GUIDANCE NOTE – PERSONAL LICENCES

This guidance note has been compiled for your assistance but it is not intended to replace your own legal advice.

What is a Personal Licence?

All sales/supplies of alcohol must be made by, or under the authority of, a Personal Licence Holder (however, this does not apply to Qualifying Clubs or premises operating under a Temporary Event Notice). This doesn’t mean that Personal Licence holders must be present at all times when alcohol is sold/supplied - a Personal Licence holder may authorise other members of staff to sell alcohol whilst they are absent from the premises. Not everyone who makes a sale has to hold a Personal Licence, so long as a Personal Licence Holder has authorised the sale. A Personal Licence does not expire and is valid in all of England and Wales – if you move away to work in another Authority then your Personal Licence ‘travels’ with you and you do not have to apply for a new licence with the new Authority, but you need to ensure that you keep your details up to date, e.g change of name and/or address. You must apply for your Personal Licence to the Council within whose district you live.

If you do need to change any details on your licence or require a replacement, you must apply in writing to the Authority who first issued your licence. There is a fee of £10.50.

What is a Designated Premises Supervisor?

All premises operating under a Premises Licence to sell/supply alcohol must appoint a Designated Premises Supervisor (DPS) for the premises. There can only be one DPS per premises. The DPS will be held as the person in overall charge of the premises and whilst they are not required to be at the premises at all times when the premises are open they should be responsible for the day to day running of it. A person cannot become a DPS unless he/she is also a Personal Licence Holder.

Qualifying clubs don’t need a DPS to sell alcohol to members and their guests.

What are the requirements for a new application for a Personal Licence?

- The applicant must be aged 18 or over;
- The applicant must be able to evidence their right to live and work in the UK and to undertake work in a licensable activity (Section 192A of the Licensing Act 2003 defines ‘entitlement to work’ for the purposes of the Act). Details of acceptable documents are detailed on the application form. (A personal licence will automatically lapse if the holder ceases to be entitled to work in the UK)
- The applicant must hold a Licensing qualification that has been accredited by the Secretary of State - the aim of this is to ensure that licence holders are aware of licensing law and the wider social responsibilities attached to the sale of alcohol, (see acceptable accredited qualifications below)
- The applicant must submit a Disclosure of Convictions and Civil Immigration Penalties and Declaration form (this should state whether or not any relevant or foreign offences have been committed). As well as disclosing relevant and foreign offences, new applicants for a personal licence must also disclose any immigration penalties contrary to s15 Immigration, Asylum and Nationality Act 2006 or s23 Immigration Act 2014
- The applicant must submit one of the following – either a Criminal Record Certificate, a Criminal Conviction Certificate, or the results of a Data Subject Access Search (of the Police National Computer). The Licensing Authority can only accept these documents up to 1 calendar month from the date of their issue;
• No Personal Licence held by an applicant can have been forfeited within 5 years of making the application for a Personal Licence;

• The applicant must submit 2 passport sized photograph’s of yourself (taken against a light background, 45mm by 35 mm in size, one photo being endorsed as a true likeness of the applicant by a person of standing in the community – solicitor, doctor, etc);

• The fee for a personal licence application is £37

If the Licensing Authority receives an application for a personal licence and the applicant has a relevant or foreign offence equivalent, the Licensing Authority will serve a copy of the application on the Police who will have the opportunity to object to it. If the Licensing Authority receives an objection notice the matter will be determined by a hearing of a Licensing Sub Committee. The Licensing Authority must reject the application if it is considered appropriate that on the basis that the granting of the application would undermine the crime prevention objection.

**How do I obtain a Criminal Record Certificate ?**

A Basic Disclosure Certificate can be obtained from Disclosure Scotland at a cost £25.00 - for further details call them on 0870 6096006 or visit their website at [www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk).

**What are ‘relevant offences’, ‘foreign offences’ and ‘immigration offences’?**

‘Relevant offence’ refers to the offences listed in the Licensing Act that could, on conviction, rule out the grant or renewal of a Personal Licence to an applicant. The offences include those involving serious crime; serious dishonesty, fraud offences; controlled drugs; offences of a sexual or violent nature; and immigration offences and certain offences created by the Act. The full list of relevant offences can be found in Schedule 4 to the Act.

A ‘Immigration offence’ is treated in the same way as relevant offences or foreign offences and Licensing authorities are required to notify the Secretary of State (through the Home Office Immigration Enforcement) when an applicant declares they have been issued with an immigration penalty or convicted of an immigration offence. The Home Office may object to an application on grounds that granting the personal licence would be prejudicial to the prevention of illegal working in licensed premises.

A ‘foreign offence’ is one committed outside England and Wales. When applying for a new Personal Licence the applicant must include details of any relevant or equivalent foreign offences for which they have been convicted. If a person is convicted of a relevant or foreign offence while holding a Personal Licence then he/she must either produce his/her Personal Licence to the Court or notify the Court of the existence of the Personal Licence. The Personal Licence holder must also (as soon as reasonably practicable) inform the licensing authority which granted the licence of the conviction. The Licensing Authority must then notify the Police who may, within 14 days, object to the continuation of the licence (as it would undermine the crime prevention objective). If so, a hearing of a Licensing Sub Committee will be arranged unless it is agreed that a hearing is unnecessary.

There is a new duty for existing personal licence holders to inform the Licensing Authority if they are convicted of a relevant or foreign offence, or if they are required to pay an immigration penalty. The Licensing Authority can now suspend or revoke a personal licence if the holder has been convicted of a relevant or foreign Offence or has been required to pay an immigration penalty.
Renewal of a Personal Licence

From 1 April 2015 it is no longer necessary to renew a personal licence. Section 115 of the Licensing Act 2003 has been amended by section 69 of the Deregulation Act 2015, removing the requirement to renew personal licences.

