Purpose

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

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 indefinitely. 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.

The following Level 2 Award for Personal Licence Holders have been accredited by the Secretary of State:

- BIIAB
- CIEH
- HABC
- IQ
- LASER
- Pearson Education Ltd
- QNUK
- SQA
- Training Qualifications UK

As a rough guide the 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.
Right to Work in the UK

Anyone applying for a personal licence must prove they have the right to work in the UK. There are a number of ways to show this. If you are a British national, you can provide a copy of part of your passport or a copy of your birth certificate and a letter which has your national insurance number on. We would need to see the following pages from a passport:

i. any page containing the holder’s personal details including nationality;
ii. any page containing the holder’s photograph;
iii. any page containing the holder’s signature;
iv. any page containing the date of expiry; and
v. any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If you are not a British National the list of documents you can use is provided in the guidance notes at the end of the personal licence form. We do not need to see the original documents and a photocopy will be sufficient.

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy).

- An expired or current passport or national identity card showing the holder, or a person named in the passport as a child of the holder, is a national of a European Economic Area country or Switzerland.

- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national or a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.

- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder’s parents or adoptive parents, when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.
• A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produce in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A certificate of registration or naturalisation as a British citizen when produce in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to any condition preventing the holder from doing work relating to the carrying on of a licensable activity.

• A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work in relation to the carrying on of licensable activities.

• A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.

• A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person’s permanent National Insurance number and their name issued by a Government agency or a previous employer.

• A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.

• Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

• Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:

  • evidence of the applicant’s own identity – such as a passport,
  • evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  • evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    (i) working e.g. employment contract, wage slips, letter from the employer,
    (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
(iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
(iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Please do not send the original documents.** If the document copied is a passport, a copy of the following pages should be provided:

vi. any page containing the holder’s personal details including nationality;

vii. any page containing the holder’s photograph;

viii. any page containing the holder’s signature;

ix. any page containing the date of expiry; and

x. any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office.

**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 [https://www.gov.uk/request-copy-criminal-record](https://www.gov.uk/request-copy-criminal-record). 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 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. DBS Basic Disclosure (available from [https://www.gov.uk/request-copy-criminal-record](https://www.gov.uk/request-copy-criminal-record)) this must be received within 1 calendar month of the date of the disclosure
5. Original licensing qualification certificate (Level 2 Award for Personal Licence Holders)
6. Photocopies of documents proving your right to work in the UK
7. 2 photos, one of which should be endorsed on the reverse as a true likeness by a professional person
8. Send your completed application (including all the documents listed at point 2 above and the fee) to Entertainment Licensing, Leeds City Council.

**Fees**

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<th>Item</th>
<th>Cost</th>
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<td>Application for the grant of a personal licence</td>
<td>£37.00</td>
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<tr>
<td>Theft, Loss etc of personal licence</td>
<td>£10.50</td>
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<td>Change of name or address</td>
<td>£10.50</td>
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**Payment**

We can accept payment by all major credit and debit cards over the telephone.

![Credit card logos](image)

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:**

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<th>Entertainment Licensing</th>
<th>Phone: 0113 378 5029</th>
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<tr>
<td>Leeds City Council</td>
<td>Fax: 0113 336 7124</td>
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<tr>
<td>Civic Hall</td>
<td>Website: <a href="http://www.leeds.gov.uk/licensing">www.leeds.gov.uk/licensing</a></td>
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<tr>
<td>Leeds, LS1 1UR</td>
<td>Email: <a href="mailto:entertainment.licensing@leeds.gov.uk">entertainment.licensing@leeds.gov.uk</a></td>
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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.