

Guidelines Relating to the Relevance of Convictions / Cautions in Relation to Taxi Licensing

Introduction

South Cambridgeshire District Council as the Taxi Licensing Authority, has the responsibility to ensure all drivers of hackney carriages and private hire vehicles that are available for hire to the public, are 'fit and proper' persons to hold the relevant drivers' licences, and are not disqualified by reason of their immigration status. The taxi Licensing Authority will take such measures as appropriate in order to protect members of the public, other road users and the drivers themselves.

There is no definition or general test that determines whether or not a driver is deemed 'fit and proper' to hold a licence. It is a matter of judgment for the Licensing Authority in order to assess any risks or concerns, taking into consideration such matters as the applicant's integrity, honesty and previous character. Previous convictions and cautions are taken into account as well as other information.

For the purpose of reading these guidelines, the term conviction is interpreted as; conviction, caution, reprimands, warning or where relevant information is received.

For interpretation of this document where a time is indicated before an application will be considered, this will be the time elapsed after the completion, in full, of any sentence imposed by a court or DVLA.

(Example – Mr X given a 2 year suspended sentence for a dishonesty offence. Our policy states a minimum of 5 years free of conviction, therefore, an application would be considered after 7 years – 2 years suspended sentence + 5 years conviction free)

Convictions, cautions, reprimands or warnings do not necessarily mean that an application will be refused, or a licence will be revoked. Also, where an applicant does not have any convictions or cautions, the applicant must still be deemed 'fit and proper' by the Licensing authority. Each case is treated on its own merits.

The assessment is ongoing and drivers have a duty to disclose any convictions or cautions which might affect their suitability to hold a private hire or hackney carriage driver's licence.

The overriding 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 dishonest person
- The safeguarding of children and young persons

These guidelines were adopted on **TBD ??** and will be referred to by officers in determining whether or not a person is 'fit and proper' to hold a driver's licence.

1. General

1.1 Scope

These guidelines apply to the grant, revocation, suspension or renewal of Operator's Licences ("Operator's Licences") and Licences to drive hackney carriages and/or private hire vehicles ("Driver's Licences") issued by South Cambridgeshire District Council ("the Council").

1.2 Purpose

The purpose of the guidelines is to facilitate the Council's duties and responsibilities in determining the impact of convictions and cautions on the grant or renewal of Driver's, vehicle proprietors and Operator's Licences in accordance with the legislative considerations set out below.

2. Legislative Background

2.1 Licensing Legislation

The Council licences drivers and operators under the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 ("the Relevant Legislation").

2.2 Grant and Renewal of Licences

Sections 51, 55 and 59 of the Relevant Legislation prescribe that the Council shall not grant a Driver's or Operator's Licence unless satisfied that the applicant is fit and proper for that purpose.

Whilst the relevant legislation is not specific as to what will constitute a fit and proper person for the purpose

of determining whether to issue a Licence, it is commonly accepted that any history of offending will be a relevant consideration. The overriding aim of the licensing authority is to protect the public.

2.3 Immigration Act 2016

The immigration Act also places a duty on the licensing authority to verify an applicant's right to work in the UK prior to issuing a licence. The council is prohibited from issuing a licence, (drivers and operators licence) to anyone who is disqualified by reason of their immigration status. This means that driver and operator licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from holding such a licence.

Where a person's immigration permission to be in the UK is time-limited to less than the statutory length for a driver or operator's licence, the licence must be issued for a duration which does not exceed the applicant's period of permission to be in the UK and work.

The provisions also add immigration offences and penalties to the list of grounds on which operator and private hire and hackney carriage driver licences may be suspended or revoked by this authority. Where licences expire, or are revoked or suspended on immigration grounds, the licence must be returned within seven days. Failure to return the licence within seven days is a criminal offence.

2.4 Suspension or Revocation of Licence

Section 61 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew a Driver's Licence in the following circumstances:

- (a) there has been a conviction/caution for an offence involving dishonesty, indecency or violence;
- (b) there has been a conviction or caution for an offence under or a failure to comply with the Relevant Legislation; or
- (c) that since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (d) any other reasonable cause

Similarly, Section 62 of the Relevant Legislation prescribes that the Council may suspend, revoke or refuse to renew an Operator's Licence in the following circumstances:

- (a) there has been an offence under or non-compliance with the Relevant Legislation;
- (b) any conduct on the part of the Operator which renders him unfit to hold a licence;
- (c) any material change since the Licence was granted in any of the circumstances of the operator on the basis of which the licence was granted;
- (d) that the operator has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty, or
- (e) any other reasonable cause.

