



Copeland Borough Council

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GUIDANCE NOTES

PERSONAL LICENCES

What is a personal licence?

A personal licence allows an individual to authorise the sale or supply of alcohol. 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.

How much does it cost?

A personal licence costs £37

How long is it valid?

It is valid for 10 years

Where is it valid?

It is portable throughout England and Wales.

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 premises. A DPS must hold a personal licence.

Who needs a personal licence?

Any premises (except qualifying clubs) that sells or supplies 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 (applies to new applicants only)

What is considered an accredited licensing qualification?

For the purpose of personal licences, the Secretary of State has accredited 2 qualifications under the Licensing Act 2003. These are as follows:-

- BIIAB Level 2 National Certificate for Personal Licence Holders, QCA Accreditation Number: 100/4866/2 and;
- GOAL Level 2 Certificate for Personal Licence Holders, QCA Accreditation Number: 100/4865/0

Further information about the BIIAB qualification is available on the BII website – www.bii.org

Enquiries about the GOAL qualification can be made to: customerservice@ediplc.com or Telephone No. 08707 202909

What is a relevant offence?

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

When can you apply for a personal licence?

You can apply for a new licence at any time after 7 February 2005. New licences will only have practical effect from the 24 November 2005.

Premises without a personal licence holder after the 24 November (except qualifying clubs) will not be able to sell or supply alcohol.

Why should you apply for a personal licence?

Every supply of alcohol under the premises licence must be made or authorised by a personal licence holder. This means that even if a premises has a premises licence, alcohol cannot be served if a personal licence holder is not named as the Designated Premises Supervisor on the premises licence and if that person has not authorised the sale of alcohol.

Do all alcohol serving staff need a personal licence?

No, the only person at alcohol-serving premises who must have a personal licence is the Designated Premises Supervisor (DPS). However, it would be advisable for each premise to have at least one other personal licence holder in the case of accident or prolonged absence of the DPS at all times.

Does the Designated Premises Supervisor need to be on the premises when alcohol is being served?

No, but that person should always be contactable. As the Designated Premises Supervisor is ultimately responsible for every alcohol sale, if there is any problem at the premises, it will be a matter for the courts to decide if the DPS has shown due diligence.

How do you apply for a personal licence?

You can apply for a Personal Licence but you must show that you have sufficient knowledge of licensing law and the social responsibilities of selling alcohol. This can be satisfied by successfully completing one of the accredited training courses referred to earlier in this guidance.

You should also submit a document that states any relevant offences. Currently the Government have suggested that this can be in the form of a basic or standard CRB (Criminal Records Bureau) Disclosure to prove that you have not been convicted of any relevant offences.

Details of how to obtain a standard disclosure are available on the CRB Website at www.disclosure.gov.uk or telephone 0870 9090811. Basic criminal record checks can be obtained from Disclosure Scotland. For further information please telephone 0870 609 6006 or visit www.disclosurescotland.co.uk

Personal licence applications should contain the following:-

- A completed application form
- The appropriate fee of £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 (COP19)
- CRB Disclosure (Please note that the date of issue of this document should be no earlier than one calendar month before the date the application is made to the Licensing Authority. Currently checks can be made to CRB Scotland – see above)
- Accredited Licensing Qualification Certificate (BIIAB or GOAL)

If relevant offences are declared, the Licensing Authority will inform the Police who may raise representations against the issue of a licence.

Personal licences are not required in qualifying club situations, permitted temporary events and for premises licences that do not retail alcohol. However, personal licence holders are not prevented from giving temporary event notices.

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 you apply for a personal licence?

Send your completed application to:

The Head of Legal & Democratic Services
Copeland Borough Council
The Copeland Centre,
Catherine Street,
Whitehaven,
Cumbria. CA28 7SJ

If you have any further queries please telephone 01946 598517 or 598520 or e-mail: licensing@copelandbc.gov.uk.