GUIDANCE NOTES -
APPLYING FOR A LICENCE FOR A PROPERTY WITHIN
AN AREA OF SELECTIVE LICENSING

On 18th July 2019, Leeds City Council formally designated* parts of Beeston and Harehills as subject to Selective Licensing with effect from 6th January 2020. From this date, if you are operating a privately rented property in an area of Beeston or Harehills that has been designated for Selective Licensing, you must have a licence for the property or have made an application for a licence in order to comply with the law. There may be circumstances where this is not possible, for example where a landlord purchases a rented property within a Selective Licensing area. In this case, an application should be submitted within 14 days of the purchase completion and the application shall be accompanied by a solicitor’s letter confirming the date of completion.

*copies of each designation or any information relating to it, including the plan of each designated area, are available to view online at https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing or at Leeds City Council, Knowsthorpe Gate, Leeds LS9 0NP

These Guidance Notes aim to assist persons applying for a Selective Licence. Applicants should read the notes carefully.

IMPORTANT:

i. It is your responsibility to fully complete an application form and support it with the required documentation. Failure to do so could result in an application being returned to you or ultimately cancelled. If your application is cancelled, the Council will retain Part 1 of the licence fee, as detailed in the guidance and our Frequently Asked Questions.

ii. You should answer all questions on the application form unless directed otherwise. If completing a paper application form, please use black ink and write legibly in BLOCK CAPITALS.

iii. Completed paper application forms, together with the required documentation should be sent to us at the following address: Selective Licensing Team, Private Sector Housing, Knowsthorpe Gate, Leeds LS9 0NP. Please do not send any money with your application, we will acknowledge your application and will tell you how to pay the first part of the licence fee (see the guidance relating to the Selective Licence fee below). Your application will only be considered to have been fully made once the licence fee has been paid and the payment has cleared. It is your responsibility to ensure that the application reaches us. You are strongly advised to obtain proof of postage as well as ensuring that you keep a copy of your completed application and any supporting documents. The Council aims to acknowledge receipt of paper applications within 10 working days. If you have not heard from us after 10 working days of sending in your application, please contact us either by telephone on tel. 0113 535 1369 or by email, selective.licensing@leeds.gov.uk. Remember it is your responsibility to ensure that we receive your application form otherwise you will be committing an offence by operating an unlicensed property in a Selective Licensing area.

Persons applying for a licence online via the Council’s website https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing will receive email confirmation of their submission and payment receipts.

iv. If we become aware of any information that is found to be incorrect or misleading, your application may be deemed invalid and may be cancelled. If cancelled a further application will then be required together with the first part of the licence fee.

v. The Council is required by law to establish and maintain a register of all Selective Licences granted. As such the name and address of the Licence Holder and any Property Manager (as it appears on the licence) will appear on this register and will be made available for inspection by members of the public at all reasonable times.

vi. The Glossary at the end of the document contains an explanation of all the terms used.
Application Checklist

The following information is needed to complete an application for a Selective Licence -

The names; dates of birth and contact details (address; email address and telephone number) of the Applicant, Property Manager, proposed Licence Holder, Property Owner, and the Person Having Control of the property that is the subject of the application.

Where the Applicant; Property Manager; proposed Licence Holder; Property Owner and the Person Having Control of the property is a limited company -
  i. the limited company’s name, registered office address and contact details shall be provided, and
  ii. where the application form requires a date of birth, the date 25/12/1920 shall be used.

The National Insurance (NI) number of the Licence Holder. It would be helpful if you also had the NI numbers for the Applicant; Property Manager; Property Owner and the Person Having Control of the property.

Proof of identification for the Applicant; proposed Licence Holder and Property Manager, comprising-
  i. photo ID e.g. current signed passport and current UK or EEA photo card driving licence as proof of name, and
  ii. an official document as proof of address, e.g. a utility bill (gas, electric, landline phone bill, water) issued within the last three months, council tax bill for the current council tax year and current UK driving licence (but only if not used for the name evidence).

See the following pages for the different types of identification that are acceptable; what to do should you not have photo ID; how to submit ID (note that persons applying for a licence online are required to upload identification documents. For paper applications, clear and legible photocopies of the proof of identity documents are required. Please do not send original documents as we cannot ensure their safe return) and what limited companies should do.

