

# Licensing Act 2003

## Guidance Note – New Personal Licence



### Purpose

This guidance is aimed at individuals who may need to apply for a personal licence granted under the 2003 Licensing Act.

The guidance explains what the licence is, what a licence holder can do with their licence, how to make an application, what fees are involved and where an application must be sent.

### What is a personal licence

A personal licence is issued under the Licensing Act 2003 and allows the holder to authorise the sale or supply of alcohol in a venue which has a premises licence. Personal licences are issued by the Local Authority where a person lives and last for ten years. Personal licence holders can also authorise up to 50 temporary event notices in each calendar year subject to certain restrictions. Personal licences are not tied to a specific premises meaning holders of such licences can authorise sales of alcohol in all venues which have a premises licence throughout England and Wales.

### The role of the 'designated premises supervisor'

Within the Act there is a role known as the designated premises supervisor (DPS). Each premises licence which includes the sale or supply of alcohol must nominate somebody to fulfill this role. The DPS must be a personal licence holder. The DPS acts as a contact point for the police and other responsible authorities in case there are issues with the sale and supply of alcohol.

The DPS will normally be responsible for the premises on a day-to-day basis. Only one supervisor is required for any premises although there is no restriction on the number of personal licence holders that a premises may have. The personal licence holder and premises supervisor can be the same person.

### Personal licence qualification

Before you can apply for a new personal licence you must first attend a course to achieve the recognised licensing qualification. The aim of the qualification is to ensure that licence holders are aware of licensing law and the wider social responsibilities attached to the sale of alcohol.

For the purpose of personal licences, the Secretary of State has accredited two qualifications under the Licensing Act 2003. These are as follows:

- British Institute of Innkeeping Level 2 National Certificate for Personal Licence Holders, (NCPLH)
- GOAL Level 2 Certificate for Personal Licence Holders

Further information about the qualifications can be found on the British Institute of Innkeeping website – [www.biiab.org](http://www.biiab.org). As a rough guide the NCPLH course normally lasts one day and costs in the region of £150-£200. There is a multiple choice examination at the end of the course which lasts 40 minutes.

## Convictions, relevant and foreign offences and spent convictions

There are strict rules which must be followed concerning convictions both at the application stage for a personal licence and during the time a licence is in force.

When applying for a personal licence you must fill out a disclosure of criminal convictions and declaration form (PERS2). This form allows you to disclose any relevant or foreign unspent convictions. A relevant offence is one which is defined at schedule 4 of the Act. A conviction will be disregarded if the offence is spent for the purposes of the rehabilitation of Offenders Act 1974 (c.53). A foreign offence is an offence under the law of any place outside England and Wales.

You must also provide a basic disclosure. This can be obtained from [www.disclosurescotland.com](http://www.disclosurescotland.com). This is only valid for one calendar month.

If the holder of a personal licence is charged with a relevant offence and has to appear in court in connection with that offence Section 128 of the Act requires the individual to produce the licence to the court at no later than their first court appearance.

If a licence holder is convicted of a relevant or foreign offence while holding a personal licence, they must as soon as reasonably practicable inform the Licensing Authority which granted the licence of the conviction. The Licensing Authority must then notify the chief officer of police for its area who may, within 14 days, notify the authority that he considers that the continuation of the licence would undermine the crime prevention objective. If so, the authority must hold a hearing to consider the objection notice unless it is agreed that a hearing is unnecessary and this could lead to the revocation of the personal licence.

If an applicant for the grant or renewal of a personal licence is convicted of a relevant or foreign offence during the application process, they must also notify the Licensing Authority applied to of the conviction. Failure to do so is an offence.

## How to apply for a new personal licence

1. Application form (PERS1)
2. Disclosure of Convictions and Declaration form (PERS2)
3. Fee of £37
4. CRB Basic Disclosure (available from [www.disclosurescotland.com](http://www.disclosurescotland.com)) this must be received within 1 calendar month of the date of the CRB.
5. Original licensing qualification certificate (National Certificate for Personal Licence Holders)
6. 2 photos, one of which should be endorsed on the reverse as a true likeness by a professional person
7. Send your completed application (including all the documents listed at point 2 above and the fee) to Entertainment Licensing, Leeds City Council.

## Fees

Item	Cost
Application for the grant or renewal of a personal licence	£37.00
Theft, Loss etc of personal licence	£10.50
Change of name or address	£10.50

## Payment

We can accept payment by all major credit and debit cards at our St George House office. Please visit St George House, Great George Street, Leeds, LS1 3DL and report to our reception on the first floor. Please make cheques payable to Leeds City Council.



## Use of Personal Data

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

## Contact Details and address to send application to:

Entertainment Licensing Section  
Leeds City Council  
Civic Hall  
Leeds  
LS1 1UR

Phone: 0113 247 4095  
Fax: 0113 224 3885  
Website: [www.leeds.gov.uk/licensing](http://www.leeds.gov.uk/licensing)  
Email: [entertainment.licensing@leeds.gov.uk](mailto:entertainment.licensing@leeds.gov.uk)

**This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law.**

**Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law.**

**You should seek your own legal advice on the matters raised in this guidance note.**