

### 003470 – 4 Points

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**Incident:** On the 9 November 2020, driver left his vehicle unattended on the Taxi Rank from 12:50 to 13:39, contrary to national legislation regarding the use of Hackney Carriage Ranks.

**Offence:** Leaving a Hackney Carriage unattended on the ranks - 4 points

### 003470 – 4 Points

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**Incident:** On the 9 November 2020, drivers vehicle was seen sporting a green flag, The driver has a previous history (involving a historical police incident) with a flag on his vehicle and as such it is considered that he was fully aware that this was not acceptable.

**Offence:** Unapproved or inappropriate advertising or signs in or on a vehicle (including on the window) – 4 Points

**Note:** This was the drivers second set of points, meaning he now has a total of 8 points.

### 003360 – 3 Points

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**Incident:** On the 27th January 2021 the driver was seen discarding a cigarette butt on the floor, contrary to the Environmental Health Act.

**Offence:** Littering – 3 Points

### 003785 – 5 Points

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**Incident:** On the 26th of February 2021 the driver was seen by a licencing officer smoking in his licenced vehicle contrary to the SmokeFree Act and national legislation pertaining to Smoking in a Public or Work vehicle.

**Offence:** Smoking in a licenced vehicle – 5 Points

### 003794 – 7 Points

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**Incident:** On the 23rd of January 2021 driver was seen by a Woking Councillor carrying out an illegal U-Turn at Vic Way Junction - resulting in driver almost driving into oncoming traffic.

**Offence:** Poor or dangerous driving – 7 points

### 004207 – 4 Points

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**Incident:** Following a complaint from a hackney driver, on the 28 February 2021, CCTV showed this driver in his car in the disabled bay outside Galaxy for over fifteen minutes. The passengers he ended up taking were not ones who had already booked (i.e. he wasn't waiting for them) as when approached he directed them to book in at Galaxy Cars.

**Offence:** Waiting in a disabled bay for extended periods – 4 Points

### 003785 – 6 Points

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**Incident:** Fare paying passenger contacted Surrey Police after the driver of their hired vehicle was having a discussion about giving permission to kill a family member, which caused serious distress to the passenger and an ensuing police investigation.

**Offence:** Failing to behave in a civil and orderly manner being verbally abusive or aggressive to any member of public or driver, or bringing the trade into disrepute – this is an offence that has a maximum points issue of 9, however following an investigation into the incident, and the information received from the Police in relation to this matter, and taking into consideration the driver already had accrued 5 Points for smoking in his vehicle, it was decided to give him 6 points, which would take him up to 11 and as such any further incident would result in a sub-committee hearing.

### **003248 – 63 Points**

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**Incident:** It was discovered that the driver had provided regular documentation over four years stating he was residing in Woking when he was not, through his own admission he had lied on at least seven official applications thus intentionally misleading the Licensing Authority.

**Offence:** Providing false or misleading information on a licence application form or failing to provide relevant information (including failing to pay the relevant fee upon request) – 9 Points per offence so total 63 Points

**Sub-Committee Hearing:** As this drivers points had substantially exceeded the 12 point limit, they were taken to a Licensing Sub-Committee on the 19 July 2021. The Licensing Sub-Committee found the driver not fit and proper and as a result his Licence was revoked.

### **003785 – 6 Points**

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**Incident:** Driver was observed at least eight times waiting on the Disabled Bays outside Galaxy Cars for periods of anywhere between five minutes up to an hour. Even after having issued the driver with a warning, they were seen further abusing the Taxi Rank (waiting on it whilst in a Private Hire Vehicle).

**Offence:** Waiting in a disabled bay for extended periods – 4 Points per offence so a total of 32 Points

**Sub-Committee Hearing:** As this drivers points had substantially exceeded the 12 point limit, they were taken to a Licensing Sub-Committee on the 19 July 2021. The Licensing Sub-Committee found the driver not fit and proper and as a result his Licence was revoked.

