



BEDFORD BOROUGH COUNCIL

Licensing Act 2003

Application Pack for a Personal Licence

Contact details for Bedford Borough Council's Licensing Service:

Email: licensing@bedford.gov.uk

The web address for licensing pages is www.bedford.gov.uk/licensing

Application for a grant or personal licence	£37.00
Change of name and or address, duplicate, theft, loss etc	£10.50

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Bedford Borough Council
Licensing Service, Borough Hall, Cauldwell Street,
Bedford MK42 9AP
Email: Licensing@bedford.gov.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) _____	
Surname	
Forenames	
<u>PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.</u>	
TITLE Please tick Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) _____	
Surname	
Forenames	
Date of Birth	
Nationality	
<u>I am 18 years old or over. Please tick</u>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<u>ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).</u>	
<u>Post town</u>	<u>Post code</u>
<u>TELEPHONE NUMBERS</u>	
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. enclosed any licensing qualification I hold or proof that I am a person of prescribed description. 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 enclosed a completed disclosure of criminal convictions and declaration form (Schedule 2) 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) made or enclosed payment of the fee for the application 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <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 <https://www.legislation.gov.uk/> or from your local licensing authority.

Licensing qualifications

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003; <https://www.legislation.gov.uk/ukpga/2003/17/section/120>

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.

All 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 on the government website <https://www.gov.uk/government/publications/right-to-work-checks-employers-guide> (these copies 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).

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed on the government website 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 on the government website, as above.

Original right to work documentation 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

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.

The Authority requires your original qualification certificate, DBS certificate (dated within one month of the date of application), and photographs.

Photographs

Provide 2 passport sized photographs of yourself, one of which should be dated, signed, name printed of person signing, relevant qualification stated by person signing and endorsed as a true likeness by:

- a) The chief executive of the licensing justices for the licensing district,
- b) A solicitor or notary,
- c) A person of standing in the community, or
- d) An individual with a professional qualification

There is no definition of a professional qualification within the 2003 Act. However people such as those identified by the UK Passport Office as countersignatories - qualified Doctors, Solicitors, Accountants, Teachers, Lecturers - would clearly fit this criteria.

The Authority refers to the acceptable qualifications for countersigning passport photographs. For this list of accepted occupations please see the passport guidance;

<https://www.gov.uk/countersigning-passport-applications/accepted-occupations-for-countersignatories>

SUMMARY

A completed application requires;

- A completed 'application for a personal licence' form.
- A completed 'disclosure of criminal convictions and declaration' form.
- Two photographs of the applicant, please see the requirements as above
- The applicant's original licensing qualification, or proof that they are a person of prescribed description.
- The applicant's original 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, dated within one month of the date of application.
- A copy of the applicant's proof of right to work in the United Kingdom, unless the applicant has provided a share code issued by the Home Office online right to work checking service see details above.
- Payment of the fee for the application, payable via our website;
<https://www.bedford.gov.uk/licensing/alcohol-and-entertainment-licensing/personal-licence>



Bedford Borough Council

Licensing, Borough Hall, Cauldwell

Street Bedford MK42 9AP

Email: Licensing@bedford.gov.uk

Disclosure of convictions and civil immigration penalties and declaration

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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)	
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)	
Surname	
Forenames	

2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years		
		Please tick
Has any personal licence held by you been forfeited or revoked in the last 5 years? If yes, please provide details below:		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	Please tick	
Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have been convicted of any relevant offence you must provide details for each conviction, 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, the date of conviction, the name and location of the convicting court, offence of which you were convicted, and the sentence imposed:		

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

Relevant or foreign offences

Relevant offences are the offences listed in Schedule 4 to the Licensing Act 2003; <https://www.legislation.gov.uk/ukpga/2003/17/schedule/4>

The meaning of **foreign offence** is dealt with in section 113 of the Licensing Act 2003; <https://www.legislation.gov.uk/ukpga/2003/17/section/113/2003-12-16>

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.

