

Recommendation of the Licensing Committee

- 1.1 **Penalty Points Scheme for the taxi and private hire trade**
- 1.2 The Licensing Committee considered a report on the operation of the Council's Penalty Points Scheme since it came into effect on 20 October 2011, at its meeting held on 22 April 2015. The Scheme was designed to identify those drivers, vehicle proprietors or operators who repeatedly behaved in a manner which, if taken as a whole, indicated that they may not be "fit and proper" to hold licences as defined by the relevant legislation. The Scheme was also implemented to improve levels of compliance in order to improve standards, and ensure the safety and protection of the travelling public.
- 1.3 The Committee resolved to agree modifications to the current scheme. These included clarification to language which could be ambiguous or open to misinterpretation and amendments to the level of points awarded for some breaches to ensure drivers were only referred to a Sub-Committee at the most appropriate time.
- 1.4 The Committee noted the current procedure for dealing with appeals against the award of penalty points which were determined by the Deputy Chief Executive in consultation with the Chairman of the Licensing Committee.
- 1.5 In the interests of natural justice and transparency, the Committee proposed to recommend to Council that appeals against penalty points would in future be determined by the Senior Environmental Health Manager in conjunction with the Deputy Chief Executive, neither of whom would have had any involvement in the matter up to that point. Members of the Licensing Committee would then only become involved in determinations should drivers who had accumulated 12 penalty points be referred to a Licensing Sub-Committee.
- 1.6 No objections were received to this proposal following a six week consultation with the taxi trade.
- 1.7 **The Licensing Committee recommends Council that the proposal to amend the Scheme of Delegations, paragraph 7.44, so that authority to determine appeals against penalty points under the Council's Penalty Points Scheme be delegated to the Senior Environmental Health Manager in conjunction with the Deputy Chief Executive, be approved.**

Councillor R.W. Sider BEM

Chairman of the Licensing Committee

22 October 2015