

South Hams Regulatory (Licensing) Committee



Title:	Agenda						
Date:	Thursday, 31st August, 2023						
Time:	2.00 pm						
Venue:	Council Chamber - Follaton House						
Full Members:	<p style="text-align: center;">Chairman Cllr Rake</p> <p style="text-align: center;">Vice Chairman Cllr Carson</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">Cllr Pannell</td> </tr> <tr> <td>Cllr Allen</td> <td>Cllr Penfold</td> </tr> <tr> <td>Cllr Oram</td> <td>Cllr Thomas</td> </tr> </table>	Cllr Abbott	Cllr Pannell	Cllr Allen	Cllr Penfold	Cllr Oram	Cllr Thomas
Cllr Abbott	Cllr Pannell						
Cllr Allen	Cllr Penfold						
Cllr Oram	Cllr Thomas						
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.						
Committee administrator:	Democratic.Services@swdevon.gov.uk						

- 1. Apologies for absence**
- 2. Minutes of last meeting** **1 - 12**

To agree as a correct record the Minutes of the Licensing Committee meeting held on 9 March 2023 and of the Licensing Sub Committee meetings held on 6 April 2023 and 22 June 2023;
- 3. Division of Agenda**

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
- 4. Declarations of interest**

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;
- 5. Determination of whether to grant a Hackney Carriage and Private Hire driver licence.** **13 - 52**

MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 9 MARCH 2023

MEMBERS

* Cllr D Brown - Chairman

* Cllr R Rowe - Vice-Chairman

* Cllr J Hodgson

* Cllr T Holway

∅ Cllr K Kemp

* Cllr G Pannell

∅ Cllr K Pringle

* Cllr H Reeve

* Cllr P Smerdon

* Cllr D Thomas

* Cllr D O'Callaghan

* Cllr J Sweett

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

All Agenda Items: Senior Specialist – Licensing; Licensing Specialist; Monitoring Officer and Specialist – Democratic Services

L.15/23 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 5 January 2023 were confirmed as a correct record.

L.16/23 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

L.17/23 **CONSIDERATION OF AN APPLICATION OF AN TO LICENSE A VEHICLE AS A HACKNEY CARRIAGE**

Consideration was given to a report that asked the Committee to determine an application for a new Hackney Carriage Vehicle Licence for a Fairway Shadow Shuttle Bus to be operated by ZEST (Salcombe) Limited and in particular whether the vehicle was a type that was suitable to be licensed as a Hackney Carriage Vehicle as it was a type that did not accord with the Council's policy which required new vehicles to have a 4 or 5 Star Euro NCAP Safety Rating. The Fairway Shadow Shuttle Bus did not have a rating because it had not undergone testing by Euro NCAP.

The Licensing Specialist introduced the report and the applicant was invited to make representations to the Committee. At the conclusion of his address, Members of the Committee asked a series of questions, which

included:

- Whether not having an Euro NCAP rating meant that the vehicle was unsafe – it did not and the vehicle was certified to be driven on the public highway
- Passenger safety requirements
- Crash testing of the vehicle
- Speed of the vehicle
- Planned route in Salcombe
- Experience of operating bus/taxi service
- The driver's qualifications to drive this type of vehicle
- Out of town parking

The Licensing Specialist asked the applicant to provide further information to the Committee on the certificates. It was reported that their list exceeded the requirements by VOSA.

During the debate, members focussed upon the safety, comfort of and access to the vehicle.

Following debate it was **PROPOSED, SECONDED** and **RESOLVED** that:

a hackney carriage vehicle licence granted for the Fairway Shadow Shuttle Bus subject to the further additional certification being provided to the satisfaction of the Senior Licensing Officer in consultation with Chairman and Vice-Chairman.

(Meeting commenced at 11.00 am and concluded at 12.28 pm).

Chairman

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, ON THURSDAY, 6 APRIL 2023,
12:15 pm**

Present: Cllrs Dan Brown (Chair), Rosemary Rowe (Vice-Chair), and Dan Thomas
Mehboob Kassam, Solicitor
Lee Staples, Specialist – Licensing
Karen Procter, Principal Environmental Officer – Licensing
Amelia Boulter, Senior Democratic Services Officer
Steve Gardiner, Specialist – IT

Also in attendance and participating:

Claire Limberg, Nicky Bell, Claire Phillips-Callender, Mr Macgregor, Mr and Mrs Wright, Mrs Brown, Ms Wason, Dr Mills, Mr Springthorpe, Ms Gutierrez, Ms Adams, Mr Cadbury and WDC Willoughby

LSC.01/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. There were none.

**LSC.02/22 TO DETERMINE THE APPLICATION FOR A NEW PREMISES LICENCE
AT THE ANGEL, SOUTH STREET, TOTNES, TQ9 5DZ**

The Sub-Committee considered a report that sought to determine an application for a new premises licence at The Angel, South Street, Totnes in accordance with Section 18 of the Licensing Act 2003.

