

New arrangements for personal licences due for renewal in 2015

Factsheet for license holders

The Government is aiming to remove the requirement for personal licence holders to renew their licence every 10 years through the Deregulation Bill, which is currently before Parliament. The first personal licences were granted in February 2005. However, the Bill is unlikely to receive Royal Assent before the tenth anniversary of the date on which the first personal licences were granted. To ensure that personal licence holders are not disadvantaged by this position, the Government will introduce new arrangements through secondary legislation for those whose licences are due for renewal before the proposal in the Bill comes into force.

We will alter the application form to renew a licence so that licence holders are required to provide only essential information to the licensing authority. The application form will be available in due course, as soon as the legislation is approved by Parliament.

Applicants must complete the form and submit it to their licensing authority no later than one month before their licence expires. They will also have to enclose their licence or a copy. Section 119 of the Licensing Act 2003 provides that where an application for renewal is pending and the application has not been determined before the licence expires, the licence continues to have effect. To ensure that applicants have certainty that their forms have been received, licensing authorities should acknowledge receipt of the application.

The Deregulation Bill is being considered by Parliament and the timescales described in this Fact Sheet depend on, and are subject to, the Parliamentary process. We cannot therefore give an exact date as to when the repeal of the requirement to renew a personal licence will take effect, assuming that the relevant provisions in the Deregulation Bill continue to form part of the Bill.

How do I know if I am affected?

Your personal licence will have an expiry date. If the expiry date is in early 2015, you will need to apply for a renewal. You may apply three months before the expiry date, but no later than one month before the expiry date.

When will the repeal of the requirement to renew take effect?

The Deregulation Bill is being considered by Parliament and the timescales depend on, and are subject to, the Parliamentary process. We cannot therefore give an exact date as to when the repeal of the requirement to renew a personal licence will take effect, assuming that the relevant provisions in the Deregulation Bill continue to form part of the Bill.

When will the form be available?

The form is not yet available. Changes must be made in secondary legislation and this must be agreed by Parliament. You will be able to access the form from your licensing authority's website in due course. This will also be available on the gov.uk website.

What information will I need to provide?

Personal licence holders will each need to submit a completed form to the licensing authority. Applicants will **not** have to enclose a processing fee, a criminal convictions certificate, criminal record certificate or the results of a subject access search of the Police National Computer.

You will need to send your existing licence to the licensing authority. Individual licensing authorities can decide whether applicants are required to submit the original licence or a

copy (e.g. a scanned version or a photocopy) and you should check your licensing authority's requirements before you apply.

Why do I have to provide my licence?

The Licensing Act 2003 requires a personal licence holder to provide their licence with the application to renew, or state a reason why it is not practicable to provide the licence.

Can I submit a photocopy or a scanned copy of the licence? Does it have to be the original?

Individual licensing authorities can decide whether applicants are required to submit the original licence or a copy (e.g., a scanned version or a photocopy). You should check your licensing authority's requirements before you apply as this may affect the way in which applications can be sent.

Which licensing authority should the application be sent to?

The application must be submitted to the licensing authority which granted the original licence. The name of the licensing authority will be stated on the licence. Contact details are available on their website.

Do I need to send a copy of the application to the police?

No. The application should be sent to the licensing authority only.

How much will it cost?

There will be no charge for renewal. Licensing authorities may make a charge of £10.50 to cover administrative costs if you ask for a new licence to be issued, for example to change your address.

Can I apply online?

No. The application must be submitted by post or email.

Can I apply by post?

Yes. You can apply by email or by post. You will have to supply your licence to the licensing authority. Licensing authorities will be able to confirm if they will require the original licence or a copy.

Can I apply by email

Yes, but you should check first with the licensing authority who granted you the licence as to whether they will accept a scanned copy of your licence.

When do I need to submit my application?

You should wait until the form is available. Your application for renewal will need to be submitted no earlier than three months before it is due to expire, and no later than one month before it is due to expire.

What if I apply for a renewal less than one month before my licence is due to expire?

Your application will not be valid. Your licence will lapse and you will have to apply for a new licence.

What happens if I do nothing?

Personal licences which are due to expire before the requirement to renew is abolished by the Deregulation Bill must be renewed. Failure to do so will mean that the licence will expire. The abolition of the requirement to renew is subject to Parliamentary process.

What will the licensing authority send me?

The licensing authority will acknowledge your application and return your licence to you, if you sent the original.

What do I do if I need to change my name and address?

You need to notify the licensing authority which issued your licence. They will issue you with an updated licence, and there will be a charge of £10.50 for this.

My photo no longer looks like me.

If a police officer or licensing officer needs to verify your identity they may request a separate piece of identification, for example a driving licence.

I have been convicted of a relevant offence since my personal licence was granted, what should I do?

You should have notified the court of the fact that you are a personal licence holder at the time. Following conviction you should have provided the licensing authority that issued the licence with details of the conviction and sentence. Failure to notify the court and licensing authority are offences under section 128 and 132 of the Licensing Act 2003. You should contact the court and also notify the licensing authority which issued the licence.

I can't find my personal licence or details.

You should contact the licensing authority which issued your licence. If you cannot find your licence - and providing it has not expired - you may apply for a duplicate copy.

I don't want to renew my personal licence.

If you don't wish to renew your personal licence then you do not need to apply for a renewal. Your licence will automatically lapse and you will be unable to be a designated premises supervisor or authorise the sale of alcohol after the expiry date on the licence.

What will happen if the licensing authority does not acknowledge receipt of my application?

You should contact the licensing authority to ensure they have received your application. We expect licensing authorities to issue written acknowledgement (for example an email or a letter) which you should keep as a record.

Will I receive a new licence?

No. Licensing authorities are not required to issue a new licence but may choose to do so for clarity.

My personal licence has an expiry date – does that mean it will expire?

Licenses with an expiry date will remain valid after they have been renewed.

How will I prove that my licence is still valid if it contains an expiry date?

You may use the acknowledgement from the licensing authority as proof that the licence has been renewed.