Details of houses in multiple occupation (HMO) or properties that are licensed (or due to be licensed) under Part 2 or 3 of the Act in respect of which the proposed Licence Holder is the Licence Holder, whether in the area of Leeds City Council or any other Local Housing Authority.

The Property Owner’s membership number (if any) of the Leeds Rental Standard.

Mortgage details (name of provider and the mortgage company’s address), if any.

Property details including the number of toilets, washbasins and sinks; the type and location of all smoke and heat detectors and details of the fire escape route at the property.

How do I apply for a Selective Licence?
Applications can be made and paid for online via the Council’s website https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing. Tips and guidance for completing the online form is available. Alternatively applications can be made on a paper application form.

When deciding whether to grant a licence or not, the Council must look at three aspects of the management of the property and if these are satisfactory then it must grant a licence. The Council considers:
  i. the proposed Licence Holder;
  ii. the proposed Property Manager (if a different person from the Licence Holder), and
  iii. the proposed management arrangements.

Who can apply for a Selective Licence?
Anyone can apply for a Selective Licence, however -
  i. the proposed Licence Holder is required to be a Fit and Proper Person and the most appropriate person to be the Licence Holder. In general the Person Having Control of the Property is the most appropriate person to be the Licence Holder unless the contrary is shown;
ii. the proposed Property Manager can be either the Person Having Control of the Property or an employee or agent of the Person Having Control. They are required to be a Fit and Proper Person to be the manager;

iii. a person who is the subject of a current Banning Order served under section 16 of the Housing and Planning Act 2016 will not be considered a Fit and Proper Person to be a Licence Holder or Property Manager. Applications identifying banned persons for either of these roles will be refused by the Council.

**IMPORTANT:**
If the Property Owner or part owner of a property which is rented out has a Banning Order in force against them under Section 16 of the Housing and Planning Act 2016 then the Council will not be able to grant a Selective Licence in respect of that property unless the ownership of the property changes to someone who does not have a Banning Order in force against them.

**Proposed management arrangements**
The decision whether the proposed management arrangements are satisfactory will take into account the level of competence and the Fit and Proper Person character of anyone proposed to be involved in the management of the house and the suitability of the proposed management structure and funding arrangements.

**Do I need to do anything before I apply for a licence?**
The law requires you to let certain persons know in writing that you intend to make an application for a Selective Licence. The persons that need to know are –
- any mortgagee of the property to be licensed;
- any owner of the property if that is not you, ie. the freeholder and any head lessors who are known to you;
- any tenants or long leaseholders of the property or any part of it (including any flat) who is known to you other than a statutory tenant or other tenant whose lease or tenancy is for less than three years (including a periodic tenancy);
- the proposed Licence Holder and Property Manager (if any) if that is not you;
- any person who has agreed to be bound by any conditions in a licence if granted.

There is a template at the end of the paper application form that can be used to tell each of these persons. Persons applying for a licence online can download a form from the Council’s website [https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing](https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing)

**Do I need to apply for a licence for each property I own?**
Yes. The legislation relates to the licensing of properties not individuals. We have to consider the individual circumstances of each property; undertake checks and serve separate notices relevant to that property and issue a licence for each address. You should submit an application for each rented property you own in the designated areas.

**What if my property is split into flats?**
Self-contained flats need to have their own licence. You must therefore submit a licence application for each flat. If there are any shared amenities, such as a toilet; washing facilities; a kitchen or a living room you will need one licence for the property. This could be a Selective Licence or a HMO licence depending on the number of occupiers in the property.

**Do I need to apply for a licence if my property is empty?**
If a property is empty then it is not privately let and therefore you do not need a licence. If you plan to rent out your property, an application is required as soon as it is occupied. We would encourage you to apply for a licence before your new tenants move in.
Property Owners should be aware that the Council targets empty homes in the city to bring them back into use. Owners are advised therefore to consider the loss of rental income; property deterioration and increased Council Tax payments for empty properties against the cost of a Selective Licence for properties that are let and generating an income.