The Licensing Specialist introduced the report and outlined the details of the application (as stated in the application form at Appendices A(i), A(ii), A(iii), B, C, D, E, F, G, and H of the presented agenda report). The Licensing Specialist reminded the Sub-Committee that its decision had to be based upon the four licensing objectives.

Live and recorded music has been subsequently withdrawn from the application following the publishing of the report.

Forty-three letters of representation had been received in support including one from the local District Councillor.

Twenty-eight letters in objection had been received, however two objectors had since withdrawn their objections.

The main representation was from Environmental Heath's (EH). Their primary concern was the provision of live and recorded music, and the lack of information demonstrating how the applicant would be promoting the objective of prevention of public nuisance. Since making the representation the applicant had been very co-operative and responsive to their concerns. The applicants have removed live and recorded music from the application and were planning to continue engaging the services of an acoustic consultant with a view to implementing measures to reduce the amount of noise coming from the venue.

EH were aware of the residents concern on noise and EH have the powers to investigate noise from premises under other legislation such as the Environmental Protection Act 1990 and would continue to work with the venue in their efforts to prevent noise becoming a nuisance in the first place. With regard to people noise outside the venue, the applicant had submitted information on additional controls in relation to having a door supervisor, signage and rules around taking drinks in and out of the venue and understood that these controls had been in place for events held recently.

1. Address by the Applicant

The Applicant reported that The Angel was a community venue with a capacity for 60 people including staff. The venue showcases the work of local artists, caterers, and also used as a yoga studio and the supper nights would supplement their business. They had found the licensing process daunting and were aware that the licensing notice had upset neighbours and have been reassuring neighbours. Following the notice, a complaint was made to their landlord who then put up their rent by 25%. They have found this to be a big learning curve and have worked with statutory partners, produced policies and welcomed open communications with their neighbours and worked closely with Environmental Health. They have removed live and recorded music from the application and would not hire out the venue for private parties and drumming sessions have ceased. They have a noise management plan in place and if they do not get the license they would cease and the venue would become luxury flats. The applicants felt that The Angel would enhance the town immensely.

2. Address by objectors

Mr MacGregor representing two of the objectors that live in close proximity to The Angel. They have raised concerns on disruptive night sleep, vomit, urinating in the street and repetitive beats of the music. Mr MacGregor read out statements from the South Hams Licensing Policy. The objectors do welcome this venue as a dance and mediation centre, however the application being proposed unsound and was unfortunate that the local community were not consulted before this application was submitted. There have been a series of events held last March 2022 resulted in the applicants writing to the local residents on the chaos from that event. The objectors have bitter experience from the TENS events from the last year. The number TENS for 2023 had increased and could remain at the higher level following consultation. Then when you look at the application in which they have taken away live and recorded music in total they have 35 days of licensed activities until late in the evening and not just at weekends. The doorman not SIA registered, no condition on the provision of food and no condition on customers being seated when in the premises. If the Committee grant the licence the applicant could provide live music under the Live Music Act and nothing can be done about that. The premises were fundamentally unsound for provision of live, recorded and amplified music and this was reinforced by Environmental Health. The Sound Reinforcement Report provided by the applicant states that the insulation used in the walls and roof may not have acoustic properties and base frequency would contribute to noise outside the premises, sound proofing should be considered. If the Committee grant this licence then the applicant

were entitled to provide live and recorded music. From the report of the Environmental Health Officer and the Sound Report from the applicant, this Committee would be authorising an issue relating to noise and better this was addressed at the outset. If the Committee cannot address this then the application should be refused. However, if the Committee were minded to grant the application, Mr MacGregor had a number of conditions to attach to the application.

The objector was new to South Street and was supportive of the art gallery but concerned about the sale of alcohol. They felt it was a shame alcohol had to be part of this.

The objector raised the traffic problems in South Street and traffic systems in place. They raised concerns over 60 people arriving in cars, parking and people being dropped off/picked up by taxis. Residents currently manage the parking and with an influx of cars in the evening this was a big concern.

The objectors reported that they were new residents and live close to The Angel. Their concerns related to the business model being described and what was being applied for in the license. They were frequent users of yoga studios and art galleries and cannot recall them requiring licensing. They had counted 180 days The Angel would be in operation and were confused about the reference to the off licence. They also raised concerns on traffic in the area, with musicians arriving and leaving, deliveries of alcohol which would take place in the turning circle outside The Angel. Parking and taxis would put a great strain on an important part of South Street. It was also highlighted that most of the houses in South Street cannot have noise reducing windows and one of their bedroom windows was only 50 yards away from The Angel and sleep would be affected by noise and smokers.

The Licensing Officer reported that the applicant have applied to sell alcohol on and off the premises. The Police suggested a condition that no open vessels to be taken outside because they do not want people congregating on the street and for people to take alcohol off the premises to be consumed in an appropriate area.

