

Guidance notes: Apply for a Personal Licence

The sale of alcohol at licensed premises may only take place when the sale is made or authorised by a personal licence holder. Personal licences allow you to sell, and authorise others to sell, alcohol at licensed premises. The relationship is similar to the way that a driving licence permits the driving of any car, both a premises licence and a personal licence are usually needed before a sale of alcohol can legally take place.

You do not necessarily need to have a personal licence to be employed in a pub or other business that sells alcohol. An existing personal licence holder may authorise you to sell alcohol. In these circumstances it is a good idea to have a written record to demonstrate that you have been authorised by another licence holder.

Premises licensed to sell alcohol must have a designated premises supervisor, “DPS”, who must hold a personal licence. The DPS is generally the person with day-to-day management responsibilities for the licensed premises and will be named on the premises licence. An exception to the DPS rule are community premises that may apply to waive the DPS requirement, a personal licence holder will still need to make or authorise the alcohol sales. Another exception are members clubs, which are authorised to supply alcohol by way of a club premises certificate rather than a premises licence, these premises are subject to special rules and do not require a DPS or personal licence holders.

About the licence

The personal licence is designed to ensure that anybody running or managing a business that sells or supplies alcohol will do so in a responsible fashion. Once you receive your personal licence, you may also be appointed as the designated premises supervisor for any business that sells or supplies alcohol. You will be issued with a paper licence and a photocard, which an authorised officer may ask you to produce so it is important that you keep these safe. Once issued you do not need to renew the licence but it is important that you inform Buckinghamshire Council if any of your details change such as your name or home address.

Who can apply

In order to apply, you must be aged 18 years or over, and (in almost all cases) hold a relevant licensing qualification – see below.

Photographs

You will need to provide 2 passport photos (certified by a solicitor, notary, a person of standing in the community or professionally qualified) and attached to the personal licence [photo declaration form](#).

Qualification

the BIIAB Level 2 Award for Personal Licence Holders or a similar accredited qualification. Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003. If you are applying for a personal licence, you must obtain an accredited qualification first. The aim of the qualification is to ensure that licence holders are aware of licensing law and the wider social responsibilities involved in the sale of alcohol. Personal licence qualification providers are accredited by the Home Secretary.

Download the full list of [accredited personal licence qualification providers](#).

Relevant or foreign offences

The Council is required to check whether or not you have any relevant criminal convictions, these are offences which may impact on whether you can be considered suitable to hold a personal licence. You will need to provide a

criminal conviction certificate, a criminal record certificate or the results of a subject access search of the Police National Computer by the National Identification Service to the licensing authority. Most applicants chose to provide a basic disclosure from the Disclosure and Barring Service, DBS, which can be obtained [online](#).

For more information on relevant offences see [Schedule 4](#) to the Licensing Act 2003. The meaning of foreign offences is explained in [section 113](#) of the Licensing Act 2003.

You will also need to disclose whether you been required to a pay a civil immigration penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 or section 23 of the Immigration Act 2014.

Once your application is made, if you are convicted of any relevant or foreign offence before it is determined, you must notify the Council.

Right to work/immigration status

A personal licence may not be issued to an individual 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 licensable activity.

They do this in one of two ways:

- 1) by providing a copy of one the acceptable documents to demonstrate right to work in the UK (which do not need to be certified). See information published on gov.uk or click [here](#) for a list of acceptable documents.
- 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 original documents, 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 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, 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 shared digitally. 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 copies of documents as set out above.

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.