### **004062 – 4 Points**

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**Incident:** Driver was observed waiting in a disabled bay outside Galaxy Cars for just over an hour

**Offence:** Waiting in a disabled bay for extended periods – 4 Points

### **003553 – 7 Points**

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**Incident:** At a renewal it was discovered that this driver had failed to notify the Licensing Authority of DVLA points he got in 2019, despite this being a condition of his licence. This driver has a history of driving offences so it was decided that there should not be any leniency on this matter.

**Offence:** Failing to notify Licensing Authority of DVLA Points – 7 Points

### **005333 – 6 Points**

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**Incident:** In October 2021 a licenced driver doing a school run (i.e. carrying vulnerable children) was involved in an accident. As a result of this it was discovered that his Operator had failed to renew

their Operators Licence when it expired in March 2021. Consequently every job that had been carried out between the August 2021 and October 2021 were, in effect, unlicensed. The national legislation and Central Government guidance is clear in that operating without a licence is a Prosecutable offence, and as such is treated very seriously, which is why this was categorised on the Points List as being a “12 Point offence.”

**Offence:** Operating without a licence – normally 12 Points but the decision of the Licensing Officers to follow Central Government Guidance and take the Operator to a Licensing Sub-Committee was overruled at the behest of the Legal Department who ordered us to only issue 6 points.

### **004752 – 6 Points**

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**Incident:** Shortly after the incident with the Operator from the above incident, a review of other Operators ensued and it was discovered that this Operator had also failed to renew their Operators Licence when it expired on the 4 August 2021. Consequently every job that had been carried out between the 4 August 2021 and the 22 October 2021 was, in effect, unlicensed. The national legislation and Central Government guidance is clear in that operating without a licence is a Prosecutable offence, and as such is treated very seriously, which is why this was categorised on the Points List as being a “12 Point offence.”

**Offence:** Operating without a licence – normally 12 Points but the decision of the Licensing Officers to follow Central Government Guidance and take the Operator to a Licensing Sub-Committee was overruled at the behest of the Legal Department who ordered us to only issue 6 points.

### **003457 – 5 Points**

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**Incident:** On a schools contract, the driver failed to properly affix a child seat so that when they had to break excessively during driving, the child’s head hit the window – resulting in minor physical harm to the child.

**Offence:** Failing to take precautions to ensure safety of passengers entering / exiting or travelling in the vehicle – 5 Points

### **003295 – 3 Points**

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**Incident:** It was discovered that the driver had moved house in 2018 – but had failed to notify the licensing authority as required by his licence conditions. When he applied for the Taxi Covid Grant in 2021, he still put his old address. This caused the Licensing Authority much concern but were unable to proceed further. The Driver was issued points and ordered to update his address correctly.

**Offence:** Failure to notify the Licensing Authority of a change of name or address in writing within the requisite timeframe -3 Points

### **003475 – 6 Points**

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**Incident:** As part of a schools transport program with Surrey County Council, on the 28 January 2022 the driver had picked up a child from the school. On the way back, the driver had forgotten about the child in his vehicle, returned home, parked his car and gone inside. After an hour the driver received a phone call from the concerned parent at which point the driver realised he had left the child locked in his licenced vehicle on his driveway for just over an hour. The driver was contacted about the incident (which was not denied) and informed the Licensing Authority that it was due to stress and lack of sleep as the result of personal family issues. Whilst the authority understands the

awkward situation the driver is in – the primary aim of the authority is to ensure the safety of the travelling public, and as such following consultation with the Legal Department, we must issue the points and advise the driver not to drive if they are tired or stressed as this is putting the public at risk.

**Offence:** Failure to comply with the conditions applicable of school transport vehicles and the code of conduct for drivers of school transport vehicles – 6 Points (When setting up the Penalty Points Scheme this situation was not anticipated, and so we have to use this enforcement category).