



APPENDIX H
Huntingdonshire District Council Penalty Points

1 Introduction

- 1.1 The Licensing Authority have a range of powers in relation to legislation, policy conditions and byelaws.
- 1.2 When a breach of legislation, policy condition or byelaw occurs, the Licensing Authority has a range of sanctions it can issue such as verbal warnings, written warnings, the suspension or revocation of a licence, the refusal to renew and in certain cases the ability to prosecute.
- 1.3 In addition to these sanctions, the Licensing Authority also operates a Penalty Points Scheme.

2 Issuing of Points

- 2.1 Penalty Points can be issued to a licensed driver, operator or vehicle proprietor for a range of incidents where the balance of probabilities suggests that a breach of conditions has occurred.
- 2.2 Penalty Points may be issued in conjunction with a written warning or suspension.
- 2.3 Penalty Points will not however be issued when another sanction has been issued, i.e DVLA issued Penalty Points, a police Traffic Offence Report, etc.

3 Total Number of Points and Duration

- 3.1 Where a licence is in force for a maximum period of 1 year, the licence holder may only receive a maximum of 6 Penalty Points.
- 3.2 Where a licence is in force for a maximum period of 3 or 5 years, the licence holder may only receive a maximum of 12 Penalty Points.
- 3.3 Penalty Points will remain on the licence for the total duration of the licence period.
- 3.4 Where Penalty Points are issued at any time within 3 months prior to the expiry of the licence, and the licence is subsequently renewed, the Penalty Points will be carried over for a duration of 12 months.

4 Totting Up of Penalty Points and Review of Licence

- 4.1 If a licence holder receives the maximum permitted number of penalty points, known as 'totting up', a review of the licence will occur.
- 4.2 The review may be held by the Licensing Manager through delegated authority, or it may be held by the Licensing Sub-Committee.
- 4.3 This review may result in further sanctions, such as a formal warning letter, extra conditions imposed, a requirement to undergo additional training, suspension of the licence, revocation of the licence or the refusal to renew a licence.
- 4.4 Each case will be reviewed on its individual circumstances.

5 Multiple Licences Held

- 5.1 Where a licence holder has multiple licences, such as a driver's licence and a vehicle licence, each licence will be treated individually in respects to the total number of points permitted.
- 5.2 If an incident occurs that involves multiple types of licence, it will be the position and express right of the Licensing Authority to issue Penalty Points against each type of licence as it deems appropriate.
- 5.3 Should a review occur in relation to one type of licence held, the outcome of this review may have a direct impact on the status of any other licence held due to the fact that any sanctions issued could result in the licence holder no longer being deemed 'fit and proper' to hold such a licence.

6 Appeals

- 6.1 Any appeal against the issuing of Penalty Points must be made directly to the Licensing Authority.
- 6.2 The Licensing Manager will review any appeal and if a resolution is not reached, a further appeal can be made via corporate complaints - [Customer Feedback - Huntingdonshire.gov.uk](https://www.huntingdonshire.gov.uk/customer-feedback)

7 Table of Penalty Points

- 7.1 The below table represents an example of the type of offences and number of points that will be applied.
- 7.2 The Licensing Authority may also issue penalty points for any other breach of condition not listed below, for a maximum number of points as it deems appropriate.

Offence / Breach of Conditions	Number of Points
Using a vehicle with dangerous defects	12
Using a vehicle with defective tyres	12
Failure to display licence plate	6
Defective or unsealed Taximeter	6
Using a handheld device whilst driving	6
Failure to produce booking records when requested	6
Conveying more passengers than permitted	6
Failure to display licence plate	3
Failure to display door signs	3
Failure to display operator details (PH)	3
Failure to wear driver's badge	3
Failure to report damage within 72 hrs	3

Refusing a fare without reasonable cause	3
Failure to display table of fares	3
Smoking or vaping inside vehicle	3
Unclean vehicle – interior or exterior	3
Illegal or unauthorised parking	3
Complaint of speeding or careless driver	3