



# Personal Licences

## A Guidance for Applicants



## To obtain a Personal Licence

### **This Guide also covers renewal of, amendments to, and replacement of, Personal Licences**

Applicants with any unspent convictions for relevant offences set out in the Act may find it useful to discuss their potential application with the Police and the Authority before formally making their application to the Authority for a Personal Licence.

### **The Council must grant a Personal Licence providing the following criteria are met:**

- (a) The applicant is over 18,
- (b) The required fee is paid,
- (c) The applicant possesses a relevant QCA accredited licensing qualification,
- (d) The applicant has not forfeited a Personal Licence in the previous five years beginning with the day the application was made,
- (e) The applicant has not been convicted of any relevant offence, or foreign offence as defined in the Act,
- (f) The Police have not given an objection notice about the grant of a Personal Licence following notification of any unspent relevant offence or foreign offence,

The Council will liaise closely with the Police when an applicant is found to have an unspent conviction for a relevant offence as defined in the Act. Where an applicant for a Personal Licence has an unspent criminal conviction for a relevant offence, the police and Council may wish to interview the applicant should the police be minded to object to the grant of the licence.

If the Police make a representation to an application the matter will be referred to a Licensing Panel (three Councillors) for hearing. You and your legal representative and a Police representative will be invited to attend. Your application will be decided at that hearing

### **When you can expect to hear the outcome**

If the Authority fails to decide your application within three months of receiving it, your application will be approved.

### **When your Personal Licence will become effective**

Your Personal Licence will be valid from the day it is determined.

As the holder of a valid Personal Licence you would be eligible to send the Authority Temporary Event Notices for events planned for the future (up to 50 in a calendar year). The Authority would appreciate being given as much notice as possible (at least 10 working days is required).

## Documents you must send

The following documents must be submitted with applications

Application Type 135(4)	Documents Required	Fee £	Time constraints	Reference in the Act
Application for a “new” Personal Licence	<ul style="list-style-type: none"> <li>• Application form</li> <li>• Evidence of a licensing qualification (Note 1)</li> <li>• 2 photographs (Note 2)</li> <li>• CRB Certificate</li> <li>• Copy to the Police</li> </ul>	37.00	None	Section 117
Replacement of a licence lost, stolen damaged or destroyed etc.	<ul style="list-style-type: none"> <li>• (If lost or stolen) evidence that the loss or theft has been reported to the Police.</li> </ul>	10.50		Section 126
Change of address	<ul style="list-style-type: none"> <li>• The current Personal Licence (Note 3)</li> </ul>	10.50		Section 127
Notification of convictions	<ul style="list-style-type: none"> <li>• The current Personal Licence (Note 3)</li> <li>• A notice containing details of (the nature and date of the conviction / the determination)</li> </ul>	0.00	As soon as reasonably practicable after the conviction, and as soon as reasonably practicable after the determination of any appeal.	Section 132

**Note 1:** A licensing qualification as defined by section 120(8).

**Note 2:** A photograph of the applicant in a specified form which is endorsed, by a person of specified description, with a statement verifying the likeness of the photograph to the applicant (Schedule 8 para. 23(3)(b)).

**Note 3:** If the Personal Licence is not available, a statement of the reasons for failure to provide the licence.

Where a Personal Licence holder is convicted by a court for a relevant offence, the Court will advise the Council accordingly. On receipt of such notification, the Council will contact the holder within 14 days requesting return of the licence so that the necessary action can be taken. Licensees must advise the Authority of any relevant convictions. Relevant offences under section 113 of the Licensing Act 2003 can be found in Schedule 4 of the Act.

If you find the text in this publication difficult to read we may be able to supply it in a format better suited to your needs.

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