

Licensing & Regulatory Committee

Monday 19 February 2018

A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Monday 19 February 2018 at 5.00 pm.

Membership:

Councillor Illingworth (Chairman)	
Councillor Ashford	
Councillor Mrs Cain	Councillor Mrs Hill
Councillor Davies	Councillor Mrs Knight
Councillor Gallagher	Councillor Murphy
Councillor Gifford	Councillor Quinney
Councillor Gill	Councillor Mrs Redford
Councillor Miss H Grainger	Councillor Mrs Stevens
Councillor Heath	

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda

1. Apologies & Substitutes

- (a) To receive apologies for absence from any Councillor who is unable to attend; and
- (b) To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter. If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Minutes**

To consider the minutes of the meeting held on 11 January 2018.

(To follow)

4. **Revisions to the Scheme of Delegation with regard to Personal Licence Holders**

To consider a report from the Chief Executive & Democratic Services

(Item 4/Page 1)

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**You can e-mail the members of this Committee at
landrcommittee@warwickdc.gov.uk**

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Licensing & Regulatory Committee

Minutes of the meeting held on Thursday 11 January 2018, at the Town Hall, Royal Leamington Spa at 4.30 pm.

Present: Councillor Illingworth (Chairman); Councillors Ashford, Boad, Davies, Gallagher, Gill, Miss Grainger, Heath, Mrs Hill, Naimo, Murphy, Quinney, Mrs Redford and Mrs Stevens.

26. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillor Cain;
- (b) Councillor Boad substituted for Councillor Gifford, and Councillor Naimo substituted for Councillor Mrs Knight.

27. **Declarations of Interest**

All Members declared an interest because the subject matter covered the entire District and would affect all Wards they represented.

28. **Local Government Boundary Commission for England Review of Warwick District Ward Boundaries**

The Committee received a report from the Chief Executive which updated them on the review of the Council's Ward Boundaries by the Local Government Commission for England (LGBCE) and sought agreement from the Committee on a proposed warding arrangement for this Council to be put to the LGBCE.

At the request of this Council the Local Government Boundary Commission for England (LGBCE) was undertaking a review of the Ward Boundaries. The review was requested in March 2016 and was partly because of the rapid growth in the electorate which was causing issues of voter equality but sought to restore coterminous Ward Boundaries between Town/Parish Council wards and District Council wards which had been thrown into confusion owing to the impact of the recent review of County Council division boundaries.

The request for the review was accepted and Warwick District Council made a submission that the Council size (number of Councillors) should be 48. However, the LGBCE considered all representations received and had set the Council size as 44. This was the final decision.

The LGBCE had started the public consultation on the warding arrangements and any party, group or individual was able to make a representation to the LGBCE for proposals on warding patterns. Anyone wishing to do this had to do so by 5 February 2018.

The had been to engage with as many parties as possible and to seek agreement to a common approach, from not only this Council but also Parish & Town Councils and Warwickshire County Council. It was felt that a consensual approach would make for a stronger argument to the LGBCE on the decision it should make.

The size of the electorate growth was taken from the 1 September 2017 electoral register and forecast through to 2023. The methodology for growth was summarised in section 3.5 of the report.

Now that the LGBCE had determined the size of the Council, Officers had been able to provide a proposal for the warding arrangement based on coterminous boundaries for consideration. In doing so Officers were mindful of the statutory criteria for the outcome of a review; Delivering electoral equality for local voters; Interests and identities of local communities; and Effective and convenient local government.

The initial proposal was revised following feedback and a summary of those proposals was set out at Appendix B to the report, along with a plan illustrating them at Appendix C to the report.

These proposals had been based on using the WCC Divisional Boundaries for Warwick District Ward Boundaries, to enable both District and Parish/Town Wards to be the same as WCC Divisions and this would also enable the Parliamentary Boundaries to be coterminous as well. It proposed that all the Wards should have three District Councillors each, except for Warwick South and Budbrooke & Bishops Tachbrook. Numerically, these should each have four Councillors but for practical purposes should be divided into two smaller wards each with two Councillors in the case of Budbrooke and Bishop's Tachbrook; and in the case of Warwick South into two wards of a 3 and a 1.

The report advised a further proposal which meant that the Cubbington & Leek Wootton Division be split into a 2 and a 1 arrangement with the current Radford Semele single Member District Ward being retained. This had the advantage of allowing for the ward to be part of a new Parliamentary Constituency of Rugby and Southam should it be confirmed but would still work even if that did not to occur. It also had the advantage of reducing the geographical scale any Councillor would have to cover if it were left as the current County Division.