2.5 The Council will also have due regard to:

- (a) s.17 of the Crime and Disorder Act 1998 which states 'without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.
- (b) The Department for Transport's Taxi and Private Hire Vehicles: Best Practice Guidance which recognises the need for criminal record checks as an important safety measure and contemplates that a particularly cautious view will be taken in relation to offences of a violent or sexual nature.

3. Disclosure of Convictions, Cautions, Reprimands or Warnings

- 3.1 All persons ("Applicants") seeking to obtain an Operator's and/or Driver's Licence or will be required to disclose the existence and detail of all relevant convictions and/or cautions they may have.
- 3.2 For the purpose of meeting their disclosure obligations, applicants for a driver's licence will be required to obtain an Enhanced Disclosure from the Disclosure and Barring Service ("DBS"), and to sign up to the DBS update service.

- 3.3 Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.
- 3.4 The Council will decide what level of disclosure is required and in doing so will have regard to the Rehabilitation of Offender's Act 1974 and the Rehabilitation of Offender's Act 1974 (Exceptions) Order 2002 ("the Order"). In particular, the following is of note:
4. **Drivers**
- 4.1 Hackney and private hire drivers working with children and/or vulnerable adults are included within the scope of the Order. This means that all convictions, irrespective of age or sentence imposed can be considered if relevant to the application and will not become spent for this purpose.
- 4.2 In view of the application of the Order, the Council will request an Enhanced Disclosure from the Disclosure and Barring Service (DBS) the response to which will contain information of any current or spent convictions, cautions, reprimands or warnings as well as for example other relevant information held by the Police. More information about the DBS and the checks that they perform is available on their website.
5. **Operators**
- 5.1 Private Hire Operators do not fall within the Exemption of the Order, however it is acknowledged that whilst that individual may not be directly responsible for transporting members of the public, they will have access to personal information about passengers and afforded access to them if they walked into the Operator's office to hire a private hire vehicle.
- 5.2 In view of the above and requirement of the Relevant Legislation, that Operators are fit and proper persons, the Council will require operators (who are not also licensed drivers) to submit a basic DBS disclosure.
- 5.3 Information obtained from the DBS will be shared only with those authorised to receive it in the course of their duties.
6. **Assessment of Applications**
- 6.1 The Council will not preclude applications from persons who have previous criminal convictions /cautions subject to the application of these guidelines. In particular, having a criminal record will not necessarily be a bar from obtaining a Licence. Each case will be decided on its own merits.
- 6.2 The fact that no convictions/cautions are revealed does not mean that applications will automatically be granted. In some cases, the applicant's history may be such that they can never be deemed a fit and proper person. The Council retains absolute discretion as to whether or not a Licence will be granted, having regard to the legislation outlined at paragraph 2 above, all information obtained and observations made during the relevant application process.
- 6.3 Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Licensees 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 into account as appropriate.
- 6.4 Careful consideration of the evidence provided should be given if an applicant has on more than one occasion been arrested, charged, but not convicted of a serious offence, which suggests on the balance of probabilities that they could pose a danger to the public. Consideration will be given to refusing the application. In assessing the action to take, the safety of the travelling public must be the paramount concern.
- 6.5 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material, particularly in giving information required on the application form. Where an applicant has made a false statement, false declaration or omitted to include information on their application for the grant or renewal of a licence, the licence will normally be refused.
- 6.6 The Council is also entitled to use other records and available information when determining applications. This may include information held by the council or other Licensing Authorities and information disclosed by the

Police under the Home Office scheme for reporting offences committed by notifiable occupations or with the Home Office regarding immigration offences. Anyone on the Disclosure and Barring Service (DBS) Barred List will be refused a licence. Any licence holder who is subsequently included on the DBS Barred List will have their licence revoked.

