



A great place to live, work & play

Personal Licence

Under the Licensing Act 2003, persons authorising the sale or supply of alcohol from a business holding a Premises Licence will also need to hold a Personal Licence. If you are named as a Designated Premises Supervisor (DPS) on a Premises Licence, you must have obtained a Personal Licence before any alcohol can be sold.

To obtain a Personal Licence, you will need to apply to the local authority for the area in which you are resident. We are only able to accept applications from persons who live within the Scarborough Borough Council area.

You must have the legal right to work in the UK in order to hold a Personal Licence, proof of which will be required.

Personal Licences are issued directly to the person applying for them, and are not transferrable. Once you have obtained one, you are free to work at any premises which are subject to a Premises Licence authorising the sale / supply of alcohol, anywhere in England or Wales. You may only hold one Personal Licence at any time, which will be valid for the whole of your lifetime, but may be revoked if you are convicted of a relevant criminal offence, have to pay an immigration penalty, or are found to have given incorrect or misleading information in your application. Licences will also lapse automatically if your right to work in the UK expires or is revoked.

Applying for a Personal Licence

- To apply for a Personal Licence, you will need to complete the application form attached to this information sheet. The application should be accompanied by:
- The application fee
- Two recent passport-style photographs (see next page for requirements)
- The certificate from an accredited personal licence qualification (see next page for course details)
- A completed Disclosure of Convictions and Civil Immigration Penalties & Declaration form (included in this pack)
- A criminal record check, issued within the last month, such as a Basic Disclosure. Apply online at: www.gov.uk/request-copy-criminal-record
- Copies of documents which prove your legal right to work in the UK (see notes within the application form)

We may consult the following bodies about your application:

- North Yorkshire Police, if you have any unspent convictions for relevant or foreign offences
- The Home Office, if you have been required to pay a civil immigration penalty or if your right to work in the UK is not clear

Both body may object to your application, and if they do, your application will be decided at a hearing by our Licensing Sub-Committee.

Please send the completed form, with payment for the application fee of £37, to:

Licensing Services, Scarborough Borough Council, Town Hall, St Nicholas Street,
Scarborough, YO11 2HG

Personal Licence Qualifications

One of the prerequisites to obtaining a Personal Licence is the completion of a training course which has been accredited by the Home Office. These usually consist of a one-day course, with a multiple choice exam at the end.

A list of all accredited qualifications can be found at www.gov.uk/government/publications/accredited-personal-licence-qualification-providers

For more information, and details of local training centres, please contact the providers directly.

Photographs

Applicants must supply two identical photographs of themselves with their application. We would generally expect these photographs to be of a similar standard to that required for applications for passports, and photos must, as a minimum, meet the following requirements:

- They must be taken against a light background so that the applicant's features are distinguishable and contrast against the background
- They must measure 45 millimetres by 35 millimetres
- The applicant's face must be fully uncovered in the photo, without sunglasses or any head covering (unless a head covering is worn regularly in accordance with religious beliefs)
- They must be printed on photographic paper
- One of the photos must be endorsed by a solicitor, notary, a person of standing with the community or an individual with a professional qualification, with a statement verifying the likeness of the photograph to the applicant, such as:

'I certify that this is a true likeness of [applicant's name]'

They must then sign and date the statement. It is not enough just to sign and date the photograph.

Examples of persons who may endorse photographs include:

- | | | |
|---|---|---|
| ✓ accountant | ✓ engineer (professional) | ✓ officer of armed forces |
| ✓ airline pilot | ✓ financial services agent | ✓ police officer |
| ✓ bank/building society official | ✓ fire service official | ✓ Post Office official |
| ✓ barrister | ✓ funeral director | ✓ religious minister or leader |
| ✓ civil servant | ✓ insurance / assurance agent | ✓ social worker |
| ✓ clerk of a company | ✓ Justice of the Peace | ✓ solicitor |
| ✓ commissioner of oaths | ✓ legal secretary / paralegal | ✓ surveyor |
| ✓ councillor | ✓ local government officer | ✓ teacher or lecturer |
| ✓ dentist | ✓ Member of Parliament | ✓ trade union officer |
| ✓ director of company / charity | ✓ Merchant Navy officer | ✓ valuer or auctioneer |
| ✓ doctor or other healthcare professional | ✓ person with honours (an OBE or MBE for example) | ✓ Warrant Officers and Chief Petty Officers |

Right to work in the UK

From the 6th April 2017, applicants for personal licences must prove that they have the legal right to work in the UK, by providing copies of official documents showing that they are either a British or UK citizen, a national of an EEA country or Switzerland, have been granted indefinite leave to remain and work in the UK, or have another immigration permission allowing them to lawfully work in a field relevant to the sale of alcohol.

Official guidance notes on what documents are acceptable and which pages must be photocopied are included after the application form. **Please do not send original documents through the post**, but rather send good quality photocopies of all relevant pages.

We may request further documentation or carry out further checks with the Home Office if an applicant's immigration status is unclear. Personal licences cannot legally be granted to any person who does not have the right to work in the UK.

Application for a personal licence

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details			
TITLE Please tick			
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) <input type="checkbox"/>			
Surname			
Forenames			
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.			
TITLE Please tick			
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) <input type="checkbox"/>			
Surname			
Forenames			
Date of Birth			
Nationality			
I am 18 years old or over. Please tick			Yes <input type="checkbox"/>
			No <input type="checkbox"/>
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).			
Post town		Post code	
TELEPHONE NUMBERS			
Daytime			
Evening			
Mobile			
FAX NUMBER			

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 2 for information)

Address for correspondence associated with this application (if different to the address above)

Post town

Post code

TELEPHONE NUMBERS

Daytime

Evening

Mobile

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

2. Your licensing qualifications

Read Note 1

Please tick yes

Please indicate below which one of these statements applies to you:

1. I hold an accredited licensing qualification

2. I hold a certified qualification

3. I hold an equivalent qualification

4. I am a person of prescribed description

If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.