What qualifications are acceptable to enable me to get a new Personal Licence?

The Home Secretary has accredited the following personal licence qualifications under the Licensing Act 2003 from 1 April 2011:-

**BIIAB** (QCF Recognition number RN5118)
*Level 2 Award for Personal Licence Holders*
Qualification accreditation number 501/1494/3
Website: [http://www.biiab.org](http://www.biiab.org)
Telephone: 01276 684 449
Email: qualifications@bii.org
Address: BIIAB, Infor House, 1 Lakeside Road, Farnborough, Hampshire, GU14 6XP

**CIEH** (QFC recognition number RN5238)
*Level 2 Award for Personal Licence Holders*
Qualification accreditation number 601/2104/X
Website: [http://www.cieh.org](http://www.cieh.org)
Telephone 0207 827 5800
Email: customerservices@cieh.org
Address: Chartered Institute of Environmental Health, Chadwick Ct, 15 Hatfields, London, SE1 8DJ

**HABC** (QCF Recognition number RN5219)
*Level 2 Award for Personal Licence Holders*
Qualification accreditation number 500/9974/7
Website: [http://www.highfieldabc.com](http://www.highfieldabc.com)
Telephone: 0845 226 0350
Email: info@highfieldabc.com
Address: Highfield Awarding Body for Compliance Ltd, Highfield House, Sidings Court, Lakeside, Doncaster, DN4 5NL

**IQ** (QCF Recognition number:RN5330)
*Level 2 Award for Personal Licence Holders*
Qualification accreditation number: 601/4980/2
Website: [http://www.industryqualifications.org.uk](http://www.industryqualifications.org.uk)
Telephone: 01952 457 452
Email: info@industryqualifications.org.uk
Address: Industry Qualifications, Head Office, Coppice House, Halesfield 7,Telford, TF7 4NA

**LASER** (QCF Recognition number RN5326)
*Level 2 Award for Personal Licence Holders*
Qualification accreditation number 600/6446/8
Website: [http://www.laser-awards.org.uk](http://www.laser-awards.org.uk)
Telephone: 01932 569894
Email: enquiries@laser-awards.org.uk
Address: Phoenix House, Pyrford Road, West Byfleet, Surrey KT14 6RA

**Pearson Education Ltd** (QCF Recognition number RN5133)
Level 2 Award for Personal Licence Holders
Qualification accreditation number: 601/3483/5
Website: http://qualifications.pearson.com
Telephone: 0844 576 0045
Email: wblcustomerservices@pearson.com
Address: Pearson Education Ltd, 80 Strand, London, WC2R 0RL

**QNUK** (RQF Recognition number RN5159)
Level 2 Award for Personal Licence Holders
Qualification accreditation number 603/1021/2
Website: http://www.Qualifications-Network.co.uk
Telephone: 020 8366 5049
Email: CentreSupport@Qualification-Network.co.uk
Address: Qualifications Network, Suite 23, East Lodge Business village, Botany Bay, Middlesex E2 8AS.

**SQA** (QCF Recognition number RN5167)
Level 2 Award for Personal Licence Holders
Qualification accreditation number 600/1269/9
Website: http://www.sqa.org.uk
Telephone 0845 279 1000
E-mail: customer@sqa.org.uk
Address: The Optima Building, 58 Robertson Street Glasgow G2 8DQ.

**Training Qualifications UK** (QCF Recognition number RN5355)
Level 2 Award for Personal Licence Holders
Qualification accreditation number 601/6508/X
Website: http://www.tquk.org
Telephone: 03333 583344
E-Mail: account.managers@tquk.org
Address: 84 Liverpool Road, Cadishead, Manchester, M44 5AN

Please contact these bodies directly for information on courses, costs and availability in your area.

**Formerly accredited courses**

The following courses were formerly accredited:

**BIIAB Level 2 National Certificate for Personal Licence Holders.**
QCA Accreditation Number: 100/4866/2. From 1 Feb 2005 to 31March 2011.

**EDI Level 2 National Certificate for Personal Licence Holders.**
QCA Accreditation Number: 100/4865/0. From 1 Feb 2005 to 30 April 2011.

**EDI Level 2 Award for Personal Licence Holders.**
QCF Accreditation number 500/9146/3. From April 2011 to January 2015.

**GQAL Level 2 National Certificate for Personal Licence Holders.**
QCA Accreditation Number: 100/5040/1. From 1 May 2005 to 30 April 2010.

**HABC Level 2 Award for Personal Licence Holders.**
QCA Accreditation Number: 500/7383/7. From 1 Sept 2009 to 30 April 2011.

**NCFE Level 2 National Certificate for Personal Licence Holders**
QCA Accreditation Number: 500/4228/2. From 1 Sept 2008 to 30 April 2011.
SQA Level 2 Award for Personal Licence Holders

NCFE Level 2 Award for Personal Licence Holders QCF
Recognition number RN5156. From 22 March 2011 to 30 June 2016.

Please contact these bodies directly for information on courses, costs and availability in your area.

Every effort has been made to ensure that this guidance document is comprehensive and accurate. Whilst the Licensing Authority and each of the ‘Responsible Authorities’ will be pleased to assist you and offer advice and guidance on how to complete application forms, etc, you are advised to seek your own independent legal advice if you have any legal queries.

Please return your completed application by post to:

Licensing Service
Environmental Health and Consumer Protection Division
2nd Floor, Yorkon Building
Archway Road, Huyton
Knowsley
L36 9FB

Or in person Monday to Friday, between 9am and 2.30pm at:

Huyton One Stop Shop
Archway Road
Huyton
L36 9YU

Telephone: 0151 443 2300

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