**What types of identification are accepted for the Applicant, proposed Licence Holder and Property Manager?**

Proof of identification is required for the Applicant; proposed Licence Holder and the Property Manager, comprising a minimum of one document from column 1 and one document from column 2 in the table below:

<table>
<thead>
<tr>
<th></th>
<th>Column 1 Accepted forms of identification for proof of name</th>
<th>Column 2 Accepted forms of identification for proof of address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>• Current signed passport</td>
<td>• Utility bill (gas, electric, landline phone bill, water) for home address issued within the last three months</td>
</tr>
<tr>
<td></td>
<td>• UK or EEA photo card driving licence</td>
<td>• Council tax bill for home address for the current council tax year</td>
</tr>
<tr>
<td></td>
<td>• UK firearms or shotgun certificate</td>
<td>• Current UK driving licence (only if not used for column 1)</td>
</tr>
<tr>
<td></td>
<td>• National identity card</td>
<td></td>
</tr>
<tr>
<td>Limited Company</td>
<td>• Certificate of incorporation</td>
<td>• Utility bill for the company issued within the last three months</td>
</tr>
<tr>
<td></td>
<td>• ‘Overview’ for the company from Companies House</td>
<td>• Business rates bill for the company for the current financial year</td>
</tr>
<tr>
<td>Partnership</td>
<td>For each partner –</td>
<td>• Company letterhead</td>
</tr>
<tr>
<td></td>
<td>• Current signed passport</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• UK or EEA photo card driving licence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• UK firearms or shotgun certificate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• National identity card</td>
<td></td>
</tr>
<tr>
<td>Registered Charity</td>
<td>• ‘Overview’ of the charity from the Charity Commission service</td>
<td>• Utility bill for the charity issued within the last three months</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Business rates bill for the charity for the current financial year</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Charity letterhead</td>
</tr>
<tr>
<td>Trading as</td>
<td>• See Individual or Partnership requirements</td>
<td>• See Individual or Partnership requirements</td>
</tr>
<tr>
<td>Trust</td>
<td>• Trust document</td>
<td>• List of trustees and their addresses</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• List of beneficiaries and their addresses</td>
</tr>
</tbody>
</table>

**IMPORTANT:**

i. You are required to submit TWO forms of ID for each of the persons listed in the application, ie. the Applicant; proposed Licence Holder and Property Manager, with your completed application form. You cannot use one form of identification for both name and address, for example, if you provide your driving licence as proof of your name you must provide another form of identification for your address, such as a recent utility bill.

ii. For people who do not have a passport or driving licence or any other form of photographic ID, a recent photograph of themselves (that has been taken within the last 3 months) should be submitted along with verification that the photograph is of them together with two forms of ID from Column 2 above to prove their address. To verify a photograph, the person in the photograph should sign and date the back of the photograph and they should print their name in CAPITAL LETTERS.
iii. If applying for a licence online, you will be required to upload scanned copies of the documents. Please make sure they are in one of the following formats - pdf, jpg, png – and that they are clear and legible. If you do not have a way of uploading something online you can access the public libraries and One Stop Centres within Leeds where the staff will be able to assist you in scanning documents.

iv. If completing a paper application form, please provide clear and legible photocopies of the proof of identity documents. Please do not send in originals as we cannot ensure their safe return.

v. You cannot use one form of identification for both name and address, for example, if you provide your driving licence as proof of your name you must provide another form of identification for your address, such as a recent utility bill.

What will happen if I don’t submit a licence application?
Subject to specific exemptions* that are laid out in law, all properties within an area designated for Selective Licensing are required to have a licence. Operating a property without a licence - or without having made an application for a licence within the required timescale - is an offence which could result in an unlimited fine or a civil penalty of up to £30,000. In addition, tenants may make a claim for a Rent Repayment Order against you.

If a landlord persisted in not applying for a licence and they commit two banning order offences, they could be banned from operating their business for a period of at least 12 months.

The Selective Licensing designations for Beeston and Harehills take effect on 6 January 2020. In order to comply with the law, landlords and managing agents who rent out properties in these areas must have made a full application and paid the first part of the licence fee by 6 January 2020.

* Information about exemptions can be found in our Frequently Asked Questions document that is available on the Council’s website https://www.leeds.gov.uk/housing/information-for-landlords/selective-licensing

What do I do if I have a licensed HMO in a Selective Licensing area?
If your property is already licensed under Part 2 of the Housing Act 2004 (mandatory HMO licensing) you do not need to apply for a Selective Licence.

How much does a Selective Licence cost?
The fee for a Selective Licence is £825 per property or unit of accommodation.