7. Impact of Convictions, Cautions, Reprimands or Warnings

- 7.1 Each application will be carefully assessed and in each case the information provided will be considered in relation to the particular circumstances and shall take into account one or more of the following (non-exhaustive) factors:
- 7.2 **Level of Responsibility.** The Council will consider the level of independence afforded to the Applicant. An Applicant who works alone with minimal supervision will be considered a greater risk than one who works in a group and/or is closely supervised.
- 7.3 **Date of Offence(s).** The Council recognises that historic offences may have less relevance than recent offences. As a general rule, a pattern of unrelated or similar offences over a period of time will be considered more serious than an isolated minor conviction.
- 7.4 **Attitude of the Applicant.** The Council will look for evidence that the applicant has been rehabilitated and has demonstrated a determination not to re-offend.
- 7.5 **Mitigating Circumstances.** The Council may ask applicants about offence(s)/convictions so that the context can be considered. Due consideration will also be given to any references provided.
- 7.6 **Sentence Imposed.** The Council will consider any sentence imposed as an indication of the Court's view of the seriousness of the offence.

8. Rehabilitation

- 8.1 These guidelines prescribe the minimum periods of rehabilitation which will ordinarily need to have elapsed before an application can be approved. These minimum periods will be considered in conjunction with the general considerations outlined above, as well as with reference to any additional information provided or observations made during the disclosure procedure.
- 8.2 Representatives of the Council tasked with deciding whether or not to approve an application have absolute discretion as to the application of the minimum periods of rehabilitation. This will apply both in favour of granting an application prior to the expiry of a rehabilitation period (for example where exceptional circumstances exist) or in declining an application before or after the expiry of a rehabilitation period (for example where there is evidence of any recent, persistent or habitual offending history). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

9. Right of Appeal

- 9.1 Applicants have a right to appeal against decisions made in pursuance of these guidelines in the following circumstances:
- 9.2 **Licences**
A right of appeal arises against the following decisions:

- Refusal to grant or renew an Operator's or Driver's Licence;
- Suspension or revocation of an Operator's or Driver's Licence; and
- The imposition of conditions which may have been placed on the grant of an Operator's or Driver's Licence.

Any such appeal must be made in writing to the Head of Service at South Cambridgeshire District Council or to the Magistrates Court within 21 days of the date of the decision letter having been served.

If the appeal is heard first by the Council Sub-Committee Appeals panel and is refused, the appellant will then have a further 21 days to have the matter registered with the Magistrates Court.

9.3 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 this 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).

9.4 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 the notice is given to the operator.

10. **Updating and Repeat Checks**

10.1 Successful applicants are required to notify the Council within 7 days of any convictions or cautions they may receive after the grant of their Licence/Approval.

10.2 Persons wishing to renew their Licence must obtain and provide updated Disclosure Documents with their renewal application.

10.3 It is important that the licensing authority receives relevant information as quickly as possible in order to take appropriate and proportionate action to protect public safety. Therefore, as per guidelines set out by the Local Government Association (LGA), all drivers and new applicants must register for the DBS update service and to nominate the licensing authority to receive updates.

10.4 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.

11. **Breaches of these guidelines**

11.1 Applicants are prohibited from driving a private hire or hackney carriage vehicle, or performing the duties of an operator without first having obtained a relevant Licence for this purpose.

11.2 Persons who have previously been granted a Driver's or Operator's Licence which has been suspended or revoked are prohibited from continuing to drive or perform the duties of an operator unless they have submitted an appeal in accordance with paragraph 9 of this Policy.

12. **Guidelines**

The following paragraphs offer a general guide on the decision, which might be taken where cautions or convictions are disclosed.

Offences Involving Violence

Offences against Children under 14 years and Young Persons 14 to 17 years

12.1 Drivers of hackney carriages and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such vulnerable persons. The Council seeks to minimise risks associated with children and young persons and for that reason a more serious view will be taken when offences of violence involve children or young persons.

12.2 Where the commission of an offence involved loss of life a licence will be refused.

12.3 Anyone of a violent disposition will normally be refused to be licensed until they have at least 5 to 10 years free of such conviction or the end of a term of imprisonment if applicable must have passed before an application is likely to be considered favourably. However given the range of the offences that involve violence, consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.

Offences against Other Persons

12.4 As hackney carriage and private hire vehicle drivers maintain close contact with the public, where the commission of an offence involved loss of life a licence will be refused.

In other cases a period of at least 5 to 10 years free of such conviction or the end of a term of imprisonment if

applicable must have passed before an application is likely to be considered favourably. However given the range of the offences that involve violence, consideration must be given to the seriousness and nature of the conviction and the term of rehabilitation could be reduced or increased.

