

TENDRING DISTRICT COUNCIL

LICENSING ACT 2003

PERSONAL LICENCES

When a Premises Licence authorises the supply of alcohol then a person who has day to day control of the premises must be nominated to be the 'Designated Premises Supervisor' and that person must possess a current Personal Licence granted to him or her by a Licensing Authority in England or Wales. Only one Personal Licence may be held by that person and licences are valid for a period of 10 years, after which a renewal application must be made.

How to Apply for a Personal Licence

- ❑ Whether you work, or intend to work, in a particular area in England and Wales, you must apply to the Licensing Authority where you are normally resident. If you have no fixed address, then you may apply to any Licensing Authority.
- ❑ You must be over the age of 18 years.
- ❑ You must possess a recognised licensing qualification [please contact the Licensing Section if you are in any doubt as to whether your qualification would be acceptable]
- ❑ There should have been no forfeiture of a Personal Licence held by yourself within five years of your application to this Authority having been made.

If your application does not meet the above criteria, the Licensing Authority will reject the application.

There is a further condition with regard to your application for a Personal Licence:-

- ❑ You should not have not been convicted of a relevant offence or any foreign offence [if in doubt, please contact the Licensing Section for advice.

If you fail to meet this criteria, the Police may object to your application if it is considered that the Licensing Objective with regard to the Prevention of Crime and Disorder will be breached. This objection must be made within 14 days of day the application was received by the Police and, unless withdrawn, a Hearing date will be set for the application to be considered by one of the Premises/Personal Licences Sub-Committees.

The procedure for grant or renewal of a Personal Licence is more or less the same for both types of application and the application forms will be self-explanatory. The fee for both applications is £37.00 and, for a grant application, you will need to secure a Basic Disclosure from the Criminal Records Bureau. At the moment, Basic Disclosures are obtainable from the Scottish Criminal Records Bureau and can be requested and paid for on line www.disclosurescotland.co.uk

Convictions, Theft of Licence, Change of Name and Address

Convictions

If you are convicted of any offence following the issue of your Personal Licence, you should notify the Licensing Authority as soon as reasonably practicable and the Police will be notified. Dependent upon the type of conviction involved, the Police may lodge a notice with the Local Authority objecting to the continuance of your Personal Licence and Hearing date will be set, when consideration will be given as to whether or not your licence should be revoked. You will be kept fully informed of what is taking place and will have the right of appeal should the decision go against you.

You should be aware that you are under a duty to inform the Court that you are the holder of a Personal Licence, the name of the Licensing Authority that issued the licence to you and produce the Licence in Court, or give a statement as to why you are unable to produce the licence.

Theft of Licence

If your Personal Licence is lost or stolen, damaged or destroyed you must notify the Licensing Authority of that fact and a replacement licence will be issued to you for which the fee will be £10.50. In the case of loss or a stolen licence you must notify the Police and provide proof that you have done so.

Change of Name or Address

If you change your name or address you must notify the Licensing Authority as soon as possible on the appropriate form and enclose the fee of £10.50. You will need to enclose your current Personal Licence or if you are unable to do so, enclose a statement giving the reasons why you cannot comply with this requirement.

Please note that it is classed as an offence if you fail to comply with this section.

Please send the full application form, fee and supporting documents to:

The Licensing Team
Tendring District Council
Westleigh House
Carnarvon Road
Clacton on Sea
Essex CO15 6QF