The objector stated that they were a professional artist and a psychotherapist working with trauma and both activities required a lot of quiet time. They live close to The Angel and was initially sympathetic to what the applicants were trying to achieve and even thought about exhibiting there. The objector felt what the applicant's say and what they actually put in practice was different and felt that the applicants were spreading themselves too thinly in terms of what they want to achieve. In the summer months the doors were left open because the venue gets too hot and the sound escapes. The objector has a small courtyard and use that for quiet time and did not want that polluted with noise and smoke. They felt that this would not be achieved if the license was granted. They were also concerned about fire safety with buildings in close proximity made from wood and raised these concerns with the Fire Service. With the increased traffic in the area wondered how long it would take for a fire engine to reach South Street.

The objector stated that his wife was due to speak but her mental health had been affected by these premises. They live across from The Angel and this venue totally unsuitable to be a licensed premises. The doors open out onto a very narrow street and the building an old hayloft was built with no sound insulation and they hear the base beat from the music. The premises surrounded by families of all ages and having a licensed premises would severely disrupt this and be extremely disruptive to their lives. They live in a quiet area however when events take place at The Angel it was not quiet and hard to connect the description of peace and creativity to what actually happens. Recently they approached a group of men smoking and swearing outside The Angel and when trying to speak nicely to them received verbal abuse and told to move home. This was an attitude which disregards the nature of the local community. A statement from the objector's wife was then read out. They felt there was a disconnect in what was being said and what was being advertised on social media. The applicants said there wouldn't be any private parties but were advertising for weddings. The door policy when a troublesome person rejected from the premise had left them fearing for safety and security of their home. In 2017 when this venue was an artist studio these issues never occurred, however since 2020 have experience a number of continued issues.

The objector lives directly opposite The Angel in a Grade II listed building with no double glazing. The Angel was the old hayloft and would require a lot of sound proofing and concerns were raised on noise, people congregating in neighbouring properties to smoke and crime and disorder.

3. Address by supporters

The supporter highlighted that The Angel was a small creative arts venue in the centre of town and within the heart of the community. A place to share creative ideas and to draw in visitors. This was a labour of love by the applicants and they make no money from this and just want to provide a beautiful safe space for women. This was a space of calm for people to recharge and was a unique and valuable space for this town.

(The Sub Committee then adjourned, in the presence of the Lawyer, and Senior Democratic Services Officer at 13:31 pm to consider the application and reconvened at 14:20 pm.)

4. The Decision

In announcing the Sub-Committee decision, the following statement was read:

The Licensing Sub-Committee considered an application to grant a new premises license for The Angel, South Street, Totnes TQ9 5DZ pursuant to Section 17 Licensing Act 2003.

The Sub-Committee have carefully considered the application, representations from the applicant, the objectors who have submitted representations in writing and attending in person and those who support the application in the same way, and the statement of Licensing Policy and Statutory Guidance. **Page 6**

It is noted that the Police did have initial objections to the application but that four conditions were subsequently agreed between the applicant and Police. This led to the Police withdrawing their objections. All parties should note that the applicant has agreed to the condition that the premises will only be used for the supply of alcohol when there is a pre booked event / function taking place.

Similarly Environmental Health had objected to the application on the grounds of public nuisance but they too have withdrawn their objection due to the applicant removing live and recorded music activities beyond 11 pm such timings are therefore not regulated entertainment pursuant to the Live Music Act 2012 and no conditions can be imposed on the licence.

The Sub-Committee have decided unanimously to reject the application.

The Sub-Committee received legal advice in terms of:

- 1) The Licensing Objectives
- 2) The Legal Test to be applied
- 3) The options available to the Committee
- 4) Section 182 Guidance

The reasons for the decision are as follows:

- 1) The Committee were not satisfied that the Licensing objective of the prevention of public nuisance would be promoted. This is because A) Residential properties are in close proximity to the applicants address, B) The harm to residential amenity by way of public nuisance and C) Smoking areas will not be policed adequately and cause public nuisance
- 2) The construction of the building is unsuitable for a licensed premises as there is insufficient acoustic escape provisions.
- 3) The Committee were not satisfied that the licensing objective of prevention of crime and disorder would be promoted this is because the Committee Members were not properly satisfied by the proposals of the applicant in connection to anti-social behaviour and hence it would not be appropriate to grant the licence.

Any persons aggrieved by this decision has a right of appeal to the Magistrates Court no later than 21 days from the date of receiving the decision notice.

The full written decision would be sent out within five working days.

(meeting closed at 14:26 pm)

Chairman

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**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, ON THURSDAY, 22 JUNE 2023,
1:30 pm**

Present: Cllrs Julie Carson (Chair), Guy Pannell and Dan Thomas
Mehboob Kassam, Solicitor
Karen Procter, Principal Environmental Officer – Licensing
Amelia Boulter, Senior Democratic Services Officer
Steve Gardiner, Specialist – IT

Also in attendance and participating:

Rupert Stockwell and Katie Jones

LSC.01/23 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. There were none.

