

Application for a Personal Licence Under Section 117 of the Licensing Act 2003.

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

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.

To qualify for a personal licence you must fulfil certain criteria and provide certain documents. This is set out below.

- The applicant is aged 18 or over;
- Application to be accompanied with prescribed fee of £37. Cheques should be made payable to Carmarthenshire County Council;
- Applicant must provide copies of acceptable documents to demonstrate their eligibility to work. A full list of the acceptable documents is given in guidance note 2 at the end of the application form.
- No personal licence held by him/her has been forfeited within the period of five years before making the application;
- He/She possesses an accredited licensing qualification (see note 1 below), or is a person of prescribed description
- He/She has not been convicted of any relevant or foreign offence and has completed one of the following documents described overleaf in note 3 and
- Two photographs (see note 2)

Note 1

Accredited personal licence qualifications

- BIIAB Level 2 National Certificate for Personal Licence Holders, Qualification accreditation number 501/1494/3
- CIEH Level 2 Award for Personal Licence Holders, Qualification accreditation number 601/2104/X;
- HABC Level 2 Award for Personal Licence Holders, Qualification accreditation number 500/9974/7;
- NCFE Level 2 Award for Personal Licence Holders, Qualification accreditation number 600/1323/0
- SQA Level 2 Award for Personal Licence Holders, Qualification accreditation number 600/1269/9
- IQ Level 2 Award for Personal Licence Holders, Qualification accreditation number 601/4980/2;
- LASER Level 2 Award for Personal Licence Holders, Qualification accreditation number 600/6446/8;
- Pearson Education Ltd Level 2 Award for Personal Licence Holders, Qualification accreditation number 601/3483/5;

- QNUF Level 2 Award for Personal Licence Holders, Qualification accreditation number 603/1021/2;
- Training Qualifications UK Level 2 Award for Personal Licence Holders, Qualification accreditation number 601/6508/X;

Note 2

Photograph of the applicant accompanying the application for the grant of a Personal Licence.

The photograph of the applicant, which, in accordance with paragraphs 23(1)(b) and (3)(b) of Schedule 8, must accompany the application for the grant of a personal licence shall be–

- (a) Taken against a light background so that the applicant's features are distinguishable and contrast against the background,
- (b) 45 millimetres by 35 millimetres,
- (c) Full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his religious beliefs, without a head covering,
- (d) On photographic paper, and
- (e) Endorsed, as referred to in paragraph 23(3)(b) of Schedule 8, by–
 - (i) The chief executive of the licensing justices for the relevant licensing authority,
 - (ii) A solicitor or notary,
 - (iii) A person of standing in the community e.g. a Police Officer, minister of religion, bank or building society official and civil servant; or
 - (iv) An individual with a professional qualification.

Note 3

Details of convictions and relevant or foreign offences

In addition to completing the disclosure of criminal convictions and declaration form (see schedule 3 form attached) applicants are required to provide one of the following documents:

- The first is a Basic Disclosure and Barring Service (DBS) check. Basic criminal record checks can be obtained from the Disclosure and Barring Service for further details call their helpline number 03000 200 190, or use the following link:
<https://www.gov.uk/request-copy-criminal-record>
- Criminal Convictions Certificate.
- The third option is to make a Subject Access application to the police, for information from the Police National Computer. This service makes no allowance for the Rehabilitation of Offenders Act, so everything is included, even if it is officially no longer relevant.
- **The above certificate or search result shall be issued no earlier than one calendar month before the giving of the application to the Licensing Authority.**

Contact Details for the Licensing Authority

Tel No. 0845 6580445

Email: publicprotection@carmarthenshire.gov.uk

As a public body, we are under a duty to protect the public funds that we administer, and to this end may use the information you have provided on this form for the prevention and detection of fraud. We may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

For further information see the Council's website or contact this department.

NOTES

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport
(http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/default.aspx)
or from you local licensing authority

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' license 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.