Civil Immigration penalty

An Immigration penalty means penalty under either;

- section 15 of the Immigration, Asylum and Nationality Act 2006; <https://www.legislation.gov.uk/ukpga/2006/13/section/15>
- or section 23 of the Immigration Act 2014; <https://www.legislation.gov.uk/ukpga/2014/22/section/23/enacted>

DBS certificate

Enclose the Disclosure and Barring Service (DBS) certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Intelligence Service (this document should be issued no earlier than one calendar month before the giving of the application to the relevant authority).

Basic Criminal Record Checks can be obtained from Disclosure and Barring Service (DBS) <https://www.gov.uk/request-copy-criminal-record>

Application for a personal licence

A personal licence is granted to an individual and authorises that person to supply alcohol, or authorise the supply of alcohol for consumption on or off the premises in accordance with a premises licence.

A premises licence for licensable activities which include the sale of alcohol must specify an individual as the “designated premises supervisor” (DPS). The DPS must be the holder of a personal licence. Every supply of alcohol under the premises licence must be made or authorised by the DPS, or by another person who holds a personal licence. There may be as many personal licence holders as needed at a premises, however only one person can be named as the DPS on the premises licence.

If you are granted a personal licence you **must** notify the local authority who issued your personal licence of any change to your name and or address.

The contents of these pages are provided as an information guide only. They are not a full and authoritative statement of the law and do not constitute professional or legal advice. Any statements on these pages do not replace, extend, amend or alter in any way the statutory provisions of the Licensing Act 2003 or any subordinate legislation made under it or statutory guidance issued in relation to it. No responsibility is accepted by the Borough Council for any errors, omissions or misleading statements of these pages. In particular, it must be noted that, although effort to ensure the information in these pages is correct, changes in the law and nature of implementation mean that the information in these pages cannot be guaranteed as accurate.

Personal licence V28 03.23

Statement by Person Endorsing Photograph

Title: Mr/Mrs/Miss/Other	
Surname	
Forename(s)	
Occupation and/or Professional Qualification *	
Business Address (if applicable)	
Home Address	
Daytime Telephone	
Mobile	
Email	
Name (please print)	
Signature	
Date	

Statement by Applicant

I confirm the person named above certified a photograph in support of my application for a Personal Licence.

Name (please print)	
Signature	
Date	

* **The Authority refers to the acceptable qualifications for countersigning passport photographs.** For this list of accepted occupations please see the passport guidance; <https://www.gov.uk/countersigning-passport-applications/accepted-occupations-for-countersignatories>

Data Protection Privacy Advice

Through the relevant application/notice forms, accompanying documentation and payment facilities associated with this licensing function the Council (the data controller) collects personal data. Personal data may also be collected in respect of further related requests for information from the applicant/person submitting the notice. This is necessary for the performance of legal obligations on it in respect of the relevant licensing function or otherwise necessary for the performance of a task carried out in the public interest or in the exercise of official authority. These also form the basis for the further processing of the personal data by the Council in connection with the application/notice, any determination of the same and any subsequent authorisation/appeal and issues that arise during the period of the authorisation/appeal. Beyond that, the Council will retain the records for 5 years and then destroy them securely. The Council will maintain and retain public registers and these are not destroyed. The Council may from time to time extract information itself from those public registers. The Council will share with and receive information from the following:

- Statutory Consultees as defined by legislation
- Disclosure & Barring Service

in respect of data subjects who are applicants/notice givers and those who hold authorisations. It holds the personal data in a way designed to secure it from unauthorised use, loss or destruction. These measures include recruitment and training of staff, procurement of services and physical/cyber security. The Council's privacy statement for this function is available at www.bedford.gov.uk or upon request from the Council using the address and telephone contact details elsewhere on this form. The Council will update its privacy statement from time to time and you are urged to read that statement. You have information rights that are explained at <https://tinyurl.com/y7uccndm>. You can exercise your information rights by contacting the Council's Data Protection Officer at dpo@bedford.gov.uk or writing to Information Governance, Bedford Borough Council, Borough Hall, Cauldwell Street, Bedford MK42 9AP (Telephone (01234) 267422). If you believe that the Council has failed to comply with its data protection obligations you may contact the ICO at 0303 123 1113 or at www.ico.org.uk. Further contact details are available upon request.

The full Privacy Statement for Personal Licence applications can be viewed here: www.bedford.gov.uk/gdprprivacy