

## Licensing Act 2003

### Advice for Applicants - Personal Licences

Personal Licences are granted by the Local Authority in which the applicant normally resides, not the Local Authority where they work. The licence is valid throughout England and Wales. Anyone can apply for a Personal Licence, even if they do not currently work in a bar, so long as they meet the set criteria.

#### Who needs to apply for a Personal Licence?

You need to apply for a Personal Licence if you wish to supervise the sale or supply of alcohol for consumption on or off any premises covered by a Premises Licence. If no alcohol is to be sold for consumption on or off the premises you are not required to hold a Personal Licence.

#### How do I obtain a Personal Licence?

**All applicants must complete the appropriate application form and declaration of convictions and civil immigration penalties. Applicants must also provide the following documents.**

1. Two photographs of the applicant which shall be -
  - (i) taken against a light background so that the applicant's features are distinguishable and contrast against the background,
  - (ii) 45 millimetres by 35 millimetres,
  - (iii) full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his religious beliefs, without a head covering,
  - (iv) on photographic paper, and
  - (v) one of which is endorsed with a statement verifying the likeness of the photograph to the applicant by a solicitor, notary, a person of standing in the community\* or any individual with a professional qualification.

**Note:-** \* a "person of standing in the community" includes a bank or building society official, a police officer, a civil servant or a minister of religion.

2. Either —
  - (i) a criminal conviction certificate issued under section 112 of the Police Act 1997\*\*
  - (ii) a criminal record certificate issued under section 113A of the Police Act 1997\*\* or
  - (iii) the results of a subject access search under the Data Protection Act 1998 of the Police National Computer by the National Identification Service, and

in any case, such certificate or search results shall be issued no earlier than one calendar month before the giving of the application to the relevant licensing authority.

**Note:-\*\***From January 2018 applicants requiring a basic disclosure check for a personal licence in England and Wales will need to apply to Disclosure and Barring Service (DBS) rather than Disclosure Scotland. For DBS application there is a new online application route available on <https://www.gov.uk/government/publications/basic-checks>

3. A licensing qualification certificate. (Awarding Bodies and licensing qualifications are approved by the Department for Culture Media and Sport.)  
<https://www.gov.uk/government/publications/accredited-personal-licence-qualification-providers>
4. Applicants must have the legal right to live and work in the UK. Applicants must submit proof of this right when submitting the application. Documents which demonstrate the right to work in the UK can be found at <https://www.newcastle.gov.uk>

Application forms can either be provided by post (contact the Licensing Authority, at Civic Centre, tel: 0191 2777171) or via the City Council website as above, or from the government's Department of Culture Media & Sport website: [www.culture.gov.uk](http://www.culture.gov.uk)

Licensing Solicitors will also have copies.

### **What if I have a relevant conviction?**

'Relevant offence' refers to the offences listed in the Licensing Act 2003 which could, on conviction, rule out the grant of a Personal Licence to the applicant concerned. The Police will be advised when an applicant has a relevant offence and they can serve an objection notice on the City Council. If they do so, the application will be dealt with by members of the City Council's Licensing Committee. (Details of what are relevant offences are listed on a separate sheet).

You would have a right of appeal to the Magistrates Court if the application is refused

If you require further information, you may need to consult a Licensing Solicitor. You can also contact the City Council (0191 2777171 / 0191 2777179) or at the address below or on the e-mail address: [licensing@newcastle.gov.uk](mailto:licensing@newcastle.gov.uk)

Licensing Authority  
Newcastle City Council,  
Civic Centre  
Newcastle upon Tyne  
NE1 8QH