12.5 A licence will not be granted where the applicant has a conviction for an offence such as:

- Murder
- Manslaughter
- Manslaughter or culpable homicide whilst driving
- Terrorism offences
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

12.6 A licence will not be granted where the applicant has a conviction for an offence such as:

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

12.7 An application will not normally be granted where the applicant has a conviction for an offence such as:

- Criminal damage
- Racially aggravated offence
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
- Hate crime
- Domestic violence

and the conviction is less than 5 years prior to the date of application.

12.8 An application will normally be refused where the applicant has a conviction for an offence such as:

- Common assault
- Assault occasioning actual bodily harm
- Affray
- Harassment, alarm or distress (S5 Public Order Act 1986)
- Fear of provocation of violence (S4 Public Order Act 1986)
- Intentional harassment, alarm or distress (S4A Public Order Act 1986)
- Obstruction
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

and the conviction is less than 3 to 5 years prior to the date of application.

13. **Weapon Offences**

13.1 If an applicant has been convicted of possession of a weapon or a weapon related offence, this will give serious cause for concern as to whether the person is a fit and proper person to carry members of the public. Depending on the circumstances of the offence, an applicant should be free of conviction for 3 to 5 years prior to the date of application.

14. **Sex and Indecency Offences**

14.1 Any applicant currently on the Sex Offenders Register will not be granted a licence.

Offences against Children under 14 years and Young Persons 14 to 17 years

14.2 Drivers of hackney carriage and private hire vehicles are often entrusted with the care of children and young persons. It is comparatively easy for an unscrupulous driver to take advantage of such vulnerable persons. Where the commission of a sexual offence involves a child or young person an application for a licence will normally be refused.

Offences of a sexual nature against Other Persons

14.3 As hackney carriage and private hire vehicle drivers often carry unaccompanied passengers, an application will not be granted where an applicant has a conviction, caution, reprimand, warning or where relevant information is received for an offence of:

- Rape
- Assault by penetration
- Offences involving children or vulnerable adults
- Offences under Serious Crime Act 2015
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.4 An application will not be granted where the applicant has a conviction, caution, reprimand, warning or where relevant information is received for an offence relating to:

- Sexual or indecent assault
- Possession of indecent photographs, child pornography etc
- Exploitation of prostitution
- Trafficking for sexual exploitation
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.5 An application will not be granted where the applicant has a conviction, caution, reprimand, warning or where relevant information is received for an offence relating to:

- Indecent exposure
- Soliciting (including kerb crawling)
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

14.6 A licence will not be granted if an applicant has a conviction, caution, reprimand, warning or where relevant information is received for any sex or indecency offence.

15. **Dishonesty Offences**

15.1 Drivers of hackney carriages and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare. It should also be noted that a private hire driver is not bound by a set fare structure and therefore is open to potential abuse by dishonest drivers. Customers often use the trade for journeys to airports and drivers are privy to the knowledge that premises will be empty for a period of time. In addition overseas visitors can be confused by the change in currency and become 'fair game' for an unscrupulous driver. Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. Passengers may comprise especially vulnerable people.

15.2 For these reasons a serious view is taken of any convictions involving dishonesty. In general a minimum period of 5 years free of conviction should be required before an application can be considered favourably. Offences of 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
- Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

16. **Drug Offences**

16.1 A serious view will be taken with regard to any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered. A licence will not be granted where the applicant has a conviction for an offence related to the supply, possession or consumption of drugs and has not been free of such conviction for a period of at least 5 years.

16.2 If there is evidence of persistent drugs use, misuse or dependency, a medical examination (in accordance with the DVLA Group 2 Medical Standards) will be required before an application will be considered. If the applicant was an addict then they will be required to show evidence that they have been free from drug taking for a period of at least 5 years after detoxification treatment.

17. **Driving Offences**

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

- Causing death by dangerous driving
- Causing death by careless driving whilst under the influence of drink or drugs
- Causing death by driving unlicensed, disqualified or uninsured drivers or
- Or any similar offences

17.2 Private hire and hackney carriage drivers are professional drivers and must be aware of the safety of their passengers and vehicles at all times. Any traffic offence could demonstrate that a driver is not a fit and proper person to hold a Licence. The following is of note:

- **Major offences / High risk offences** (see Annex A for examples of major/high risk offences). An Application received which details one of the major / high risk traffic offences in Annex A, on the DVLA licence, will normally be refused or a current licence suspended or revoked. An application will not be considered until a period of 5 years conviction free since the endorsement period has expired (4-11 years) as per DVLA rules.

Example – Mr X has DVLA endorsed for 4 years for dangerous driving. Application will be considered for a taxi licence after 9 years provided no further DVLA endorsements or convictions received within this period.

