

DERBY POINT-BASED SCHEME

1. Background

Suitability to hold a licence depends on a number of factors including the existence of criminal convictions, cautions, reprimands, warnings, fixed penalty notices, motoring offences (DVLA points) restorative justice disposals for offences, and complaints/non-compliances. The following tables indicate how the Council will approach the determination of applications for a licence and the application of a Derby Points-Based system for the various factors that are taken into account when deciding if a licence is to be issued.

The system allows the Council, public, applicants and current licence holders to understand the circumstances in which persons will not be considered 'fit and proper' to hold a licence. The health, safety and wellbeing of the public is at the forefront of any decision making process. Any new applicant or existing licence holder with 12 Derby points will not be granted a licence. Drivers with 12 ((DVLA) Penalty points) at the time of application or renewal will not be granted a licence. Existing licenses will be revoked. With the Council's fundamental public safety duty in mind, some offences/non-compliances are considered serious enough for a licence not to be issued. These are marked 'refused' in the following tables. In the case of current licence holders who acquire such convictions while licensed, 'refused' in the table means that a licence will be revoked. The Council will not consider any application from an individual who has had their licence revoked or refused until 12 months have expired since the date of revocation/refusal.

2. Sanctions

In respect of existing drivers any criminal convictions, cautions, reprimands, warnings, fixed penalty notices, motoring offences (DVLA points) restorative justice disposals for offences, and complaints/non-compliances during the currency of their licence post 1 July 2017 will be dealt with in accordance with the Derby Points-Based Scheme.

Cautions, reprimands, warnings, fixed penalty notices; restorative justice disposals for offences will be dealt with in exactly the same manner as a conviction for both new and existing applicants/drivers.

3. False-declarations

The Council takes a serious view of the false-declaration of information on any form used to apply/renew a licence. The question have you **EVER** been convicted of any criminal offences or received any cautions, reprimands, warnings, fixed penalty notices (including motoring) and/ or restorative justice disposals on any application form, requires you to disclose all criminal offences, cautions, reprimands, warnings, fixed penalty notices (including motoring) and/ or restorative justice disposals, you **MUST** include all those that you may have already disclosed to the Licensing Team. Please use separate sheets if required. If false-declaration is identified, your application will normally be refused. In addition prosecution may be considered.

You may submit within 7 days, if so requested in writing by the Licensing Team, written representations explaining why you falsely declared. If you fail to respond within that period, or if the Licensing Team determines that your representations do not demonstrate exceptional circumstances (see section 7 below)

the Licensing Team will proceed to determine your application without further recourse to you by refusing your application. If it is determined you have demonstrated exceptional circumstances you will receive 6 Derby points. Any false declarations on future renewal/application forms will not qualify for consideration of exceptional circumstances and your application will be refused.

4. Non-declaration of PREVIOUSLY notified sanctions

If it is identified on the form used to apply/renew a licence that you have not declared a sanction that you have previously disclosed to the Licensing Team, you may submit within 7 days, if so requested in writing by the Licensing Team, written representations explaining why you did not disclose. If you fail to respond within that period, or if the Licensing Team determines that your representations do not demonstrate exceptional circumstances (see section 7 below), the Licensing Team will proceed to determine your application without further recourse to you by imposing 6 Derby Penalty Points. If it is determined you have demonstrated exceptional circumstances your application will be granted. Any non-declarations on future renewal/application forms will not qualify for consideration of exceptional circumstances and your application will be refused.

5. Rolling penalties

A driver, proprietor or operator who has incurred Derby points twice within a rolling 12 month period will have their licence suspended for 7 days.

A driver, proprietor or operator who has incurred Derby points 3 times in a rolling 18 month period will result in a licence being suspended for 14 days.

A driver, proprietor or operator who has incurred Derby points 4 times in a rolling 24 month period will result in a licence being suspended for 21 days.

Any driver, vehicle owner or operator accumulating 12 Derby points in a rolling 24 month period will have their case referred to a senior officer with a recommendation that, in the absence of any exceptional justification by the licence holder for such significant lapse in driving standard conduct, the licence will be revoked.

6. Application of tables

Derby points shown in the following tables in Part 1 will be doubled if a term of imprisonment is imposed following conviction. This includes suspended sentences.