The LGBCE would seek to have electoral equality within each Ward of no greater than +/- 10% than the average ratio for all electors and Councillors. The greater concern would be those Wards above 10%, because those at -10% or greater could allow for future development within them. The LGBCE had been clear that exceptions could be made as long as robust arguments were put forward.

In the initial proposal outlined at Appendix B, the wards of concern were the proposed Budbrooke Ward (+14) and the Cubbington & Leek Wootton ward being (+16). These could be argued as exceptional based on the local circumstances to enable communities to be recognised and remain coterminous with other electoral boundaries. The other exceptional figure would be Leamington Milverton at -15%.

Within the initial proposal, the split for Warwick South as a 3 and 1 member ward was recognised as not ideal and views had been sought from Groups on this and on the proposals overall.

The Labour Group had proposed an alternative arrangement to divide the Warwick South Ward of Councillors, retaining the use of coterminous boundaries with WCC and providing a sub division of the proposed Warwick South Ward. This was set out at Appendix D to the report along with an appropriate map at Appendix E to the report.

At section 3.15 of the report, a table was provided which showed that the proposal from the Labour Group provided a greater level of electoral equality at the end of the five years compared to the original proposal.

The Conservative Group had undertaken and brought forward the same approach as the initial proposal for the rural areas and Kenilworth but had different proposals for Leamington and Warwick. These proposals were summarised at Appendix F to the report and with respective plans at Appendices G and H to the report. These proposals provided an overall greater level of electoral equality but lost the ability to achieve coterminous boundaries between the Town Council and District wards in Leamington and Warwick.

The report outlined that both the Liberal Democrat Group and Whitnash Residents Association (Independent Group) supported the initial proposal.

The Chief Executive introduced the report and highlighted that the Boundary Commission was the decision making body and this report outlined the options for Warwick District Council's submission. This would lead to how the District was apportioned and determine how many Councillors would be allocated to each Ward.

He reminded the Committee of the significant growth in population across the District and reminded them that the County Divisions were an un-changeable element. As Returning Officer, he had a direct personal interest as it was his responsibility to ensure that elections were run smoothly and to avoid any voter confusion.

The Democratic Services Manager and Deputy Monitoring Officer updated the Committee following a conversation that had taken place with the Boundary Commission that afternoon. Progression of the review had been discussed along with the percentage of electoral equality detailed in Appendix B to the report. He explained that the commission were unlikely to accept any variation on any individual ward of greater than 12%.

Members queried the issue of coterminosity and how many Wards would not meet this principal within the Conservative proposal. Following discussions, it was noted that seven of the proposed wards would not be coterminous.

Members were also mindful of the need to avoid confusing voters as to which ward they voted in at different elections.

Some Members raised concerns that the Conservative proposal detailed at Appendix F to the report would result in additional cost to Royal Leamington Spa and Warwick Town Councils but it was argued that this may be the closest the Council would get to retaining existing communities whilst allowing for future expansion.

It was identified that there was an error within Appendix G, because the boundary between the Clarendon and Brunswick Wards at District and County level should have been the same.


The recommendations as set out in the report were duly proposed, with the Conservative proposal as the preferred Warding arrangement, subject to the revised plan. Following discussion between the Committee the proposal was amended so that the submission from this Council did not have to be agreed with Group Leaders, only the Chairman of the Licensing & Regulatory Committee.

The Committee therefore

Resolved that

- (1) the decision by the LGBCE to set the size of the Council at 44 Councillors, is noted;
- (2) the decision of the Commission to accept the methodology which projects the Local Government electorate in the District to increase from 109,855 in 2017 to 123,334 in 2023, is noted;
- (3) the proposal put forward, as detailed at Appendix F, was agreed as the Council's preferred Warding pattern for submission to the LGBCE, subject to an amendment to the map of Leamington, Appendix G, to retain a coterminous boundary between the Clarendon and Brunswick Wards at District and County level;
- (4) authority is delegated to the Chief Executive, in consultation with the Chairman of this Committee to produce, agree and submit the formal submission document to the LGBCE; and
- (5) the Chief Executive will notify Warwickshire County Council and all Parish & Town Council's in Warwick District of the proposed warding arrangements from this Council.