Relevant offences

1	An offence under this Act.
2	An offence under any of the following enactments-
	(a) Schedule 12 to the London Government Act 1963 (c. 33) (public entertainment licensing);
	(b) the Licensing Act 1964 (c. 26);
	(c) the Private Places of Entertainment (Licensing) Act 1967 (c. 19);
	(d) section 13 of the Theatres Act 1968 (c. 54);
	(e) the Late Night Refreshment Houses Act 1969 (c. 53);
	(f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30);
	(g) the Licensing (Occasional Permissions) Act 1983 (c. 24);
	(h) the Cinemas Act 1985 (c. 13);
	(i) the London Local Authorities Act 1990 (c. vii).
3	An offence under the Firearms Act 1968 (c. 27).
4	An offence under section 1 of the Trade Descriptions Act 1968 (c. 29) (false trade description of goods) in circumstances where the goods in question are or include alcohol.
5	An offence under any of the following provisions of the Theft Act 1968 (c. 60)
	(a) section 1 (theft);
	(b) section 8 (robbery);
	(c) section 9 (burglary);
	(d) section 10 (aggravated burglary);
	(e) section 11 (removal of articles from places open to the public);
	(f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
	(g) section 13 (abstracting of electricity);
	(h) section 15 (obtaining property by deception);
	(i) section 15A (obtaining a money transfer by deception);
	(j) section 16 (obtaining pecuniary advantage by deception);
	(k) section 17 (false accounting);
	(l) section 19 (false statements by company directors etc.);
	(m) section 20 (suppression, etc. of documents);
	(n) section 21 (blackmail);
	(o) section 22 (handling stolen goods);
	(p) section 24A (dishonestly retaining a wrongful credit);
	(q) section 25 (going equipped for stealing etc.).
6	An offence under section 7(2) of the Gaming Act 1968 (c. 65) (allowing child to take part in gaming on premises licensed for the sale of alcohol).
7	An offence under any of the following provisions of the Misuse of Drugs Act
	(a) section 4(2) (production of a controlled drug);

	(b) section 4(3) (supply of a controlled drug);
	(c) section 5(3) (possession of a controlled drug with intent to supply);
	(d) section 8 (permitting activities to take place on premises).
8	An offence under either of the following provisions of the Theft Act 1978 (c. 31)-
	(a) section 1 (obtaining services by deception);
	(b) section 2 (evasion of liability by deception).
9	An offence under either of the following provisions of the Customs and Excise Management Act 1979 (c. 2)-
	(a) section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc.);
	(b) section 170B (taking preparatory steps for evasion of duty).
10	An offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c. 7)-
	(a) section 8G (possession and sale of unmarked tobacco);
	(b) section 8H (use of premises for sale of unmarked tobacco).
11	An offence under the Forgery and Counterfeiting Act 1981 (c. 45) (other than an offence under section 18 or 19 of that Act).
12	An offence under the Firearms (Amendment) Act 1988 (c. 45).
13	An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)-
	(a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright);
	(b) section 107(3) (infringement of copyright by public performance of work etc.);
	(c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent);
	(d) section 297(1) (fraudulent reception of transmission);
	(e) section 297A(1) (supply etc. of unauthorised decoder).
14	An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52)-
	(a) section 3A (causing death by careless driving while under the influence of drink or drugs);
	(b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);
	(c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit).
15	An offence under either of the following provisions of the Food Safety Act 1990 (c. 16) in circumstances where the food in question is or includes alcohol-
	(a) section 14 (selling food or drink not of the nature, substance or quality demanded);
	(b) section 15 (falsely describing or presenting food or drink).
16	An offence under section 92(1) or (2) of the Trade Marks Act 1994 (c. 26) (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.
17	An offence under the Firearms (Amendment) Act 1997 (c. 5).
18	A sexual offence, within the meaning of section 161(2) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).

19	A violent offence, within the meaning of section 161(3) of that Act.
20	An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (engaging in certain activities relating to security without a licence).
21	An offence under section 46 of the Gambling Act 2005 if the child or young person was invited, caused or permitted to gamble on premises in respect of which a premises licence under this Act had effect.]
22	An offence under the Fraud Act 2006.
22A	An offence under regulation 6 of the Business Protection from Misleading Marketing Regulations 2008 (offence of misleading advertising) in circumstances where the advertising in question relates to alcohol or to goods that include alcohol.]
23	An offence under regulation 8, 9, 10, 11 or 12 of the Consumer Protection from Unfair Trading Regulations 2008 (offences relating to unfair commercial practices) in circumstances where the commercial practice in question is directly connected with the promotion, sale or supply of alcohol or of a product that includes alcohol.
21	An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence that is a relevant offence.
25	An offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit an offence that is a relevant offence.
26	The offence at common law of conspiracy to defraud.