There is no reduction for landlords with a large number of properties/units of accommodation as the fee covers the cost of the administration of each Selective Licensing scheme over the 5 year term. As such the fee remains the same per property. Similarly the fee remains the same regardless of the size of a property.

A discount of £150 per licence is available when the proposed Licence Holder owns the property to be licensed and is a confirmed member of the Leeds Rental Standard (LRS) at the time the licence application is made. They must remain a member of LRS for the duration of the licence. The discount will not be applied if an application to become a member of LRS is pending or where it appears that a timely application for a licence has not been made to the Council.

IMPORTANT:
If, during the term of a Selective Licence –

i. the Licence Holder fails to maintain their membership of LRS, the Council will investigate and take appropriate recovery action. This may result in the demand for full repayment of the discount granted in relation to a property/licensed portfolio.

ii. we become aware of any information that is found to be incorrect or misleading with regards to discount eligibility, we will seek to recover the value of the discount claimed. In such cases, the Applicant will be given the opportunity to provide evidence to the contrary. Please be aware that this may affect the validity of a Selective Licence.
How do I pay the licence fee?
The licence fee will be charged in two parts. One part, £425 on making the application and one part, £400 or £250 for members of the Leeds Rental Standard meeting the above criteria, which will be payable only if the application is successful.

For applications made online, you will automatically be transferred to our payment portal where you will have to pay £425 before your application can be submitted. We accept Visa, MasterCard, Maestro and Visa Electron cards.

In the case of paper applications, please do not send any money with your application. We will acknowledge your application and will tell you how to pay the first part of the licence fee. Failure to pay within 21 days may render your application invalid and you will have to make a new licence application.

If your application is successful, we will tell you how to pay the second part of the licence fee. We will not issue a final licence until the second payment has been made and it has cleared.

IMPORTANT:
The first part of the licence fee is non-refundable. In the event that the Council refuses to grant a licence or cancels an application, or where you choose to withdraw an application, we will retain the £425 paid. Only in exceptional circumstances, ie. where an application has been submitted in error for a property that was not required to be licensed, will the Council refund the first part of the licence fee.

What happens after I have made an application?
If you submit your application online, you will receive three emails from us confirming your submission and also acknowledging receipt of your payment. You should make a note of the enquiry reference number (starting with W) contained in the automated emails from NoReply@leeds.gov.uk as you will need it should you contact us. Keep your emails safe as they are proof that you have made an application for a Selective Licence.

In the case of application forms submitted on paper, we aim to acknowledge receipt of your application within 10 working days. If you have not heard from us after this time, please contact us on tel. 0113 535 1369 or by email at selective.licensing@leeds.gov.uk It is your responsibility to ensure that your application reaches us. The acknowledgement will tell you how to pay the first part (£425) of the licence fee; payment must be made within 21 days. We will not start to process your licence application until the fee has been paid.

Once the payment of the first part of the licence fee has cleared, we will start to process your application. Firstly we will check that you have completed the application form in full and have supplied all of the required supporting documentation. If information is missing at this time (or if there are any queries) we will contact you and will tell you what you need to do in order that your application can be progressed. It is important that you provide any missing information within the timescale given; failure to do so could result in us cancelling your application. We will then carry out a number of checks including for example:

- that no Banning Orders are in force against the proposed Licence Holder; Property Manager and any person who owns an interest in the property to be licensed;
- Fit and Proper Persons checks, and
- that the proposed management arrangements for the property are satisfactory.

Once we have considered all the necessary information, we will either grant or refuse a licence in accordance with the requirements of the Housing Act 2004.
IMPORTANT:
As stated above in ‘How do I pay the licence fee?’, in the event that the Council refuses to grant a licence the first part of the licence fee (£425) will not be refunded.

Based on our experience of mandatory HMO licensing, we anticipate the average time to complete the application process to be 10 weeks from the date we receive your application. Applicants may experience longer processing times where queries exist over applications or where an Applicant delays payment of the second part of the licence fee.

Public Register
The Council is required by law to establish and maintain a register of all Selective Licences granted. As such the name and address of the Licence Holder and any Property Manager (as it appears on the licence) will appear on this register and will be made available for inspection by members of the public at all reasonable times.