(The meeting ended at 5:46 pm)

 Licensing and Regulatory Committee: 19 February 2018		Agenda Item No. 4
Title	Revisions to the Scheme of Delegation - with regard to Personal Licence Holders	
For further information about this report please contact	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
Wards of the District directly affected	All wards	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	9.2.2018	Andrew Jones
Head of Service	9.2.2018	Marianne Rolfe
CMT		
Section 151 Officer	9.2.2018	Mike Snow
Monitoring Officer	9.2.2018	Andrew Jones
Finance	9.2.2018	Jenny Clayton
Portfolio Holder(s)	9.2.2018	Councillor Andrew Thompson
Consultation & Community Engagement		
WCC Legal Services Democratic Service Manager and Deputy Monitoring Officer		
Final Decision?		No
Suggested next steps: If supported the amendments will be considered by Executive Committee on 7 March 2018		

1. **Summary**

- 1.1 The purpose of this report is to advise Members of the Licensing and Regulatory Committee of the proposed changes to the Scheme of Delegation within the Constitution in relation to the suspension and revocation of a Personal Licence issued under The Licensing Act 2003.

2. **Recommendation**

- 2.1 That the Licensing and Regulatory Committee supports the proposals to amend the Scheme of Delegation under Health and Community Protection to include *'To notify the licence holder of the intention to refer them to a Licensing Sub-Committee to consider whether to suspend or revoke their Personal Licence under The Licensing Act 2003 and refer all cases to a Licensing Sub-Committee.'*
- 2.2 That the Licensing and Regulatory Committee, subject to agreement by the Executive/Council, approve the delegation of the decision to suspend or revoke a Personal Licence when a licence holder has been convicted before the court of a relevant offence, immigration offence or an immigration fine to a Licensing Sub-Committee.
- 2.3 The Licensing & Regulatory Committee determines that if Council approves these revisions, that the work involved in relation to 2.2 shall be delegated to their Sub-Committees as the appropriate body to consider such matters

3. **Reasons for the Recommendation**

- 3.1 On 6 April 2017 the Policing and Crime Act 2017 inserted Section 132A into the Licensing Act 2003 to give Licensing Authorities the power to revoke or suspend a Personal Licence if they become aware that the holder of the licence has been at any time before or after the grant of the licence, convicted of a relevant or foreign offence or been required to pay an immigration penalty.
- 3.2 A list of relevant offences has been provided by the Government and these are attached as appendix 1. A foreign offence is any offence for which a person has been convicted in a court of law of another country. If an offence is committed which is not a relevant offence or foreign offence the Licensing Authority have no powers.
- 3.3 Before the amendment made under the Policing and Crime Act 2017 came into force only a Magistrates Court had the power to revoke a Personal Licence at the time of sentencing for a relevant offence. However, it was the licence holders responsibility to make the Magistrates Court aware that they held a Personal Licence.
- 3.4 As a result of the amendment when the Licensing Authority becomes aware of an offence, officers must notify the personal licence holder that they intend to refer them to a Licensing Sub-Committee to consider whether to revoke or suspend their Personal Licence. The licence holder must be given 28 days to make representations to the Licensing Authority.
- 3.5 If the Scheme of Delegation amendment is agreed, the Licensing and Regulatory Sub-Committee would have the powers to make the decision to revoke or suspend a Personal Licence or to do nothing.

- 3.6 If the Licensing and Regulatory Sub-Committee decide not to revoke or suspend a Personal Licence the Chief Officer of Police is given 14 days to make a representation. If a representation is received a further Committee must convene to decide if having received the new information the personal licence should be revoked or suspended.
- 3.7 In line with other decisions under the Licensing Act the Personal Licence holder would have 21 days to appeal a decision to revoke or suspend a Personal Licence to the Magistrates Court.
- 3.8 The Policing and Crime Act 2017 does not set out any hearing procedures for determining whether or not to suspend or revoke Personal Licences. The Section 182 Guidance issued by the Secretary of State specifies at paragraph 4.45 that a Licensing Committee or Sub-Committee should determine the application to revoke a Personal Licence. It does not specify whether or not a hearing needs to take place.
- 3.9 S7(1) of the Licensing Act 2003 empowers a Licensing Committee to determine the decision making procedures for applications under the Licensing Act 2003. It is therefore open to the Licensing and Regulatory Committee to elect to dispose of these hearings by Licensing and Regulatory Committee or a Sub-Committee.
- 3.10 Officers are recommending that these be heard by a Sub-Committee. The Licensing Authority must also take into account the cost of holding the hearings and as there is no legal onus on the Licensing Authority to convene the whole Licensing and Regulatory Panel this should be considered. This would also fall into line with the current policy for hearing Personal Licence applications where Warwickshire Police have made objections. These are currently heard by a Licensing Sub-Committee.
- 3.11 It is proposed that for the first 12 months all Personal Licence holders who receive a relevant conviction, immigration conviction or an immigration fine will be brought before one of the Licensing and Regulatory Committees Sub-Committee. After 12 months a review will take place to establish if all relevant offences must still be taken to a Sub-Committee.

