



Notification of a Change in Circumstances

I advise the Licensing Authority on (insert date): _____

SECTION 1: PLEASE INDICATE WHAT YOU WOULD LIKE TO NOTIFY US OF

- a) That I have recently received either a notification of intended prosecution, caution, conviction, a fixed penalty notice for motoring or criminal offence(s) or are under investigation. (Please now complete section 2, 3 and 5).
- b) That there has been a change in my medical circumstances. (Please now complete section 2, 4 and 5).

You are now required to answer the following questions so that the Licensing Manager can assess whether or not it is necessary to refer the matter to the Licensing and Environmental Protection Committee for review of your hackney carriage/private hire driver's licence.

FORM TO BE COMPLETED IN FULL, IN BLACK INK AND IN CAPITALS

SECTION 2: APPLICANT'S DETAILS

Full name: _____

Date of Birth: _____ Badge/Licence No: _____

Current address: _____

Postcode: _____ Email Address: _____

Telephone No: _____

SECTION 3: NOTIFICATION OF INTENDED PROSECUTION

When did you first become aware of intended prosecution? _____

Date of notification of intended prosecution: _____

Please provide a copy of any documentation received: _____

Date and time of offence: _____ Location: _____

Brief description of offence or DVLA code: _____

Date of conviction (if applicable): _____

Name of Court (or court code): _____

Sentence: _____

If motoring offence, give details of the vehicle you were driving (including registration number and hackney carriage/private hire vehicle plate number if applicable):



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If a licensed vehicle, was it being used for hire/reward? **YES/NO**

Please give a brief explanation of the circumstances that caused you to commit the offence(s): _____

SECTION 4: CHANGE IN MEDICAL CIRCUMSTANCES

When did you first become aware of your change in medical circumstances? _____

Please provide a brief description of your medical condition. _____

Will this affect your ability to drive? **YES/NO**

Are you on any form of medication? **YES/NO**

If 'YES' please provide a description of the medication you are on and how the condition affects you.

Have you reported this condition to the DVLA? **YES/NO**

SECTION 5: DECLARATION

I declare that the information I have given in this application is correct to the best of my knowledge. Information will be treated confidentially. If the information given relates to motoring offences, you must produce your DVLA licence for inspection once the conviction(s) / motoring offence(s) has/have been recorded.

Signed: _____ **Date:** _____

Print name: _____

For office use only

Date received: _____	Action to be taken:
Authorised by: _____	Date actioned:



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The '48 hour rule'

Licence holders are required to notify the Licensing Authority within 48 hours of receiving notice of any:

- **Investigation into any criminal offence or activity.**
- **Warnings received** – this to include any harassment, anti-social behaviour orders, or community resolution orders.
- **Cautions received** – issued by the police or any other agency.
- **Criminal charges or convictions received.** (In the case of motoring endorsements, the licence holder must notify the Council within 48 hours upon receipt of the initial notice from the Police).
- **Issue of any fixed penalty notice** (within 48 hours upon receipt of said fixed penalty notice).
- **Their arrest for any offence** (whether or not charged). If the licence holder is unable to notify the Council within 48 hours, then they must notify the Council within 48 hours following their release.
- **Change in medical condition or circumstances or long term prescribed medication which may affect your ability to drive.** If the licence holder is unable to notify the Council within 48 hours, then they must notify the Council as soon as reasonably practicable.

Failure to act in accordance with the '48 hour rule' will be taken into consideration if it is necessary to review your licence.

The licensing and environmental protection committee may when it undertakes a review or considers a renewal application, suspend, revoke or refuse to renew the licence if it concludes that it has 'reasonable cause' for such action.

Drivers are required to complete and return the questionnaire overleaf to the Licensing Authority regarding the offence(s).

If any licence holder fails to report any intended prosecution, caution, conviction or fixed penalty in accordance with the '**48 hour rule**' on two separate occasions within a period of three years ending on the date of the latest conviction or offence the licence will be referred to the licensing and environmental protection committee for review, even if the convictions would ordinarily be 'spent' under the rehabilitation of offenders act 1974 (as amended), or if in the case of a motoring fixed penalty notice, that offence is no longer 'live' (for totting up purposes) on the DVLA licence. Other fixed penalty notices will be dealt with having regard for the age, type of offence and apparent seriousness.

It is in all licence holders' interests when reporting any intended prosecution, cautions, convictions or fixed penalties to produce to the licensing and land charges unit copies of any notification of intended prosecution etc or similar document in order to identify when he/she first became aware of the proposed action. This will enable the licensing and land charges unit to establish whether he/she has complied with the '48 hour rule' or given notice within a reasonable timescale after the commission of the offence.

The council reserves the right to review any licence if the licensing and land charges manager has established that the failure to report any intended prosecution, caution, conviction or fixed penalty has deprived the licensing authority the opportunity to consider the matter previously. For example where it has been established that a driver would have had 9 or more 'live' points on the DVLA licence if the facts had been reported to the council at the appropriate time and such status would at that time have led to an automatic review of the licence in accordance with the council's conviction policy.

Privacy Policy

Here at St. Helens Council we take your privacy seriously. We will only use your personal information to administer your application and provide the products and services you have requested from us. From time to time we may need to contact you with details of the service or information we require from you and we will do this using the contact information you provided on your application form. This can either be by post, email, telephone or text message.



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The Council has a duty to protect the public and we implement a number of security measures to maintain the safety of your personal information. Please be aware however that the information you provide on this application may be shared with other public bodies where required, such as Council Departments and Government Services, which may be used for the prevention of fraud or other serious offences.

If you require a copy of the data we hold or believe it to be inaccurate please contact the Council's Data Protection Officer by email on dataprotection@sthelens.gov.uk.

Any further information held by the Council about individuals will be held securely and in compliance with the law. Information will not be held for longer than required and will be disposed of securely. Further information regarding retention periods is available on the Council's website at <https://www.sthelens.gov.uk/Licensing>.