**LSC.02/23 TO DETERMINE THE APPLICATION FOR A NEW PREMISES LICENCE AT
ROCKBOX, FIELD ADJACENT TO GOLF CLUB, THURLESTONE,
KINGSBRIDGE TQ7 3NX**

The Sub-Committee considered a report that sought to determine an application for a new premises licence at the Rockbox, Field Adjacent to Golf Club, Thurlestone, Kingsbridge TQ7 3NX in accordance with Section 18 of the Licensing Act 2003.

The Principal Environmental Officer – Licensing introduced the report and outlined the details of the application (as stated in the application form at Appendices A(i), A(ii), A(iii), B, C and D of the presented agenda report). The Principal Environmental Officer – Licensing reminded the Sub-Committee that its decision had to be based upon the four licensing objectives.

1. Address by the Applicant

The Applicant reported that the business was started during lockdown at South Milton and the business had grown now employing 6 full time staff and 35 additional staff. They were working with the Parish Council to address any issued and agreed to have no live music. The Parish Council support the application for the premise license but did raise a number of issues:

- A pager system would be implemented rather than calling out food orders to reduce noise levels;
- 5 CCTV cameras identify any problems;
- The use of low voltage lights to reduce light pollution issues.

They were working with an acoustic engineer to address any background music and noise issues and wanted to ensure a safe environment for children and working families.

(The Sub Committee then adjourned, in the presence of the Lawyer, and Senior Democratic Services Officer at 13:55 pm to consider the application and reconvened at 14:25 pm.)

2. The Decision

In announcing the Sub-Committee decision, the following statement was read:

The Licensing Sub-Committee considered an application to grant a premises licence submitted by Mr Rupert Stockwell for Rockbox, Field Adjacent to Golf Club Car Park Thurlestone Kingsbridge TQ7 3NZ. The Sub-Committee have carefully deliberated the application, representations from the Applicant, the Objectors who have submitted representations in writing and the Council's Statement of Licensing Policy and statutory guidance.

It is noted that the Police did have initial objections to the application, but those conditions were subsequently agreed between the Applicant and Police. This led to the Police withdrawing their objections. This is documented at Appendix D of the report.

The Sub Committee have therefore decided **unanimously to grant the application subject to the operating schedule at Appendix A(ii) alongside conditions at Appendix D.**

The Sub Committee received legal advice in terms of:

1. The licensing objectives
2. The legal test to be applied
3. The options available to the Committee
4. Section 182 Guidance

The reasons for the decision are as follows:

1. The committee have noted the applicant has answered questions on public nuisance, noise disturbance and light pollution and has provided suitable mitigations.
2. Music will only be played at background levels.
3. No objections have been received from environmental health.

In granting this application, we ask you to be mindful of the concerns of neighbours and the public and should there be complaints about your operation, Environmental Health and Licensing Officers may investigate. This could potentially lead to your license being reviewed.

Any persons aggrieved by this decision has a Right of Appeal to the Magistrates Court no later than 21 days from the date of receiving the Decision Notice.

The full written decision would be sent out within five working days.

(meeting closed at 14:31 pm)

Chairman

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of the Local Government Act 1972.

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APPENDIX D – South Hams Hackney Carriage and Private Hire Criminal Convictions Policy

Hackney Carriage and Private Hire Licensing Criminal Convictions Policy

1. Introduction

- 1.1 The purpose of this policy is to provide guidance on the criteria taken into account by the Licensing Authority when deciding whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver or operator licence.
- 1.2 The prime aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:
- That a person is a fit and proper person
 - That the person does not pose a threat to the public
 - That the public are safeguarded from a dishonest person
 - The safeguarding of children, young persons and vulnerable adults
- 1.3 This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:
- Applicants for drivers' licences
 - Existing licensed drivers whose licences are being reviewed
 - Licensing Officers
 - Members of the licensing committee/ panel (or other relevant decision making body)
 - Magistrates hearing appeals against local authority decisions
- 1.4 Where officers under the Council's Scheme of Delegation, have powers to grant licences, they will use these guidelines when making a decision to grant a licence. In all other cases, applications for licences will be referred to the licensing committee/panel (or other relevant decision-making body). While officers and the committee/panel will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.
- 1.5 The guidelines are developed from the 'Institute of licensing – Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades' and the 'Department for Transport Statutory Taxi & Private Hire Vehicle Standards - assessment of previous convictions'. In assessing the various information collected in relation to the 'fit and proper' status of an applicant or licence holder, the Licensing Authority will apply the following test:
- "Would the decision maker(s) charged with the ability to grant a licence, without any prejudice, and based on the information before you, allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?"*
- 1.6 If on the balance of probabilities, the answer to the question is 'no' the individual should not hold a licence.

1.7 The wording of this test originates from paragraphs 5.12 & 5.13 (fit and proper test) of the Department for Transport Statutory Taxi and Private Hire Vehicle Standards.