4. **Policy Framework**

4.1 **Fit for the Future (FFF)**

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/productivity of local economy Increased employment and income levels
Impacts of Proposal		
None	The licensing policy recognises that residents within, and visitors to the District, need a safe environment to live, work and visit; and that safe and well run entertainment premises are important to the wellbeing of any person within the District.	None
Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
None	None	None

4.2 **Supporting Strategies**

- 4.3 The proposal is not intended to bring forward changes to any of the principle formal policies of the Council but rather is intended to update the Scheme of Delegation in support of some of those policies.

- 4.4 **Impact Assessments** – An impact assessment taking into account the change in the Licensing Act 2003 would have been conducted by the Government before implementation which the Council is obliged to act upon. The Licensing Sub-Committees will be obliged to consider each matter on its individual merits.

5. Budgetary Framework

- 5.1 The recommendations do not impact on the budgetary framework or the budget set for the Council. Costs for the administration of this function are covered within the budget of the Council.

6. Risks

- 6.1 If the Licensing and Regulatory Sub-Committee make the decision to suspend or revoke a Personal Licence the decision may be appealed against at a Magistrates Court within 21 days of the decision. There would be costs associated with responding to an appeal and the Council could be ordered to pay the Appellants costs if it is deemed to have behaved unreasonably. These costs can be mitigated by providing Members of the Licensing Committee with ongoing training.

7. Alternative Option Considered

- 7.1 If the Scheme of Delegation is not amended the Licensing Authority will have no powers to revoke or suspend a Personal Licence. This could mean that persons who have committed relevant offences could continue to hold a Personal Licence with Warwick District Council.
- 7.2 The Committee may decide that the decision to suspend or revoke a Personal Licence should be made by the Licensing and Regulatory Committee but this is not recommended for the reasons set out in section 3 of the report.

8. Background

- 8.1 A Personal Licence is issued under the Licensing Act 2003 to any person who wishes to be a Designated Premises Supervisor at a licensed premises anywhere in England or Wales.
- 8.2 A Designated Premises Supervisor is the person who is responsible for the sale of alcohol at a premises and ideally has control over the day to day running of the premises. This is the person who the Licensing Department would deal with in the event of any complaints or issues at a licensed premises.
- 8.3 A Personal Licence must be applied for to the Council where the applicant usually resides. When applying for a Personal Licence a basic disclosure must be produced and any relevant offences must be declared. If the applicant has relevant offences Warwickshire Police are consulted and have 14 day to object to a personal licence being issued. If an objections is received a Licensing Sub-Committee will make a decision at the whether the Personal Licence may be issued.
- 8.4 Once a Personal Licence is issued the holder can keep this for an indefinite time, but must notify the Licensing Department of change of name, change of address and of any relevant convictions they receive.

- 8.5 There is currently no national database holding Personal Licence Holders details.

Attempted / conspiracy offences

1. An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence that is a relevant offence.
2. An offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit an offence that is a relevant offence.

Copyright and trademark offences

3. An offence under section 1 of the Trade Descriptions Act 1968 (false trade description of goods) in circumstances where the goods in question are or include alcohol.
4. An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 —
 - (a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright);
 - (b) section 107(3) (infringement of copyright by public performance of work etc.);
 - (c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent);
 - (d) section 297(1) (fraudulent reception of transmission);
 - (e) section 297A(1) (supply etc. of unauthorised decoder).
5. An offence under either of the following provisions of the Food Safety Act 1990 in circumstances where the food in question is or includes alcohol—
 - (a) section 14 (selling food or drink not of the nature, substance or quality demanded);
 - (b) section 15 (falsely describing or presenting food or drink).
6. An offence under section 92(1) or (2) of the Trade Marks Act 1994 (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.
7. An offence under regulation 6 of the Business Protection from Misleading Marketing Regulations 2008 (offence of misleading advertising) in circumstances where the advertising in question relates to alcohol or to goods that include alcohol.
8. An offence under regulation 8, 9, 10, 11 or 12 of the Consumer Protection from Unfair Trading Regulations 2008 (offences relating to unfair commercial practices) in circumstances where the commercial practice in question is directly connected with the promotion, sale or supply of alcohol or of a product that includes alcohol.