If you have ticked statement 4, please provide evidence that you are a person of prescribed description.

3. Previous or outstanding applications for a personal licence		
Note: You may only hold one personal licence at a time.		Please tick
Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Licensing Authority		
Licence number		
Date of issue		
Any further details		

4. CHECKLIST:	
I have	Please tick yes
<ul style="list-style-type: none"> enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed any licensing qualification I hold or proof that I am a person of prescribed description 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed a completed disclosure of criminal convictions and declaration form (Schedule 2) 	<input type="checkbox"/>
<ul style="list-style-type: none"> included a proof of my right to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (see note 2) 	<input type="checkbox"/>
<ul style="list-style-type: none"> made or enclosed payment of the fee for the application 	<input type="checkbox"/>

5. Declaration	
<p>I am entitled to work in the UK and am not subject to a condition preventing me from doing work relating to the carrying on of a licensable activity. I understand that my licence will become invalid if I cease to be entitled to live and work in the UK.</p> <p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence to knowingly or recklessly make a false statement in or in connection with an application for the grant of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally.</p>	
SIGNATURE	DATE

NOTES

Information on the Licensing Act 2003 is available on legislation.gov.uk or from your local licensing authority.

1. Licensing qualifications

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003.

2. Right to work/immigration status

A personal licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any personal licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensing activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- 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 the 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 of 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 birth or adoption certificate issued 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 birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **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 registration or naturalisation as a British citizen, **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 **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 a 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 relation to the carrying on of a licensable activity.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (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 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 licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Revised April 2017

Disclosure of convictions and civil immigration penalties and declaration

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) _____
Surname	_____
Forename(s)	_____
PREVIOUS NAMES (if relevant)	
<i>Please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.</i>	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) _____
Surname	_____
Forename(s)	_____

2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years	
Has any personal licence held by you been forfeited or revoked in the last 5 years? <i>If yes, please provide details below:</i>	<i>Please tick ✓</i> Yes <input type="checkbox"/> No <input type="checkbox"/>
Name of court / licensing authority	_____
Address of court	_____
Date of forfeiture/revocation	_____
Offence which resulted in the forfeiture/revocation	_____
Any additional details	_____

3. Relevant or foreign offences and civil immigration penalties		Read Note 1
Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty?		Please tick ✓ Yes <input type="checkbox"/> No <input type="checkbox"/>
If you have been convicted of any relevant offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		
If you have been convicted of any foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		
If you have been convicted of any foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed: #		

N.B. The duplication of the question marked # results from a legislative drafting error. Please use the final box to give details of any civil immigration penalties you have been required to pay.

4. Declaration			
I declare that I have not been convicted of any relevant offence or any foreign offence or been required to pay a civil immigration penalty.			
SIGNATURE		DATE	

5. Declaration			
The information contained in this form is correct to the best of my knowledge and belief.			
It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally.			
SIGNATURE		DATE	

NOTES

1. Relevant or foreign offences

Relevant offences are the offences listed in Schedule 4 to the Licensing Act 2003.

The meaning of **foreign offence** is dealt with in section 113 of the Licensing Act 2003.

If you are the holder of a justices' licence and you are applying for a personal licence under regulation 8 of the Licensing Act (Personal licences) Regulations 2005 see paragraphs 23 and 28 in Part 3 of Schedule 8 to the Licensing Act 2003 for the information you are required to give.

If you are convicted of any relevant or foreign offence during the period between when your application is made and when your application is determined or withdrawn, you must notify the authority to which your application was made. Failure to do so without reasonable excuse could lead to prosecution and a fine not exceeding level 4 on the standard scale.

2. Civil immigration penalty

An Immigration penalty means a penalty under either section 15 of the Immigration, Asylum and Nationality Act 2006 or section 23 of the Immigration Act 2014.

Using your personal information

We will process your personal information in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. We may use your personal information in a number of ways, but only for the purposes for which it was given, for example to provide you with the information or services requested or to administer and protect public funds. We may share your information with, and obtain information about you from, other departments of the Council or other organisations where it is lawful to do so, for example to check the accuracy of information or to prevent or detect crime. For further information on how we collect, use, share, secure and retain your personal information, and your legal rights, please see our Privacy Notice at www.scarborough.gov.uk/gdpr or by contacting Customer First. Our Data Protection Officer can be contacted at the Town Hall, St Nicholas Street, Scarborough, YO11 2HG (tel 01723 232323 or email dataprotection@scarborough.gov.uk).

This page is intentionally left blank

Photographs accompanying personal licence application

You can use this page to affix the two photographs you are required to provide with your application for a personal licence, and for the required endorsement of those photographs.

Full name of applicant	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) _____
Surname	
Forename(s)	

<p>Please affix two photographs of the applicant, which are:</p> <ul style="list-style-type: none"> • Sized 45mm x 35mm • Identical • Taken against a light background • Full face uncovered, without sunglasses or head covering (unless a head covering is worn due to religious beliefs) • Printed on photographic paper. 	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> Photo 1 </div>	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> Photo 2 </div>
---	--	--

Endorsement of photographs <i>(this section to be completed by a solicitor, notary, a person of standing within the community or an individual with a professional qualification)</i>			
I certify that the photographs affixed to this page are a true likeness of the above-named applicant.			
Signed		Date	
Full name of person endorsing			
Capacity of person endorsing			
Contact address of person endorsing <i>(or professional / practice stamp, where applicable)</i>			