Derby points shown in the following tables in Part 2 will stay on the licence holder's record for 3 years from the date on the notification.

The tables are not an exhaustive list of actions or outcomes. If the actions of a licence holder impact on the health, safety and wellbeing of the public, civil liberties or equality rights, prosecution will be considered in addition to Derby points being issued.

Where an applicant or current licence holder has no current Derby points but demonstrates a pattern of repeated offending, consideration will be given to the refusal or revocation of licence/s.

7. Exceptional circumstances

Where the application of the Derby Point-Based Scheme by the council's Licensing Team may result in:

- (a) the imposition of points
- (b) the refusal of an application for a new licence or renewal of an existing licence
- (c) the suspension of an existing licence either during its lifetime or on renewal, or
- (d) the revocation of an existing licence either during its lifetime or on renewal

and the applicant or licence holder (as applicable) considers that there may be exceptional circumstances for the Council's Licensing Team to consider, the onus is on that individual to provide either:

- (i) the details/documents believed to support the exceptionality alongside the application, or
- (ii) other written narrative to support a departure from this policy whether requested or not.

to taxi.licensing@derby.gov.uk

PART 1.

Time since conviction – points are doubled if a term of imprisonment is imposed – DCC will not normally grant a licence to any applicant who has received criminal convictions, cautions, reprimands, warnings fixed penalty notices and/or restorative justice disposals for the offences marked with a *.

Anybody who is subject to the requirements of a sex offender’s register will not be considered for a licence:

a) whilst they are on the register

b) before the expiry of a 20 year period following the date of removal from the register.

For all offences marked ‘refused’ that do not result in a sexual offender’s register requirement being imposed, after 10 years the offences will be subject to points on a sliding scale from 10 – 1 e.g. 11 years = 10 points, 12 years = 9 points, 13 years = 8 points etc. [The same principle will apply to convictions for sexual offences following the expiry of the period set out at (b), above.]

Type of Offence	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
Sexual Offences										
* Rape	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Assault – sexual	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Causing sexual activity without consent	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Rape & other offences against children under 13	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Child sex offences	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Sexual offences relating to abuse of position of trust	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Familial child sex offences	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Sexual offences against persons with a mental disorder impeding choice	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

* Sexual offences and Inducements etc. to persons with a mental disorder	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Sexual offences by care workers for persons with a mental disorder	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Indecent photographs of children	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Abuse of children through prostitution and pornography	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Prostitution	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Amendments relating to prostitution (see sexual offences Act 1956)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Trafficking	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Preparatory Sexual Offences	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Unlawful sexual intercourse	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Sex with an adult relative	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Exposure	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Voyeurism	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Intercourse with an animal	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

* Sexual penetration of a corpse	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Sexual activity in a public lavatory	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

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Time since conviction – points are doubled if a term of imprisonment is imposed – DCC will not normally grant a licence to any applicant who has received criminal convictions, cautions, reprimands, warnings fixed penalty notices and/or restorative justice disposals for the offences marked with a *.

For all offences marked 'refused', after 10 years the offences will be subject to points on a sliding scale from 10 – 1 e.g. 11 years = 10 points, 12 years = 9 points, 13 years = 8 points etc.

Type of Offence	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
Indecency Offences										
Indecent Exposure	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Indecent Exposure to the Annoyance of Residents	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Indecent Exposure with the intent to insult a female	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Importuning / kerb crawling / soliciting	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Gross indecency with a female	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Gross indecency with a male	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Indecent assault on a female/male	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Indecent assault on a child under 16 years	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Living off immoral earnings	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Possession of indecent images of a child	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

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For all offences marked refused, after 10 years the offences will be subject to points on a sliding scale from 10 – 1 e.g. 11 years = 10 points, 12 years = 9 points, 13 years = 8 points, etc.