Find out how we look after all your personal data - https://www.leeds.gov.uk/privacy-statement/privacy-notice
Glossary of terms used in the licence application form

In the following notes, unless otherwise stated, “the Act” means the Housing Act 2004. Any references to sections etc. are to sections in the Act.

**Applicant**
The Applicant may be the Property Owner; the proposed Licence Holder; the Property Manager; the Person Having Control of the property or the person managing the property or somebody acting on their behalf who is completing the application for whatever reason.

**Limited company**
A limited company is a type of business structure whereby a company is considered a legally distinct body from the people who run it. It’s finances are kept separate from the owner's personal finances; it’s able to own assets and it keeps any profits it makes after tax. Limited companies have directors and should be registered with Companies House.

There are two kinds of limited company: private limited companies and public limited companies (PLC’s). Private limited companies cannot offer shares to the general public. PLC’s however can raise capital by offering shares to the general public. Shares are traded on the stock exchange, and a PLC must have issued shares to a value of at least £50,000 before it can trade.

**Partnership**
A type of business structure where two or more people pool money, skills and resources to carry on a business and share in profit and loss.

**Registered charity**
An organisation registered with the UK Charity Commission. A charity has a legal structure that is defined by a governing document.

**Trust**
A legal arrangement where one or more people or a company (the ‘trustees’) control money or assets (called the ‘trust property’) which they must use for the benefit of one or more people (the ‘beneficiaries’).

**Proposed Licence Holder**
The Act requires that the proposed Licence Holder is, out of all the persons reasonably available to be the Licence Holder, the most appropriate person to be the Licence Holder and that they are also a Fit and Proper Person.

A person who also has control of the property and takes responsibility for it is assumed to be a more appropriate person to be the Licence Holder than a person who does not have control, unless the contrary is shown.

The proposed Licence Holder should have adequate financial means to manage the property and undertake their responsibilities as a Licence Holder.

People who are the subject of a current Banning Order served under section 16 of the Housing and Planning Act 2016 will not be considered a Fit and Proper Person. Applications that identify a banned person for the role of Licence Holder will be refused by the Council.

Similarly applications that identify a person who live overseas for the role of Licence Holder will be refused.

**Property Owner**
Means the person (other than a mortgagee not in possession) who is for the time being entitled to dispose of the fee simple of the premises whether in possession of reversion. It includes also a person holding or entitled to the rents and the profits of the premises under a lease of which the unexpired term exceeds 3 years. If the Property Owner or Part Owner of a house which is rented out has a Banning Order in force against them under Section 16 of the Housing and Planning Act 2016 then the Council will not be able to
grant a Selective Licence in respect of that house unless the ownership of the house changes to someone who does not have a Banning Order in force against them.

**Property Manager**

The proposed Property Manager can either be the Person Having Control of the house or their agent or employee. The proposed Property Manager must be a fit and proper person to be the manager of the house and the proposed management arrangements must be otherwise satisfactory.

**Person Having Control**

This means the person who receives the rack rent of the property (or who would be in a position to receive it if the premises were let at a rack rent). Rack rent is defined as the rent which is not less than 2/3\(^{rd}\)s of the full net rental value of the premises. The Person Having Control includes not only the person who receives the rent in this way on his own account but also someone who receives it as an agent or trustee for another or someone else.

**Single occupation**

This means a property occupied by one household (see the definition of household below).

**Multiple occupation**

This means a property occupied by more than one household (see the definition of household below).

**Hostel**

Accommodation provided for people with no other permanent residence (as distinct from a hotel which generally provides accommodation for visitors to the area for a short term). The category includes hostels, guesthouses and bed and breakfast accommodation. Hostels generally house vulnerable people for a temporary period of time until a more permanent home can be provided. A level of support is provided to the clients which varies according to the nature and ethos of the establishment, it’s clients and the organisation running the hostel.

**Storeys in the property**

Storeys need to be counted from the final exit door to the uppermost level, including mezzanines as a storey. Where the final exit is located on the ground floor, or raised ground floor, any lower ground floor or basement or cellar should not be counted as a storey.

**No of separate letting units**

A letting unit can consist of a building; part of a building; a room or a bedsit which is occupied by a person or household. Each unit is rented out on a separate tenancy, for example:

- A 2 bedroom flat occupied by a family would count as one letting unit;
- A 3 bedroom house with 1 room occupied by a couple, one 1 room occupied by their children and 1 room occupied by an unrelated single person would count as two separate letting units, and
- A 4 bedroom house with each room occupied by an unrelated individual and all pay separate rents would count as four separate letting units.