2. General policy

2.1 The Licensing Authority will consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application/licence.

2.2 A caution is regarded in exactly the same way as a conviction.

2.3 Fixed penalties and community resolutions will also be considered in the same way as a conviction.

2.4 Matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered and matters that amount to criminal behaviour but which have not resulted in conviction will also be taken into account.

2.5 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. The Licensing Authority may, at its discretion, revoke an existing driver's licence where it considers it necessary to do so while awaiting an investigation by either the Licensing Authority or the police. This decision will only be taken where it is thought necessary in the interest of public safety.

2.6 In all cases, the Licensing Authority will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in the light of these guidelines.

2.7 Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.

2.8 As the Licensing Authority will be looking at the entirety of the individual, in many cases safety and suitability will not be determined solely by a specified period of time having elapsed following a conviction or the completion of a sentence. Time periods are relevant and weighty considerations, but they are not the only determining factor.

2.9 In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

2.10 Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that human beings do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.

- 2.11 It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. The Licensing Authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
- 2.12 Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 2.13 As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.
- 2.14 Generally where a person has more than one conviction showing a pattern or tendency irrespective of time since the convictions, this will raise serious questions about their safety and suitability. The Licensing Authority is looking for safe and suitable individuals, and once a pattern or trend of repeated offending is apparent, a licence will not be granted or renewed.
- 2.15 Where an applicant/licensee is convicted of an offence or displays inappropriate behaviour which is not detailed in this guidance, the Licensing Authority will take that conviction and behaviour into account and use these guidelines as an indication of the approach that should be taken.
- 2.16 These guidelines do not replace the duty of the Licensing Authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by these guidelines, the Licensing Authority will consider the matter from first principles and determine the fitness and propriety of the individual.
- 2.18 A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.
- 2.19 Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction.

3. Appeals

- 3.1 Any applicant refused a driver's licence on the grounds that the Licensing Authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal [Local Government Miscellaneous Provisions Act 1976, s 77 (1)].
- 3.2 Any applicant refused an operator licence on the grounds that the Licensing Authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.

3.3 Any licence holder whose licence is suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of the notice of suspension or revocation.

4. Powers

4.1 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the Licensing Authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.

4.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

4.3 In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.

5. Consideration of disclosed criminal history

5.1 Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the Licensing Authority is required to make sure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operator's licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the Licensing Authority will look into:

- How relevant the offence(s) are to the licence being applied for
- How serious the offence(s) were
- When the offence(s) were committed
- The date of conviction
- Circumstances of the individual concerned
- Sentence imposed by the court
- The applicant's age at the time of conviction
- Whether they form part of a pattern of offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant

5.2 Existing holders of drivers' licences are required to tell the licensing authority in writing within 48 hours of any arrest and release, charge or conviction or caution for an offence, any anti-social behaviour order, driving disqualification for any period or any receipt of a fixed penalty, imposed whilst their licence is in force.

5.3 Applicants can discuss further what effect a caution/conviction may have on any application by contacting the licensing officer in confidence for advice.

- 5.4 The Licensing Authority conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver licence. The Licensing Authority follows the DBS's Code of Practice on the fair use and storage of disclosure information. A copy is available on request.
- 5.5 Applicants applying for the grant or a renewal of a drivers' licence will be required to get an enhanced disclosure at their own expense. The Licensing Authority follows the DBS's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.
- 5.6 So that the Licensing Authority receives relevant information as quickly as possible in order to take appropriate and proportionate action to protect public safety, it is the Licensing Authority's policy to require applicants to register for the DBS's update service and to nominate the Licensing Authority to receive the updates. Registration last for 1 year and costs £13 per year. Licence holders are expected to provide evidence of continuous registration and nomination throughout the duration of their licence.
- 5.6 More information about the DBS can be found on their website.
- 5.7 The Licensing Authority is also entitled to use other records and information that may be available to it in deciding applications or an entitlement to continue holding a licence. This may include information held by the Licensing Authority or other Licensing Authorities, and information provided by the police.
- 5.8 It is an offence for any person, knowingly or recklessly, to make a false declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

6. Guidance on the rehabilitation period to be considered following conviction

- 6.1 In relation to single convictions, the following **minimum** time periods should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted or renewed. This places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.
- 6.2 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:
- Murder
 - Manslaughter
 - Manslaughter or culpable homicide while driving
 - Terrorism offences
 - Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
- 6.3 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 10 years prior to the date of application:
- Arson
 - Malicious wounding or grievous bodily harm which is racially aggravated

- Actual bodily harm which is racially aggravated
- Grievous bodily harm with intent
- Robbery
- Possession of firearm
- Riot
- Assault Police
- Common assault with racially aggravated
- Violent disorder
- Resisting arrest
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.5 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below and the conviction is less than 7 years prior to the date of application:

- Racially-aggravated criminal damage
- Racially-aggravated offence
- S5 Public Order Act 1986 offence (harassment, alarm or distress)
- S4 Public Order Act 1986 offence (fear or provocation of violence)
- S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Obstruction
- Criminal damage
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.6 Where an applicant has a conviction for an offence of violence against the person, or connected with any offence or similar of violence, which replace the offences below, a licence will not normally be granted until at least 10 years have elapsed since the completion of any sentence imposed:

- Common assault
- Assault occasioning actual bodily harm
- Affray
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.7 A licence will not normally be granted if an applicant has more than one conviction for an offence of a violent nature.

