

Guidance notes

Personal licences



Updated 22 August 2023

Personal licence

A personal licence is required by an individual who may be engaged in making and authorising the sale and supply of alcohol. Not every person retailing alcohol at premises licensed for that purpose needs to hold a personal licence, but every sale or supply of alcohol must be at least authorised by such a licence holder. Personal licences are valid unless surrendered, suspended, revoked or declared forfeit by the courts. Once granted, the licensing authority which issued the licence remains the 'relevant licensing authority' for it and its holder, even though the individual may move out of the area or take employment elsewhere. An individual can only ever apply for/hold one personal licence at any time. A personal licence holder may be absent at times from the premises when a transaction takes place. However, the responsible personal licence holder will not be able to escape responsibility for the actions of anyone authorised to make sales. The responsible person in most instances will be the designated premises supervisor (they must hold a valid personal licence) and will have day-to-day control of the premises.

Designated premises supervisor (DPS)

A DPS is the personal licence holder named on a premises licence as responsible for authorising the supply of alcohol. This person must be readily identifiable and will have day to day responsibility for running a premises. The DPS will usually be the main point of contact for police/fire officers or offices of the licensing authority. The details of the DPS must be displayed clearly at the premises as part of the premises licence summary

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. Licences will lapse automatically if your right to work in the UK expires or is revoked.

How do I apply?

Any applicant seeking the grant of a new personal licence must meet the following criteria:

- must be aged 18 or over

- possess a licensing qualification (see below) or be a person of prescribed description which are currently the Master Vintners, persons licensed by the Board of Green Cloth and persons licensed by the University of Cambridge. If you are a person of a prescribed description, you must include evidence of this with your application.
- must not have forfeited a personal licence within five years of their application
- provided a declaration (completion of a Disclosure of Convictions and Declaration form) that either they have not been convicted of a relevant offence or a foreign offence (see below)
- provided a basic or standard disclosure or a police subject access check (see below)
- paid the appropriate fee (see below)
- provided 2 photographs of themselves (45mm x 35 mm), one of which is endorsed by an acceptable counter-signatory who will need to write the following on the back of one of the photographs: 'I (name of counter-signatory) endorse this is a true likeness of (name of applicant)'. The counter-signatory should also give their job title and sign and date the photograph.

Photographs must be taken against a light background, full face uncovered unless religious belief and without sunglasses and be on photographic paper.

Acceptable Counter Signatories

Photographs must be endorsed by a solicitor, notary, a person of standing in the community or any individual with a professional qualification. If in any doubt please contact licensing for advice, particularly if the individual is not listed below.

North Devon Council considers the following counter-signatories as acceptable for the purposes of endorsing photographs as a true likeness of an applicant: (It is recommended that the person countersigning the photograph has known the applicant for at least for two years and must not be a relative, partner or a person with a criminal conviction because of prejudicial interest.)

- Accountant
- Airline Pilot
- Articled Clerk of a Limited Company
- Assurance Agent of a Recognised Company
- Bank or Building Society Official
- Barrister
- Chairman / Director of a Limited Company
- Chiropodist
- Commissioner of Oaths
- Councillor (local or county)
- Civil Servant (permanent), but not someone who works for Her Majesty's Passport Office
- Dentist
- Director/Manager of a VAT-registered charity
- Director/Manager/Personnel Officer of a VAT-registered company
- Engineer (with Professional Qualifications)
- Financial Services Intermediary (e.g. a stockbroker or insurance broker)
- Justice of the Peace
- Legal Secretary (fellow or associate member of the Institute of Legal Secretaries and PA's)

- Local Government Officer
- Member, Associate or Fellow of a professional body
- Member of Parliament
- Merchant Navy Officer
- Minister of a recognised Religion (including Christian Science)
- Nurse (RGN and RMN)
- Officer of the Armed Services
- Optician
- Paralegal (certified paralegal, qualified paralegal or associate member of the Institute of Paralegals)
- Person with Honours (e.g. OBE, MBE etc.)
- Pharmacist
- Police Officer
- Post Office Official
- Social Worker
- Solicitor or notary
- Surveyor
- Teacher or Lecturer
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- Warrant Officers and Chief Petty Officers

Accredited qualifications

The Home Secretary has accredited personal licence qualifications under the Licensing Act 2003. These qualifications are listed on the council website.

Disclosure

Production of one of the following, which must be no older than one calendar month from the date of issue when submitting the application to North Devon Council:

- a criminal conviction certificate issued under section 112 of the Police Act 1997(a) – “basic” disclosure, inclusive of unspent convictions only. A basic disclosure will cost approximately £25.00 and takes around 14 days. It can be obtained from:

[The Disclosure and Barring Service \(DBS\)](#) using their online application route or through a [Responsible Organisation](#) registered with the DBS.

- a criminal record certificate issued under section 113A of the Police Act 1997 – “standard” disclosure from the Disclosure and Barring Service (DBS), inclusive of details of spent and unspent convictions and cautions. A standard disclosure is available through a number of umbrella bodies. However, access to the DBS checking service is only available to registered employers. For more information, please go to GOV.UK’s Disclosure and Barring Service webpage.

OR

- the results of a subject access search under the Data Protection Act 1998(b) of the Police National Computer by the National Identification Service. This will cost approximately £10.00, can take up to 40 days and be obtained from:

www.acro.police.uk/subject_access.aspx

ACRO Criminal Records Office
ACRO (SAO)
PO Box 623
Fareham
Hampshire
PO14 9HR
United Kingdom

Tel: 0845 60 13 999
Email: customer.services@acro.pnn.police.uk

Application process

On satisfactory completion of the required paperwork and receipt of the fee, the application will usually be granted within five working days, providing there is no declaration that the applicant has been convicted of any relevant or foreign offences. However, should there be a declaration of offences, the licensing team has to send a copy of the application to the Chief Officer of Police, who has 14 days beginning with the day of receipt (usually the date received by the licensing team) in which to consider the application. The Chief Officer of Police can either object to the application (Objection Notice), stating the reasons why or approve the application. Where there is no objection, the licensing team must grant the application.

Objection notice and hearing

On receipt of an objection notice, the licensing team has 20 working days in which to hold a hearing to determine the application, unless the applicant, Chief Officer of Police and the licensing team agree that it is unnecessary. If the applicant withdraws their application, a hearing will not be required.

Determination

On grant of an application, the licensing team will give the applicant and Chief Officer of Police a notice to that effect. On refusal of an application, the licensing team will give the applicant and Chief Officer of Police a notice detailing the reasons for the rejection.

Duty to notify

The holder of a personal licence must notify the licensing team of any change of address, theft or loss (£10.50 fee), or of any relevant or foreign offences incurred during application/post-grant. Failure to do so means the applicant/licence holder may incur a fine not exceeding level 4 on the standard scale.

Fee

The fee for a personal licence can be found on the council website.

Register

Current applications for the grant of a personal licence and those previously completed can be viewed on the Personal Licence public register. Again, this is on the council website.

Complaints

If you want to make a complaint about a licensed premises, please contact us. See also [Review of a premises licence on the council website](#). If you feel we have failed to provide you with good service or are concerned about the progress of your application, please telephone the Customer Service Centre. The Licensing team will endeavour to resolve any concerns you may have.