

REVIEW OF POINTS BASED SYSTEM

Executive Summary

The committee is required to review the Points System Policy.

Recommendations

The Committee is requested to:

RESOLVE THAT EITHER

- (i) The Policy be considered acceptable and continued until the next annual review; OR
- (ii) The Licensing Department look further into possible amendments or changes.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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1.0 Introduction

- 1.1 The Penalty Points System was introduced to standardise enforcement, allowing a level of transparency and consistency in the decision making process.
- 1.2 Prior to the implementation of the policy, Licensing Officers or Legal Officers would be responsible for determining the circumstances under which a driver should be taken before a Licensing Sub-Committee for repeated offences.
- 1.3 By implementing this policy drivers will have a clearer understanding of their expected conduct and it sets out transparent parameters that drivers will held to account against. The policy also enables officers and councillors to understand how a driver is performing.
- 1.4 The Policy was passed at Licensing Committee on the 6 October 2020 and at Full Council on 15 October 2020.
- 1.5 A Copy of the Policy and the Points Table is attached as Appendix 1

2.0 Annual Review

- 2.1 For the first three years of the implementation of the scheme, it will be reviewed on an annual basis. On the third year of reviewing the scheme, the Licensing Committee will ascertain whether annual reviews are still required or whether it can be extended to a triennial time frame (i.e reviewed once every three years).
- 2.2 Notwithstanding this, the policy will continue to be evaluated and may be updated at any time.

3.0 Points Issued so far

- 3.1 Since the Points System was implemented in October 2020, it has been used a total of sixteen times.
- 3.2 Of these sixteen incidents, three were for repeat offenders who eventually exceeded the 12 point limit and were taken before a licensing sub-committee, one was for multiple incidents from one driver who was taken before a licensing sub-committee, two were for a repeat offender with whom we have had no further issues and the rest were individual incidents.
- 3.3 A summary of the Points issued to date are attached as Appendix 2.

4.0 Situations where Points have not been issued

- 4.1 It should also be noted that there are circumstances where incidents have not automatically resulted in the issue of points.
- 4.2 When reports of incidents are received, the driver is initially contacted for their representation, and their previous record is taken into consideration.
- 4.3 Some examples of this would include events such as:
 - a Hackney Driver who left his vehicle unattended on the rank. When contacted about this, it was established that he was working some shifts with a food delivery company to provide additional financial security during the Covid Crisis and had left his taxi on the rank to go and collect food from a local takeaway. The CCTV showed him clearly carrying his food delivery bag and so it was considered appropriate to issue a warning rather than issue points.

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- A couple of drivers who have moved house and failed to notify the licensing authority – however after following up it was determined that the moves had been at short notice, or they had failed to notify us for personal reasons. Given that these drivers had clean records the decision was been made to issue a warning instead of points.

4.4 It is therefore important to note that whilst the points system is being utilised, it is not always the case that the drivers are being persecuted with it. The Department takes a proactive approach towards any incidents and exercises its discretions when applying the policy.

5.0 Summary

5.1 The Licenisng Committee is required to review the Policy in Appendix 1, and with the information regarding the points in Appendix 2, decide whether the policy is suitable as currently drafted. An assessment should be undertaken by the Licensing Authority if it deems it necessary to make any amendments to the policy, any amendments are to be brought before the next licensing committee. The current policy is to be adopted until such time as it can be reassessed by the committee.

6.0 Implications

Finance and Risk

6.1 No financial risk implications.

Equalities and Human Resources

6.2 No financial risk implications.

Legal

6.3 The Legal Department has assessed it and considers there to be no implications.

REPORT ENDS