6.8 In the event of a licence being granted, not revoked or suspended, a strict warning both verbally and in writing should be administered.

7. Possession of a weapon

7.1 If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to transport the public.

7.2 A licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

8. Sex and indecency offences

8.1 As licensed drivers often carry unaccompanied and vulnerable passengers, the Licensing Authority will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. All sexual and indecency offences will be considered as serious.

8.2 Accordingly, an application will not be granted where the applicant has a conviction for an offence such as:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Sexual assault
- Indecent assault
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Possession of indecent photographs, child pornography etc.
- Indecent exposure
- Soliciting (kerb crawling)
- Or **any** sex or indecency offence that was committed in the course of employment as a taxi or PHV driver
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

8.3 In addition to the above the Licensing Authority will not grant a licence to any applicant who is currently on the Sex Offenders Register.

9. Dishonesty

9.1 A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. Taxi drivers are required to deal with such property in accordance with the standards set out in Appendix B in relation to lost property. Taxi drivers are required to deposit such property with the police as soon as possible, or to make alternative arrangements as appropriate. PHV drivers must pass lost property to the operator. The widespread practice of delivering unaccompanied property is telling of the trust that business people place in licensed drivers. Furthermore, it is fairly easy for a dishonest driver to deceive the public by demanding more than the legal or agreed fare, etc. Overseas visitors can be confused by our currency and may be vulnerable to a dishonest driver. For all these reasons, a serious view is taken of any conviction involving dishonesty.

9.2 In general, a minimum period of 7 years since the completion of sentence should be required before granting a licence. Offences involving dishonesty include:

- theft
- burglary
- fraud
- benefit fraud
- handling or receiving stolen goods
- forgery
- conspiracy to defraud
- obtaining money or property by deception

- other deception
- taking a vehicle without consent
- any similar offences
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

9.3 A licence will not normally be granted if an applicant has more than one conviction for a dishonesty offence.

9.4 Applicants or existing licence holders that are found to have intentionally misled the council, or lied as part of the application process, will not be issued with a licence.

10. Drugs

10.1 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.

10.2 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

10.3 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

10.4 If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.

10.5 A licence will not normally be granted if an applicant has more than one conviction for a drugs related offence.

11. Driving offences involving the loss of life

11.1 A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.

11.2 Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as:

- Causing death by dangerous driving
- Causing death by careless driving while under the influence of drink or drugs
- Causing death by driving: unlicensed, disqualified or uninsured
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

12. Drink driving/driving under the influence of drugs/using a mobile phone while driving

12.1 As licence holders are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink

or drugs. A single incident would not necessarily exclude an applicant from continuing on the regaining of their DVLA driving licence but s/he should be warned as to the significant risk to his/her licence status in the event of re-offending. Normally at least 7 years, after the regaining of the driving licence following a drink driving conviction should pass before an application may be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.

12.2 Applicants should also be aware of the serious risk posed by driving while using a mobile phone. There is a large body of research which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they:

- are much less aware of what's happening on the road around them
- fail to see road signs
- fail to maintain proper lane position and steady speed
- are more likely to 'tailgate' the vehicle in front
- react more slowly, take longer to brake and longer to stop
- are more likely to enter unsafe gaps in traffic
- feel more stressed and frustrated

12.3 There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, an equally serious view should be taken of convictions for driving while using a mobile phone as for driving under the influence of drink or drugs.

12.4 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or while using a mobile phone.

13. Insurance offences

13.1 A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of convictions for 7 years, however strict warning should be given as to future behaviour.

13.2 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

13.3 An operator found guilty of aiding and abetting the driving of passengers for hire and reward without insurance will normally have their operator licence revoked immediately and be prevented from holding a licence for at least three years.

14. Other motoring offences

14.1 As licence holders are professional vocational drivers a serious view is taken of all endorsements on the DVLA driving licence due to motoring offences. All unspent DVLA driving licence endorsements must be declared at the time of application and the Licensing Authority must be notified of any new offences while licensed as a hackney carriage or private hire driver.

14.2 Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

14.3 Further information on motoring offences and penalty points can be found at Annex A.

15. Licensing offences

15.1 Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 7 years have elapsed since the completion of any sentence imposed.

15.2 A licence will not normally be granted if an applicant has more than one conviction of a licensing related offence.

16. Non-conviction information

16.1 If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application.

16.2 In assessing the action to take, the safety of the travelling public must be the highest concern.

17. Once a licence has been granted

17.1 If a licence holder's conduct is such that, were they to be applying for a new licence their application would normally be refused, they should expect consideration to be given as to the suspension or revocation of their licence.