- **Minor offences** (see Annex B for examples of minor offences). Where a period of disqualification has been imposed due to the accrual of DVLA penalty points or for a single infringement, an application should not be considered until the driving licence has been restored for a period of 12 months. Should the DVLA licence show a further conviction after the disqualification period then a 12 month period free of conviction should elapse from the date of the latest conviction. If an applicant has had their licence revoked, following six or more penalty points during the first two years since passing their driving test, then a period of 12 months free of further conviction, after passing a further test should have elapsed before granting a licence.

18. **Drunk driving / driving under the influence of drugs / using a mobile phone whilst driving**

- 18.1 A serious view shall be taken of convictions for driving or being in charge of a vehicle whilst under the influence of alcohol or other substances. Where a disqualification has occurred as a result of a drink driving offence, a period free of conviction of 10 years should elapse from the restoration of the DVLA licence, before an application will be considered.
- 18.2 If there is any indication that the applicant is an alcoholic, a medical examination (in accordance with the DVLA Group 2 Medical Standards) shall be arranged by the applicant, at their expense, before an application is considered. If the applicant was an alcoholic, then they will be required to show evidence that they have undergone rehabilitation and have been free from any issues for a period of at least 5 years.
- 18.3 An isolated conviction for drunkenness shall not debar an applicant from obtaining a licence. However, a number of related convictions could indicate a problem necessitating a medical, as laid down in 18.2.
- 18.4 Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial 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.
- 18.5 A licence will not normally be granted if an applicant has more than one conviction for an offence of driving whilst using a mobile phone within 5 years.

19. **Discrimination Offences**

- 19.1 The council will treat any discrimination offence seriously when establishing if an applicant is fit & proper. Convictions relating to racial, sexual or gender orientated crimes will be refused a licence. Refer to paragraph 12.7.

20. **Licensing Offences**

- 20.1 Licensing legislation is designed to ensure the public are protected and as such a serious view will be taken of convictions for offences under the Acts, such as plying for hire, overcharging, and refusing to carry disabled persons, when deciding whether an applicant is fit & proper. In general a period of 5 years free of conviction must have elapsed before an application should be considered. Where drivers licensed by this authority are convicted of plying for hire the licence will be revoked.
- 20.2 A licence will not normally be granted if an applicant has more than one conviction for a taxi licensing related offence unless she/he has been conviction free for a period of not less than 5 years.
- 20.3 If an applicant has had a licence suspended, revoked or refused by another authority, then checks will be made with that authority to aid the decision making process.

21. **Insurance offences**

- 21.1 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 s/he has been free of conviction for 3 years, however a strict warning will be given as to future behaviour.
- 21.2 A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.
- 21.3 An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will normally have his operator's licence revoked immediately and be prevented from holding a licence for at least 3 years.

22. **Outstanding Charges and Summonses**

- 22.1 If an applicant is the subject of any outstanding charge, summons, or is currently on bail awaiting a charging decision, no decision will be made, or licence granted until these outstanding matters are resolved.

Annex A

MAJOR TRAFFIC OFFENCES

- 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 or without reasonable consideration for other road users
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
CD71 Causing death by careless driving then failing to supply a specimen for drug 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 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
DR61 Failure to supply a specimen for drug analysis in circumstances other than driving or attempting to drive
DR70 Failing to provide specimen for breath test
DR80 Driving or attempting to drive when unfit through drugs
DR90 In charge of a vehicle when unfit through drugs
- IN10 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
MS60 Offences not covered by other codes
- UT50 Aggravated taking of a vehicle

MINOR TRAFFIC OFFENCES

- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS30 Play street offences
- MS70 Driving with uncorrected defective eyesight
- MS80 Refusing to submit to an eyesight test
- MS90 Failure to give information as to identity of driver etc

- MW10 Contravention of Special Road 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

- 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 or traffic warden
- TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
- TS60 Failing to comply with school crossing patrol sign
- TS70 Undefined failure to comply with a traffic direction sign
- 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

- CU10 Using vehicle with defective brakes
- 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

- 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 vehicle

- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type or 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

Aiding, Abetting, counselling or procuring

Offences as coded above, but with 0 change to 2 (for example CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 change to 4 (for example CU10 becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (for example CU10 becomes CU16)

Non-endorsable offences

Some offences are non-endorsable. A non-endorsable offence is an offence which courts do not endorse onto paper counterpart. 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.