

## **6. UPDATE TO LICENSING COMMITTEE ON THE USE OF THE PENALTY POINTS SCHEME, PROGRESS TOWARDS THE INTRODUCTION OF WHITE LIVERY FOR HACKNEY VEHICLES, THE NATIONAL REGISTER OF REVOCATIONS AND REFUSALS AND ENDORSEMENT OF DRIVER SAFETY CAMPAIGN**

REPORT OF: Tom Clark, Head of Regulatory Services

Contact Officer: Jon Bryant, Hackney Carriage & Private Hire Licensing Officer  
Email: [jon.bryant@midsussex.gov.uk](mailto:jon.bryant@midsussex.gov.uk) Tel: 01444 477076

Wards Affected: All

Key Decision No

---

### **Purpose of Report**

- 1 To advise and update the Licensing Committee regarding the use of the Penalty Points Scheme for licensed drivers and operators by officers, the progress towards a white livery for hackney vehicles, the National Register of Revocations and Refusals and to seek the Licensing Committee's endorsement of a driver safety campaign.

### **Summary**

- 2 The Penalty Points scheme for drivers and operators was introduced on the 1<sup>st</sup> April 2017 to encourage compliance with Licensing Conditions and Legislation. Since its inception points have been issued on 26 occasions.
- 3 With effect from 1<sup>st</sup> October 2022 all hackney Carriage vehicles will have to be white in colour.
- 4 The National Register of Revocations and Refusals has been commissioned by the Local Government Association. It will allow licensing authorities to record details of where Hackney or Private Hire driver licences have been refused or revoked and allow licensing authorities to check new applicants against the register. It should help prevent people found to be not fit and proper in one area gaining a licence elsewhere through deception or non-disclosure.
- 5 The National Private Hire and Taxi Association (NPHTA) are running a campaign in support of driver safety. They have designed a sticker for display inside the licensed vehicle and the endorsement of the Committee is sought for the use of this sticker in Mid Sussex licensed vehicles.

### **Recommendations**

- 6 **This report is for information purposes regarding the Penalty Points, Livery update and National Register of Revocations and Refusals and to seek endorsement from the Committee for participation in use of the driver safety campaign sticker.**
-

## **Background**

### **Penalty Points Scheme**

- 7 The Penalty Points scheme was introduced on the 1<sup>st</sup> April 2017 to encourage compliance with Licensing Conditions and Legislation. In general terms it has been well received by the Trade. To date points have been issued on 26 occasions.
- 8 These include failure to display door signs, failure to display licence plate, failure to be in possession of or display driver badge, failure to inform the Licensing Department of damage caused to a licensed vehicle, change of address, failure to behave in an orderly manner and vehicle having a very dirty interior. Attached to the report is a list of the incidents that points have been issued for.
- 9 Only one driver has received points on more than one occasion. He currently has ten points.
- 10 Currently the highest number of points issued for a single incident is seven. This was for multiple issues found when a vehicle was inspected during compliance checks on district. The average number of points issued is three.
- 11 Since the introduction of the scheme officers have observed an improvement in compliance with licence conditions.
- 12 There are several matters on the points schedule which automatically accrue 12 points and are therefore dealt with directly by the Licensing Sub A Committee. To date there have been two incidents that have resulted in drivers going directly to the Licensing Committee. One driver was seen to be using his mobile phone whilst driving by an officer and also to have two defective tyres on his vehicle. He received a 14 day suspension of his licence. The second was found during a compliance check by an officer to be using his licensed vehicle with a defective tyre and without a current MOT. This driver's Hackney Licence was revoked.

### **Vehicle Livery Policy**

- 13 When the Taxi policy was amended in October 2012 it was decided that all Hackney Vehicles will be white in colour from 1<sup>st</sup> October 2022.
- 14 There are 154 Hackney Vehicle licences issued by the Authority.
- 15 To date 35 vehicles have been changed to white, which is 22% of the fleet.

### **National Register of Revocations and Refusals**

- 16 The simple objective of the national register is to ensure that authorities are able to take properly informed decisions on whether an applicant is fit and proper, in the knowledge that another authority has previously reached a negative view on the same applicant. This will be achieved by providing a mechanism for licensing authorities to be able to check whether an individual has had a licence refused or revoked. Whenever the authority processes a new application for a hackney carriage/PHV driver's licence, or for a renewal, it will check the register at a suitably early stage of the process to confirm

whether the applicant was subject to a previous licensing decision that we should be aware of.

- 17 Every application must always be considered on its own merits. The authority must not fetter its decision-making, or appear to have simply relied upon the previous decision of another authority. The purpose of the register is not to mean that an applicant who has been refused a licence on one occasion will always be refused. However, it will always be relevant for the authority to consider a previous refusal or revocation, and the reasons for that decision. That previous decision may in many cases warrant significant weight to be given to it. The authority will therefore wish to think carefully about taking a different view to an earlier decision. Depending on the nature and context of the earlier decision, they may require strong and new evidence to support a different view, having regard to the representations of the applicant.
- 18 The register is hosted by the National Anti-Fraud Network and it should assist in preventing individuals who have been found not to be 'fit and proper' gaining a licence elsewhere through deception or non-disclosure.

### **NPHTA Driver Safety Campaign**

- 19 The NPHTA is the National Trade Association for Private Hire and Hackney licence holders and through the national trade newspaper Private Hire and Taxi Monthly it is currently mounting a campaign in support of driver safety.
- 20 As part of this campaign they have designed an A6 size sticker for display inside licensed vehicles. They wish to create a visual impact inside the vehicle to raise passenger awareness of the situation, and to indicate a 'zero tolerance' approach to violence, abuse, and any other crime committed by a passenger against a licensed driver.
- 21 The NPHTA appreciate that, because such a sticker or card would be displayed inside the licensed vehicle, it would require the approval of the Licensing Committee. If approved they would also wish to include the MSDC logo on the stickers issued to our licensed drivers. A copy of the sticker is attached to the report.

### **Background papers**

#### **APPENDIX 1**

Schedule of Penalty points issued

Proposed Driver safety sticker