17.2 A suspension or revocation of the licence of a driver takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver [Road Safety Act 2006, s 52, 2A&2B].

17.3 A suspension or revocation of the licence of an operator takes effect at the end of the period of 21 days beginning with the day on which notice is given to the operator.

18. Overseas residents

18.1 If an applicant has spent six continuous months or more overseas the licensing authority will expect to see evidence of a criminal record check from the country/countries covering the period.

19. Licences issued by other Licensing Authorities

19.1 Applicants who hold a licence with one Licensing Authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.

19.2 Licence holders who are licensed by multiple authorities are expected to inform all such authorities of the authorities that they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take it into account as appropriate.

20. Summary

- 20.1 To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not stop an applicant permanently from becoming licensed. As the preceding paragraphs show, in most cases, an applicant would be expected to remain free from conviction for 5 to 10 years, depending on circumstances, before an application can be considered.
- 20.2 Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.
- 20.3 While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than a single minor conviction. Some discretion can be given if a single offence is declared with relevant information to explain the circumstances, but the prime concern is the protection of the public.

Annex A

1 Principles of the Rehabilitation of Offenders Act 1974 (as amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012)

- 1.1 Under The Rehabilitation of Offenders Act 1974, criminal convictions can become spent after a certain period of time, and once spent, for many purposes, can be ignored completely.
- 1.2 The possibility of rehabilitation and the length of time before rehabilitation occurs depends on the sentence imposed, and not the offence committed.
- 1.3 Despite the above, the principles of the Act do not apply to applicants for hackney carriage and private hire drivers' licences. This is because the driving of taxis is listed as a "Regulated Occupation" in relation to which questions may be asked as to the suitability of individuals to be granted a licence.
- 1.4 Although the Act does not prevent judicial authorities (inclusive of the Licensing Authority) from taking spent convictions into account; such convictions are only taken into consideration if they are relevant to the issue of whether the applicant is a fit and proper person to hold a licence.
- 1.5 The determination as to whether certain convictions are spent, therefore may be a relevant exercise.
- 1.6 The rehabilitation periods are set out below. For a detailed commentary on the periods of rehabilitation applicable to all sentencing options, reference will need to be made to a specialist textbook on the Act.

2 Sentence Rehabilitation Period

- 2.1 The rehabilitation periods for sentences with additional 'buffer periods' which run from the end date of the sentence are shown in the table below:

Sentence/disposal	Buffer period for adults, this applies from the end date of the sentence.
Custodial sentence over 4 years	Never spent
Custodial sentence over 30 up to 48 months	7 years
Custodial sentence over 6 up to 30 months	4 years
Custodial sentence less than 6 months	2 years
Community Order	1 year

2.2 The following are the rehabilitation periods for sentences that do not have a buffer period and runs from the date of conviction:

Sentence/disposal	Rehabilitation period for adults, this applies from the date of conviction.
Fine	1 year
Conditional discharge	Period of order
Absolute discharge	None
Conditional caution	3 months or when caution ceases to have effect if earlier
Simple caution	Spent immediately
Compensation order	On the discharge of the order
Binding over order	Period of the order
Attendance centre order	Period of the order
Hospital order	Period of the order

2.3 Once a conviction becomes spent it remains spent even if a person is convicted of other offences.

Annex B

1 Motoring offences and penalty points

1.1 The following is a guide to the number of penalty points a court may impose, it does not reflect the fact that some offences may lead to a disqualification. These codes are recorded from information supplied by the courts.

1.2

Code	Offence	Penalty Points
Accident Offences		
AC10	Failing to stop after an accident	5-10
AC20	Failing to give particulars or to report an accident within 24 hours	5-10
AC30	Undefined accident offences	4-9
Disqualified Driver		
BA10	Driving while disqualified by order of court	6
BA30	Attempting to drive while disqualified by order of court	6
BA40	Causing death by driving while disqualified	3-11

BA60	Causing serious injury by driving while disqualified	3-11
Careless Driving		
CD10	Driving without due care and attention	3-9
CD20	Driving without reasonable consideration for other road users	3-9
CD30	Driving without due care and attention or without reasonable consideration for other road users	3-9
CD40*	Causing death through careless driving when unfit through drink	3-11
CD50*	Causing death by careless driving when unfit through drugs	3-11
CD60*	Causing death by careless driving with alcohol level above the limit	3-11
CD70*	Causing death by careless driving then failing to supply a specimen for analysis	3-11
CD80*	Causing death by careless or inconsiderate driving	3-11
CD90*	Causing death by driving: unlicensed disqualified or uninsured drivers	3-11
Construction and use of offences		
CU10	Using a vehicle with defective brakes	3
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition	3
CU30	Using a vehicle with defective tyre(s)	3
CU40	Using a vehicle with defective steering	3
CU50	Causing or likely to cause danger by reason of load or passengers	3
CU80	Breach of requirements as to control of the vehicle, such as using a mobile phone	3-6
Dangerous driving		
DD10	Causing serious injury by dangerous driving	3-11
DD40	Dangerous driving	3-11
DD60	Manslaughter or culpable homicide while driving a vehicle	3-11
DD80	Causing death by dangerous driving	3-11
DD90	Furious driving	3-9
Drink		
DR10*	Driving or attempting to drive with alcohol level above limit	3-11
DR20*	Driving or attempting to drive while unfit through drink	3-11
DR30*	Driving or attempting to drive then failing to supply a specimen for analysis	3-11
DR31*	Driving or attempting to drive then refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity	3-11
DR61*	Refusing to give permission for analysis of a blood sample that was taking without consent due to incapacity in circumstances other than driving or attempting to drive	10