Drugs and drink/drug-driving offences

9. An offence under any of the following provisions of the Misuse of Drugs Act 1971 —
 - (a) section 4(2) (production of a controlled drug);
 - (b) section 4(3) (supply of a controlled drug);
 - (c) section 5(3) (possession of a controlled drug with intent to supply);
 - (d) section 8 (permitting activities to take place on premises).
10. An offence under any of the following provisions of the Psychoactive Substances Act 2016—
 - (a) section 4 (producing a psychoactive substance);
 - (b) section 5 (supplying, or offering to supply, a psychoactive substance);
 - (c) section 7 (possession of psychoactive substance with intent to supply);
 - (d) section 8 (importing or exporting a psychoactive substance).
11. An offence under any of the following provisions of the Road Traffic Act 1988 —
 - (a) section 3A (causing death by careless driving while under the influence of drink or drugs);
 - (b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);
 - (c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit);
 - (d) section 6(6) (failing to co-operate with a preliminary test).

Firearms offences

12.Any offence under the Firearms Act 1968.

13.Any offence under the Firearms (Amendment) Act 1988.

14.Any offence under the Firearms (Amendment) Act 1997.

15.An offence under any of the following provisions of the Violent Crime Reduction Act 2006—

(a) section 28 (using someone to mind a weapon);

(b) section 36 (manufacture, import and sale of realistic imitation firearms).

Fraud, forgery and duty-evasion offences

16.An offence under either of the following provisions of the Customs and Excise Management Act 1979 —

(a) section 170 (disregarding subsection (1)(a))(fraudulent evasion of duty etc.);

(b) section 170B (taking preparatory steps for evasion of duty).

17.An offence under either of the following provisions of the Tobacco Products Duty Act 1979 —

(a) section 8G (possession and sale of unmarked tobacco);

(b) section 8H (use of premises for sale of unmarked tobacco).

18.Any offence under the Forgery and Counterfeiting Act 1981 (other than an offence under section 18 or 19 of that Act).

19.Any offence under the Fraud Act 2006.

20.The offence at common law of conspiracy to defraud.

Immigration offences

21.An offence under any of the Immigration Acts.

Licensing offences

22.Any offence under the Licensing Act 2003.

23.Any offence under any of the following enactments—

(a) Schedule 12 to the London Government Act 1963 (public entertainment licensing);

(b) the Licensing Act 1964;

(c) the Private Places of Entertainment (Licensing) Act 1967;

(d) section 13 of the Theatres Act 1968;

(e) the Late Night Refreshment Houses Act 1969;

(f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982;

(g) the Licensing (Occasional Permissions) Act 1983;

(h) the Cinemas Act 1985;

(i) the London Local Authorities Act 1990.

24.An offence under section 3 of the Private Security Industry Act 2001 (engaging in certain activities relating to security without a licence).

25.An offence under section 7(2) of the Gaming Act 1968 (allowing child to take part in gaming on premises licensed for the sale of alcohol).

26.An offence under section 46 of the Gambling Act 2005 if the child or young person was invited, caused or permitted to gamble on premises in respect of which a premises licence under this Act had effect.

Sexual offences

27.A sexual offence, being an offence —

(a) listed in Part 2 of Schedule 15 to the Criminal Justice Act 2003, other than the offence mentioned in paragraph 95 (an offence under section 4 of the Sexual Offences Act 1967 (procuring others to commit homosexual acts));

- (b) listed in Schedule 3 to the Sexual Offences Act 2003 (sexual offences for the purposes of notification and orders);
- (c) an offence under section 8 of the Sexual Offences Act 1956 (intercourse with a defective);
- (d) an offence under section 18 of the Sexual Offences Act 1956 (fraudulent abduction of an heiress).

Terrorism offences

28.An offence listed in section 41 of the Counter-Terrorism Act 2008 (terrorism offences).

Theft offences

29.An offence under any of the following provisions of the Theft Act 1968 —

- (a) section 1 (theft);
- (b) section 8 (robbery);
- (c) section 9 (burglary);
- (d) section 10 (aggravated burglary);
- (e) section 11 (removal of articles from places open to the public);
- (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
- (g) section 13 (abstracting of electricity);
- (h) section 15 (obtaining property by deception);
- (i) section 15A (obtaining a money transfer by deception);
- (j) section 16 (obtaining pecuniary advantage by deception);
- (k) section 17 (false accounting);
- (l) section 19 (false statements by company directors etc.);
- (m) section 20 (suppression, etc. of documents);
- (n) section 21 (blackmail);
- (o) section 22 (handling stolen goods);
- (p) section 24A (dishonestly retaining a wrongful credit);
- (q) section 25 (going equipped for stealing etc.).

30.An offence under either of the following provisions of the Theft Act 1978 —

- (a) section 1 (obtaining services by deception);
- (b) section 2 (evasion of liability by deception).

Violent offences

31.An offence listed in Part 1 of Schedule 15 to the Criminal Justice Act 2003 (specified violent offences).

32.A violent offence, being any offence which leads, or is intended or likely to lead, to a person's death or to physical injury to a person, including an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).