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Dear Councillor

SOUTH HAMS LICENSING COMMITTEE - WEDNESDAY, 30TH JUNE, 2021

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

| Agenda No | Item EXEMPT |
|------------------|--------------------|
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| 5. | <u>Consideration of whether a driver remains a 'fit and proper' person to hold a Hackney Carriage and Private Hire Driver Licence. (Pages 1 - 36)</u> |
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Yours sincerely

Darryl White
Democratic Services Manager

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Agenda Item 5

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| Penalty Points System – Drivers and Proprietors |
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| Offence/Cause | Penalty/Points | Person Responsible | Period to Stay on File |
|--|--|--------------------|------------------------|
| 1. Failure to wear or clearly display HC/PH driver licence | 3 | Driver | 12 months |
| 2. Failure to display HC/PH vehicle licence (plate) correctly | 3 | Driver | 12 months |
| 3. Failure to produce Insurance Certificate within 5 working days on request | 3 | Driver/Proprietor | 12 months |
| 4. Failure to produce Certificate of Compliance within 5 working days on request | 3 | Driver/Proprietor | 12 months |
| 5. Failure to produce DVLA Driving Licence within 5 working days on request | 3 | Driver | 12 months |
| 6. Failure to notify the Licensing Authority of a change of address within 5 working days | 3 | Driver/Proprietor | 12 months |
| 7. Failure to notify the Licensing Authority of damage to vehicle within 2 working days. | 3 | Driver/Proprietor | 12 months |
| 8. Failure to notify the Licensing Authority of vehicle involved in a Road Traffic Accident within 2 working days. | 3 | Driver/Proprietor | 12 months |
| 9. Failure to notify the Licensing Authority of a change of use of a motor vehicle within 5 working days | 3 | Proprietor | 12 months |
| 10. Failure to notify the Licensing Authority of a transfer or purchase of vehicle within 5 working days | 3 | Proprietor | 12 months |
| 11. Upholstery and/or exterior in an unreasonable condition | 3 | Driver | 12 months |
| 12. Failure to display no smoking stickers | 3 | Driver | 12 months |
| 13. Smoking or 'vaping' inside the Hackney Carriage or Private Hire vehicle | 3 | Driver | 12 months |
| 14. Defective Tyres | 3 points per defective tyre and or stop notice | Driver | 12 months |
| 15. Private Hire Vehicle parking in or at a Hackney Carriage stand | 3 | Driver | 12 months |

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| 16. Hackney Carriage Vehicle leaving vehicle unattended in or at a Hackney Carriage stand | 3 | Driver | 12 months |
| 17. Charging more than displayed on the taxi meter (if fitted) | 3 | Driver | 12 months |
| 18. Failure to obey an Officers request | 3 | Driver/Proprietor | 12 months |
| 19. Not displaying Tariff on Meter (where applicable) | 6 | Driver | 12 months |
| 20. Refusal to carry guide dogs, hearing dogs or service dogs (unless exempt) | 6 | Driver | 12 months |
| 21. Making a surcharge for the carriage of wheelchairs | 6 | Driver | 12 months |
| 22. No valid Insurance Certificate | 6 and or referral to Licensing Committee | Driver/Proprietor | 36 months |
| 23. No valid Certificate of Compliance (Enhanced MOT) | 6 and or referral to Licensing Committee | Driver/Proprietor | 36 months |
| 24. Failure to notify the Licensing Authority of a motoring conviction within 5 working days | 6 and or referral to Licensing Committee | Driver | 18 months |
| 25. Failure to notify the Licensing Authority of a criminal conviction or caution within 5 working days | 6 and or referral to Licensing Committee | Driver/Proprietor | 18 months |
| 26. Carrying excess passengers | 6 and or referral to Licensing Committee | Driver | 18 months |
| 27. Being aggressive, and or, using threatening and abusive language towards Licensing Officers | 6 and or referral to Licensing Committee | Driver/Proprietor | 18 months |
| 28. Any other reasonable cause Section 60 Local Government Miscellaneous Provisions Act 1976 | 6 and or referral to Licensing Committee | Driver/Proprietor | 12 months |
| 29. Failure to attend a Licensing Committee when requested to do so | 1 – 6 for Licensing Committee to determine | Driver/Proprietor | 12 months |
| 30. Appearance before a Licensing Committee reference allegations of misconduct | 1 – 12 for Licensing Committee to determine | Driver/Proprietor | 12 months |

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