DR40	In charge of a vehicle while alcohol level above limit	10
DR50	In charge of a vehicle while unfit through drink	10
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive	10
DR70	Failing to provide specimen for breath test	4
Drugs		
DG10*	Driving or attempting to drive with drug level above the specified limit	3-11
DG60*	Causing death by careless driving with drug level above the limit	3-11
DG80*	Driving or attempting to drive when unfit through drugs	3-11
DG40	In charge of a vehicle while drug level above specified limit	10
DG90	In charge of a vehicle when unfit through drugs	10
Insurance offences		
IN10	Using a vehicle uninsured against third party risks	6-8
Licence offences		
LC20	Driving otherwise than in accordance with a licence	3-6
LC30	Driving after making a false declaration about fitness when applying for a licence	3-6
LC40	Driving a vehicle having failed to notify a disability	3-6
LC50	Driving after a licence has been cancelled (revoked) or refused on medical grounds	3-6
Miscellaneous offences		
MS10	Leaving a vehicle in a dangerous position	3
MS20	Unlawful pillion riding	3
MS30	Play street offences	2
MS50	Motor racing on the highway	3-11
MS60	Offences not covered by other codes (including offences relating to breach of requirements as to control of vehicle)	3
MS70	Driving with uncorrected defective eyesight	3
MS80	Refusing to submit to an eyesight test	3
MS90	Failure to give information as to identity of driver	6
Motorway offences		
MW10	Contravention of special roads regulations (excluding speed limits)	3
Pedestrian crossings		
PC10	Undefined contravention of pedestrian crossing regulations	3
PC20	Contravention of pedestrian crossing regulations with moving vehicle	3
PC30	Contravention of pedestrian crossing regulations with stationary vehicle	3
Speed limits		
SP10	Exceeding goods vehicle speed limits	3-6

SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)	3-6
SP30	Exceeding statutory speed limit on a public road	3-6
SP40	Exceeding passenger vehicle speed limit	3-6
SP50	Exceeding speed limit on a motorway	3-6
Traffic direction and signs		
TS10	Failing to comply with traffic light signals	3
TS20	Failing to comply with double white lines	3
TS30	Failing to comply with a 'stop' sign	3
TS40	Failing to comply with direction of a constable/warden	3
TS50	Failing to comply with traffic sign (excluding 'stop' signs, traffic lights or double white lines)	3
TS60	Failing to comply with a school crossing patrol sign	3
TS70	Undefined failure to comply with a traffic direction sign	3
Special Code		
TT99	To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within 3 years, the driver is liable to be disqualified	
Theft or unauthorised taking		
UT50	Aggravated taking of a vehicle 3-11	
'Mutual recognition' codes		
An 'MR' code is included where a driver is disqualified while driving in Northern Ireland or the Isle of Man. The disqualification period will also be valid in Great Britain.		
MR09	Reckless or dangerous driving (whether or not resulting in death, injury or serious risk)	
MR19	Wilful failure to carry out the obligation placed on driver after being involved in a road accident (hit and run)	
MR29	Driving a vehicle while under the influence of alcohol or other substance affecting or diminishing the mental and physical abilities of a driver	
MR39	Driving a vehicle faster than the permitted speed	
MR49	Driving a vehicle while disqualified	
MR59	Other conduct constituting an offence for which a driving disqualification has been imposed by the State of Offence	

All of the above must stay on the driving record for 4 years from the date of conviction.

Those offences marked with an asterisk (*) for 11 years from the date of the conviction.

Aiding, abetting, counselling or procuring offences

For these offences, the codes are similar, but with the number 0 on the code changed to 2. For example, code LC20 (driving otherwise than in accordance with a licence) becomes code LC22 on the driving record if they have helped someone to do this.

Inciting offences

For these offences, the codes are similar, but with the number 0 on the code changed to 6. For example, DD40 (dangerous driving) becomes DD on the driving record if they have encouraged someone to do this.

Causing or permitting

For these offences, the codes are similar, but with the number 0 changed to 4. For example LC10 becomes LC14.

Non-endorsable offences

Some offences are non-endorsable. No penalty points are attributed to these offences but they carry a period of disqualification. At the end of the disqualification (over 56 days) the driver will have to apply for a renewal licence together with the appropriate fee. Any queries about offences and endorsements should be directed to the convicting court.