**Household**

The following are ‘households’ for the purposes of the Housing Act 2004:

Members of the same family living together including:

- Couples married to each other or living together as husband and wife (or in an equivalent relationship in the case of persons of the same sex);
- Relatives living together, including parents, grandparents, children (and step-children), grand-children, brothers, sisters, uncles, aunts, nephews, nieces or cousins.

Half relatives will be treated as full relatives. A foster child living with his foster parent is treated as living in the same household as his foster parent.

Any domestic staff are also included in the household if they are living rent-free in accommodation provided by the person for whom they are working.

**Meaning of “HMO”**
HMO means a house in multiple occupation as defined by sections 254 to 259, Housing Act 2004 and it applies to a wide range of housing types and includes:

- A building or a part of a building, which consists of one or more units of living accommodation not consisting of a self-contained flats or flats;
- The living accommodation is occupied by persons who do not form a single household;
- Where two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities;
- Buildings converted into self-contained flats if more than one third of the flats are tenanted and the conversion does not comply with Building Regulations 1991 or subsequent Building Regulations. See sections 254-257 of the Act.

**Fit and Proper Person**

The Council must be satisfied that the proposed Licence Holder and Property Manager are a “Fit and Proper Person” to hold a licence/manage the property. The Council will take into account certain illegal activities which would make them unfit to be a Licence Holder or Property Manager. These are detailed in the application form. The evidence is relevant if it was either the proposed Licence Holder or manager themselves who were involved or someone associated with them, or formerly associated with them, on a personal or other basis. Not all matters will prevent a licence being granted but they must all be declared on the application form and the Council will consider the relevance of them. A person subject to a banning order will not be considered a Fit and Proper Person.

**Spent convictions**

This is a detailed and comprehensive matter and it is recommended that you seek independent legal advice on the matter but as a general guide under the Rehabilitation of Offenders Act 1974, criminal convictions can become spent or ignored after a rehabilitation period. They do not need to be disclosed. The rehabilitation period varies depending on the sentence or order imposed by the court – not the nature of the offence. Custodial sentences of more than two and a half years can never become spent. All borstal or detention centre sentences are now spent. The periods from the date of conviction are in the table below:

<table>
<thead>
<tr>
<th>Sentence</th>
<th>Rehabilitation period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Prison sentences of 6 months or less, including suspended sentences</td>
<td>7 years (3 ½ years if 17 or younger when</td>
</tr>
<tr>
<td>and detention in a young offender institution</td>
<td>convicted)</td>
</tr>
<tr>
<td>2. Prison sentences of more than 6 months to 2 and a half years,</td>
<td>10 years (5 years if 17 or younger)</td>
</tr>
<tr>
<td>including suspended sentences and detention in a young offender</td>
<td></td>
</tr>
<tr>
<td>institution</td>
<td></td>
</tr>
<tr>
<td>3. Fines (even if subsequently imprisoned for fine default),</td>
<td>5 years (2 ½ years if 17 or younger)</td>
</tr>
<tr>
<td>compensation, probation (for convictions on or after 3 February 1995),</td>
<td></td>
</tr>
<tr>
<td>community service, combination, action plan, curfew, drug treatment and</td>
<td></td>
</tr>
<tr>
<td>testing and reparation orders</td>
<td></td>
</tr>
<tr>
<td>4. Absolute discharge</td>
<td>6 months</td>
</tr>
<tr>
<td>5. Conditional discharge or bind-over, probation (for convictions before</td>
<td>1 year or until the order expires</td>
</tr>
<tr>
<td>3 February 1995), supervision, care orders</td>
<td>(whichever is longer)</td>
</tr>
<tr>
<td>6. Attendance centre orders</td>
<td>1 year after the order expires</td>
</tr>
<tr>
<td>7. Hospital orders (with or without a restriction order)</td>
<td>5 years or 2 years after the order expires</td>
</tr>
<tr>
<td></td>
<td>(whichever is longer)</td>
</tr>
<tr>
<td>8. Referral Order</td>
<td>Once the order expires</td>
</tr>
</tbody>
</table>

Updated May 2020