Type of Offence	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
Violent Offences										
Common Assault	Refused	Refused	Refused	5	4	3	2	1	0	0
Assault – Section 47	Refused	Refused	Refused	7	6	5	4	3	2	1
Battery	Refused	Refused	Refused	5	4	3	2	1	0	0
Grievous Bodily Harm – Section 20 – wounding	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2
* Grievous Bodily Harm – Section 18 – intent	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Administering poison – section 23 & 24	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
* Threats to Kill – Section 16	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Acts of Terrorism	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Assault Police	Refused	Refused	Refused	Refused	6	5	4	3	2	1
Affray	Refused	Refused	Refused	Refused	6	5	4	3	2	1
* Riot	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Murder	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

* Manslaughter	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
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* Manslaughter or Culpable Homicide Whilst Driving	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Using Threatening, Abusive Words or Behaviour – Section 4 & 5	Refused	Refused	Refused	7	6	5	4	3	2	1
Urinating in public	Refused	Refused	Refused	7	6	5	4	3	2	1
* Racially, religiously, homophobic, trans phobic or other discrimination related aggravated offences	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Breach of the Peace	3	2	1	0	0	0	0	0	0	0
Drunk and Disorderly in public	3	2	1	0	0	0	0	0	0	0
Obstruction/resist arrest – police /officer	Refused	Refused	Refused	Refused	6	5	4	3	2	1
* Robbery	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Possess Offensive Weapon	Refused	Refused	Refused	Refused	Refused	8	7	6	5	4
* Possess Firearm – intent	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Possess Firearm	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	7
Criminal Damage <£5000	Refused	Refused	Refused	8	7	6	5	4	3	2
Criminal Damage >£5000	Refused	Refused	Refused	Refused	8	7	6	5	4	3
Violent Disorder	Refused	Refused	Refused	Refused	Refused	Refused	8	7	6	5
* Arson	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

Animal Welfare Act 2006 – Unnecessary Suffering	Refuse	Refuse	Refuse	5	4	3	2	1	0	0
Harassment (incl. Stalking)	Refuse	Refuse	Refuse	Refuse	Refuse	8	7	6	5	4
Possession of a bladed article	Refuse	Refuse	Refuse	Refuse	Refuse	8	7	6	5	4
Communication Network Offences	Refuse	Refuse	Refuse	5	4	3	1	0	0	0

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Type of Offence	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
Drug Offences										
Possessing controlled drugs (Class A)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Possessing controlled drugs (Class B)	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2
Possessing controlled drugs (Class C)	Refused	Refused	Refused	Refused	8	6	4	3	2	1
* Possessing controlled drugs with intent to supply (Class A)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Possessing controlled drugs with intent to supply (Class B)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Possessing controlled drugs with intent to supply (Class C)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Producing controlled drug (any Class)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Importing Drugs	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Permitting Premises to be used	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

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For all offences marked refused, after 10 years the offences will be subject to points on a sliding scale from 10 – 1 e.g. 11 years = 10 points, 12 years = 9 points, 13 years = 8 points, etc.

Type of Offence	1 year	2 years	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
Dishonesty Offences										
Theft	Refused	Refused	Refused	Refuse	Refuse	Refuse	Refuse	Refuse	7	6
Theft – Shop lifting	Refused	Refused	Refused	7	6	5	4	3	2	1
Theft – Employee	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	7
Theft – from vehicle	Refused	Refused	Refused	7	6	5	4	3	2	1
* Burglary & Theft – Dwelling	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Burglary & Theft – Non dwelling	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Burglary – Aggravated	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Fraud Act Offences	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Trade Mark Act	Refused	Refused	Refused	7	6	5	4	3	2	1
* Handling	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Receiving	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Forgery	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Conspiracy to defraud	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

False accounting	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Going equipped	Refused	Refused	Refused	Refused	6	5	4	3	2	1
Taking/driving or attempting to steal a vehicle	Refused	Refused	Refused	7	6	5	4	3	2	1
Allow to be carried in a stolen vehicle	Refused	Refused	Refused	7	6	5	4	3	2	1
* Perverting the course of Justice	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Abstracting Electricity	Refuse	Refuse	8	7	6	5	4	3	2	1
Benefit Fraud (dishonest)	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	8	6	4
Benefit Fraud	Refuse	9	8	7	6	5	4	3	2	1
Witness intimidation	Refuse	Reuse	Refuse	Refuse	Refuse	8	6	4	2	1
Prison Act 1952 – Bring/Throw/Otherwise Convey article into/out of a prison	Refuse	Refuse	Refuse	8	6	5	4	3	2	1
* Cheat the public revenue (common law)	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse	Refuse
* Procuring execution of valuable security by deception (Theft Act 1968)	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
* Obtaining property by deception	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Security industry offences (Private Security Industry Act 2001)	Refuse	Refuse	Refuse	Refuse	refuse	8	6	4	2	1

