

Licensing Act 2003 Personal Licences

What is a personal licence?

A personal licence allows an individual to authorise the sale or supply of alcohol. It is valid for 10 years and is portable throughout England and Wales. All premises with a premises licence will need at least one personal licence holder where one of their activities is the sale or supply of alcohol. The only exception is for community premises in respect of which a successful application has been made to disapply the usual mandatory conditions – see the Council's Guidance Document GD08A for further information.

What is a Designated Premises Supervisor?

A Designated Premises Supervisor (DPS) is the person named on the premises licence (not necessarily the applicant) who is singularly responsible for the running of that premise. A DPS must hold a personal licence. The Council's Guidance Document GD13 provides more information regarding the role and responsibilities of a DPS.

Who needs a personal licence?

Any premises (except qualifying clubs) that sell or supply alcohol will need at least one personal licence holder, one of whom must be named on the premises licence as the Designated Premises Supervisor.

Who can apply for a personal licence?

A personal licence holder must:

- be aged 18 or over;
- have not forfeited a personal licence within 5 years prior to making an application;
- have not been convicted of any relevant or foreign offence;
- possess an accredited licensing qualification.

What is considered an accredited licensing qualification?

For the purpose of personal licences, the Secretary of State has accredited the following qualifications under the Licensing Act 2003:

- BIIAB Level 2 National Certificate for Personal Licence Holders, QCA Accreditation Number: 100/4866/2 (Website: www.bii.org or telephone 01276 684449)
- EDI Level 2 National Certificate for Personal Licence Holders, QCA Accreditation Number: 100/4865/0 (Website: www.ediplc.com or telephone 02476 516500)
- GQAL Level 2 National Certificate for Personal Licence Holders, QCA Accreditation Number: 100/5040/1 (Website: www.gqal.org.uk / www.nationaltrainingco.com or telephone 0845 1700001)
- HABC Level 2 Award for Personal Licence Holders, QCA Accreditation Number: 500/7383/7 (Website www.highfieldabc.com or telephone 0845 2260350)
- NCFE Level 2 National Certificate for Personal Licence Holders, QCA Accreditation Number: 500/4228/2 (Website www.ncfe.org.uk or telephone 0191 239 8000)

What is a relevant offence?

Relevant offences are listed under Schedule 4 to the Licensing Act 2003. A full list of relevant offences is contained within the Council's Guidance Document GD15.

How do I apply for a personal licence?

Personal licence applications should contain the following:

- a completed application form (form 6);
- the appropriate fee (£37.00);
- two passport sized photographs one of which should be endorsed on the back by a solicitor, notary, teacher, lecturer or other professional person as a true likeness;
- disclosure of convictions and declaration form (form 8);
- either a basic disclosure criminal conviction certificate or the results of a subject access search under the Data Protection Act 1998(b) of the Police National Computer by the National Identification Service;
- accredited Licensing Qualification Certificate (see details above).

Basic criminal record checks can be obtained from Disclosure Scotland. For further information please telephone 0870 609 6006 or visit www.disclosurescotland.co.uk. Subject access forms can be obtained from the data protection department of Cumbria Police – telephone 0845 3300247.

A duplicate copy of the application package does not need to be sent to the Chief Officer of the Police. However, if relevant offences are declared, the Licensing Authority will inform the Police who may raise representations against the issue of a licence.

Who can object to a personal licence application?

Only the Police can object and only then if they feel that granting the licence would undermine the crime prevention objective in the Act. In such a case the Police must give the authority an objection notice within fourteen days.

A hearing must then be held within twenty working days beginning the day after the fourteen day period. Your application will then be decided by a licensing committee at a hearing.

What happens if there are no objections?

If there are no objections and the applicant fulfils the application criteria, the application will be granted.

Where do I send my completed application?

Send your completed application to:

Licensing Section
Eden District Council
Town Hall
PENRITH
CA11 7QF

All applications forms, together with more detailed information regarding Temporary Event Notices, Premises Licences, the role and responsibilities of a Designated Premises Supervisor, Fees, Plans, Advertisements/Notices and Responsible Authorities, are available on our website www.eden.gov.uk.

If you have any further queries please telephone (01768) 212148/212273/212209, or email admin.licensing@eden.gov.uk.