistrates' court stands should the decision be to revoke, suspend or not renew a licence.

## ISSUE

9. Introducing the scheme has helped in the deterrent of infringements and is a valuable tool to the taxi enforcement officers. It is also an alternative to costly court proceedings.
10. At present, four penalty points are given to vehicle proprietors if their vehicle fails a spot check. This has proved unpopular as the trade feels that by having their licence suspended and their vehicle taken off the road they have been punished enough. An alternative to this has recently been brought in whereby any vehicle failing a spot check will require an extra test and revert to a four-month licence.

## CONCLUSION

11. The penalty point scheme is a deterrent to licence holders and assists in the day-to-day checks carried out by the taxi licensing enforcement officers. The four points given for failing a spot check can be removed from the scheme because an alternative to this has been introduced.

## IMPLICATIONS

**Policy:** A driver or operator who reaches 15 penalty points during a three-year period must attend an interview before the Taxi Licensing Committee to see whether they are a fit and proper person to hold a licence.

**Financial:** None arising directly from the report.

**Legal:** None arising directly from the report.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Climate Change:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.

## APPENDICES

None.

## LIST OF BACKGROUND PAPERS

List of Penalty Points Given for Infringements.