Furnishing a false statement (Criminal Justice Act 1967)	Refuse	Refuse	8	7	6	5	4	3	2	1
Wasting Police time	Refuse	Refuse	8	7	6	5	4	3	2	1
Immigration Acts 1971, 2014 and 2016	Refuse	Refuse	Refuse	Refuse	Refuse	8	7	6	5	4
Littering	4	3	2	1	0	0	0	0	0	0
Smoking in a smoke-free place (Health Act 2006)	5	4	3	2	1	0	0	0	0	0
Plying for Hire	8	7	6	5	4	3	2	1	0	0

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PART 2	
Type of Offence	
Traffic Offences	
Under 6 (DVLA)Penalty Points (non- serious offence)	Issue /renew with addition of Derby points that replicate points issued by DVLA
Under 6 (DVLA)Penalty Points (including one or more serious offence)	
6 – 9 (DVLA) Penalty Points (non- serious offence)	Review by Officer with addition of Derby Penalty Points that replicate points issued by DVLA
6 – 9 (DVLA) Penalty Points (including one or more serious offence)	Review by Officer with addition of Derby Penalty Points that replicate points issued by DVLA
10 -11 (DVLA) Penalty Points	Review by Officer with addition of Derby Penalty Points that replicate points issued by DVLA
12 (DVLA) Penalty Points	Refuse/Revoke
Disqualification – minor or totting up (DVLA) Penalty Points	Licence Revoked –Consideration of grant requires 6 months clear of any criminal convictions, cautions, reprimands, warnings fixed penalty notices and/or restorative justice disposals for any traffic offences following restoration of the DVLA licence
Disqualification – Serious or totting up (DVLA) Penalty Points	Licence Revoked – Consideration of grant requires 3 years clear of any criminal convictions, cautions, reprimands, warnings fixed penalty notices and/or restorative justice disposals following restoration of the DVLA licence Disqualification for drink & drugs offences requires 5 years clear of any criminal convictions, cautions, reprimands, warnings fixed penalty notices and/or restorative justice disposals for the offences following restoration of DVLA licence.

Type of Offence**Traffic Offences****Minor Offences:**

For the purposes of this guidance offences listed in the table below shall be considered 'serious' motoring offences if they incur 6 or more penalty points. Related offences of aiding, abetting, counselling or procuring (ending in '2'), causing or permitting (ending in '4') and inciting (ending in '6') shall be treated as being in the same category.

CU10	Using a vehicle with defective brakes
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition.
CU30	Using a vehicle with defective tyre(s)
CU40	Using a vehicle with defective steering
CU50	Causing or likely to cause danger by reason of load or passengers
CU80	Using a mobile phone while driving a motor vehicle
MS10	Leaving a vehicle in a dangerous position
MS20	Unlawful pillion riding
MS30	Play street offences
MS70	Driving with uncorrected defective eyesight
MW10	Contravention of special roads regulations (excluding speed limits)
PC10	Undefined contravention of pedestrian crossing regulations
PC20	Contravention of pedestrian crossing regulations with moving vehicle
PC30	Contravention of pedestrian crossing regulations with stationary vehicle
SP20*	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
SP30*	Exceeding statutory speed limit on a public road
SP40*	Exceeding passenger vehicle speed limit
SP50*	Exceeding speed limit on a motorway
TS10	Failing to comply with traffic light signals

TS20	Failing to comply with double white lines
TS30	Failing to comply with a 'Stop' sign
TS40	Failing to comply with direction of a constable/warden
TS50	Failing to comply with traffic sign (excluding 'stops' signs, traffic lights or double white lines)
TS60	Failing to comply with a school crossing patrol sign
TS70	Undefined failure to comply with a traffic direction sign

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Type of Offence**Traffic Offences****Serious Offences:**

For the purposes of this guidance offences listed in the table below shall be considered 'serious' motoring offences.

Related offences of aiding, abetting, counselling or procuring (ending in '2'), causing or permitting (ending in '4') and inciting (ending in '6') shall be treated as being in the same category.

AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
AC30	Undefined accident offences
BA10	Driving while disqualified by order of court
BA30	Attempting to drive while disqualified by order of court
CD10	Driving without due care and attention
CD20	Driving without reasonable consideration for other road users
CD30	Driving without due care and attention /reasonable consideration
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death by careless driving when unfit through drugs
CD60	Causing death by careless driving with alcohol level above the limit
CD70	Causing death by careless driving then failing to supply a specimen for analysis
CD80	Causing death by careless, or inconsiderate driving
CD90	Causing death by driving: unlicensed, disqualified or uninsured drivers.
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DD90	Furious driving
DR10	Driving or attempting to drive with alcohol level above the limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drink
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR70	Failing to provide a specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
IIN10	Using a vehicle uninsured against third party risks
LC20	Driving otherwise than in accordance with a licence
LC30	Driving after making a false declaration about fitness when applying for a licence
LC40	Driving a vehicle having failed to notify a disability
LC50	Driving after a licence has been revoked or refused on medical grounds
MS50	Motor racing on the highway
MS80	Refusing to submit to an eyesight test
MS90	Failing to give information as to the identity of a driver
TT99	Disqualification under 'totting-up' procedure. If the total of penalty points reached 12 or more within three years, the driver is liable to be disqualified. Where a driver who has accrued sufficient points for disqualification, but does not receive a disqualification the council will treat it as by a disqualification for the most serious of offences.

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Type of Complaints/Non Compliance Driver	Actions	Outcome
Poor driving standards – Minor Offences Serious Offences	Officer investigation Officer investigation	3 Derby points 6 Derby points If two complaints for poor standards of driving (minor offence) or one complaint of a serious offence then the appropriate Driving Test will need to be undertaken within 3 months. If the test is not completed within 3 months the driver will be suspended until the test and confirmation of successful pass is provided to the Licensing Team. Drivers suspended for more than 12 months will have their licences revoked.
Inappropriate language/comments/rudeness	Officer investigation	Referral to sub-committee
Plying for Hire (Private Hire)	Officer investigation	Prosecution+ 6 months suspension
Using a mobile phone	Officer investigation	3 Derby points (if complaint founded)
Extending route by time or distance	Officer Investigation	3 Derby points and/or prosecution
Forming a rank	Officer investigation	1 Derby point
Parked in a Hackney Carriage Rank (Private Hire)	Officer investigation	3 Derby points and/or prosecution
Failure to comply with requests from authorised officer, police, VOSA etc.	Officer Investigation	6 Derby points
Failure to notify Licensing Team of change of address within 7 days	Officer Investigation	1 Derby point
Failure to notify Licensing Team of Convictions, cautions, warnings, reprimand, fixed penalties restorative justice, bail conditions, charge within 14 days	Officer investigation	3 Derby points + Offence dealt with as detailed in the convictions policy
Failure to notify Licensing Team of medical conditions within 7 days	Officer investigation	Medical to be completed within 1 month by specified medical practitioner. If not completed within 1 month the driver will be suspended until the medical and confirmation of medical fitness is provided to the Licensing Team. Drivers suspended for more than 12 months will have their licences revoked.
Notification by Medical Practitioner that unfit to act as a HC/PH driver	Officer investigation	New = refusal Existing = revocation

Failure to provide required documentation e.g. DBS, charge sheet, bail conditions, driving licence, insurance certificate etc.	Officer investigation	1 month to provide documentation. If not provided within 1 month the driver will be issued with 2 Derby points & suspended until the required documentation is provided to the Licensing Team. Drivers suspended for more than 12 months will have their licences revoked.
Failure to provide required documentation for NVQ		2 Derby points + suspension of drivers licence until the required documentation is provided to the Licensing Team. Drivers suspended for more than 12 months will have their licences revoked.
Incorrect driving licence details	Officer investigation	3 Derby points + 1 month to provide updated documentation. If not completed within 1 month the driver will be suspended until the required documentation is provided to the Licensing Team. Drivers suspended for more than 12 months will have their licences revoked.
Inconsiderate/disorderly conduct (threatening words or behaviour)	Officer investigation	Referral to sub-committee
Refusing an assistance dog or wheelchair without valid exemption	Officer investigation	Revocation
Failure to display an exemption certificate relating to assistance animals or medical conditions	Officer investigation	3 Derby points
Not assisting passengers with luggage/shopping etc.	Officer investigation	2 Derby points
Failure to attend/lateness for hire without justifiable cause	Officer investigation	1 Derby point
Carrying an animal not connected to the passenger	Officer investigation	1 Derby point
Not wearing plainly and distinctively a drivers badge	Officer investigation	3 Derby points and/or prosecution
Carrying more passengers than licensed for	Officer investigation	6 Derby points
Carrying more wheelchairs than allowed	Officer investigation	6 Derby points
Wheelchairs refuse/insecure	Officer investigation	Revocation and/or prosecution
Cause injury to passenger	Officer investigation	7 Derby points
Incorrect operation of fare meter	Officer investigation	5 Derby points

Tampering of fare meter	Officer investigation	5 Derby points
Charging more than displayed on the fare meter	Officer investigation	5 Derby points +/-or Prosecution
Charging more than displayed on table of fares	Officer investigation	5 Derby points +/-or Prosecution
Non-use fare meter (hackney Carriage)	Officer investigation	5 Derby points +/-or Prosecution
Charging more than agreed before the journey (Private Hire & Hackney Carriage)	Officer investigation	5 Derby points +/-or Prosecution
Not supplying a receipt on request	Officer investigation	2 Derby point
Driving a vehicle suspended twice or more within a 12 month rolling period	Officer investigation	3 Derby points per trigger + consideration by senior officer
Smoking in a smoke free place (Health Act 2006)	Officer investigation	5 Derby points +/-or prosecution
Breach of licence conditions (not covered above)	Officer investigation	Review by Officer + referral to Taxi licensing sub-committee
Dirty/unkempt vehicle	Officer investigation	1 Derby point
Vehicle body/mechanical defects	Officer investigation	<ol style="list-style-type: none"> 1. Advice = 0 Derby point 2. Refer for further inspection = 2 Derby points 3. Suspension = 3 Derby points

Type of Complaints/Non Compliance Driver Vehicle	Actions	Outcome
Non Compliance with vehicle colour (HC)	Officer investigation	1 Derby point +1 month to present vehicle with correct colour finish if not completed within 1 month the vehicle will be suspended until the vehicle is presented to the Licensing Team. Vehicle suspended for more than 12 months will have its licence revoked.
Failure to comply with requests from authorised officer	Officer Investigation	6 Derby points and/or prosecution
Failure to Comply with vehicle signage and livery	Officer investigation	1 Derby point– Vehicle suspended if signage missing. Vehicle suspended for more than 2 months will have its licence revoked.
Unauthorised signs/stickers	Officer investigation	1 Derby point
Dirty/unkempt vehicle	Officer investigation	1 Derby point
Vehicle body/mechanical defects	Officer investigation	<ul style="list-style-type: none"> 4. Advice = 0 Derby point 5. Refer for further inspection = 2 Derby points 6. Suspension = 3 Derby points
Failure to comply with vehicle sale/transfer procedure	Officer investigation	1 Derby point
Unauthorised modifications	Officer Investigation	1 Derby point + vehicle suspended if modification impacts on health, safety and wellbeing of the public. Vehicle suspended for more than 12 months will have its licence revoked.
Failure to report an accident within 72 hours	Officer Investigation	3 Derby points and or prosecution
Driving a vehicle suspended twice or more within a 12 month rolling period	Officer investigation	3 Derby points per trigger + consideration by senior officer
Failure to provide 6 monthly vehicle test sheet within 14 days of due date	Officer investigation	Vehicle licence suspended until received

Type of Complaints/Non Compliance Operator	Actions	Outcome
Failure to notify Licensing Team of Convictions, cautions, warnings, reprimand, fixed penalties and restorative justice within 14 days	Officer investigation	3 Derby points + Offence dealt with as detailed in the convictions policy
Contributing/condoning driver/vehicle non-compliance	Officer investigation	Revocation
Not keeping required records	Officer investigation	6 Derby points
Not keeping premises clean	Officer investigation	1 Derby point
Failure to comply with requests from authorised officer	Officer Investigation	6 Derby points
Failure to notify the Licensing Team of change of operator details	Officer investigation	2 Derby points
Failure to display notices and licences	Officer investigation	3 points
Failure to notify Licensing Team of change of operator (Private Hire) within 7 Days	Officer investigation	1 Derby point