



**Guidance notes for:  
New Personal Licences**  
Licensing Act 2003

Licensing  
West Lindsey District Council  
Guildhall  
Marshall's Yard  
Gainsborough  
Lincolnshire  
DN21 2NA

[licensing@west-lindsey.gov.uk](mailto:licensing@west-lindsey.gov.uk)

01427 676676

## What is a personal licence?

All sales of alcohol must be made by, or under the authority of, a personal licence holder. Not everyone who makes a sale has to hold a personal licence, so long as a personal licence holder has authorised the sale. This does not apply to qualifying clubs or premises operating under a Temporary Event Notice. (You can also choose to become a personal licence holder if you wish to apply for more than five Temporary Event Notices per calendar year, but otherwise would not require one).

You must apply to the authority whose area you ordinarily live in, so you should only apply to West Lindsey District Council for your personal licence if you reside within our district.

You can have as many personal licence holders on one premises as you wish but only one can be the named Designated Premises Supervisor on your premises licence (see below).

## What is a Designated Premises Supervisor?

All premises operating under a premises licence to sell or supply alcohol must appoint a Designated Premises Supervisor (DPS) for the premises. There can only be one DPS per premises. The DPS will be held as the person in overall charge of the premises so should therefore be chosen with care.

Applicants must nominate the DPS on their application for a premises licence. This person does not have to be on the premises at all times, but they must take responsibility for what happens there. This means the DPS should ensure any staff they appoint are appropriately trained in the requirements of the Licensing Act 2003 and of any specific conditions attached to the premises licence.

A person cannot become a DPS unless they are a personal licence holder.

Although qualifying clubs don't need a DPS to sell alcohol to members and their guests, this exemption does not apply if the premises are hired out for functions such as wedding receptions. You need a full premises licence for these activities and would therefore need to appoint a DPS (unless you are only holding a small number of events, which you can hold under a Temporary Event Notice).

Community premises (such as a church or village hall) with a premises licence which authorises the sale of alcohol can choose to 'disapply the DPS' which makes the management committee responsible for the sale of alcohol at the premises rather than a DPS.

## Applying for a personal licence

- 1) Find an accredited provider and complete a qualification for personal licence holders (see below)
- 2) Obtain a criminal record check (see below)
- 3) Complete our application form (which includes the 'disclosure of convictions and declaration' form) and make payment of £37
- 4) Enclose two photographs, one of which is endorsed (see below)
- 5) Enclose your certificate of qualification with your application
- 6) Enclose your criminal record check document which is within 1 month old
- 7) Enclose a copy of accepted ID for a 'right to work' check (see below)

### **Licensing qualifications**

The original certificate for your licensing qualification must be submitted with your application. A full list of accredited providers can be found at:

<https://www.gov.uk/government/publications/accredited-personal-licence-qualification-providers>

### **Criminal record check**

One of the following criminal record checks (which should not be over 1 month old) must be included with your application:

- A criminal conviction certificate issued under section 112 of the Police Act 1997
- A criminal record certificate issued under section 113A of the Police Act 1997
- The results of a subject access search under the Data Protection Act 1998 of the Police National Computer

Basic criminality checks can be obtained from the Disclosure and Barring Service -

<https://www.gov.uk/request-copy-criminal-record>

A subject access request can be made to ACRO - <https://www.acro.police.uk/Subject-access>

### **Photographs**

All personal licence applications must include two identical, recent, passport-sized photographs. One of the photographs must be endorsed as a true likeness (see note below). The person endorsing the photograph must certify the back of one of the photographs with the words, "I certify that this is a true likeness of [give your full name and title]" then sign and date the endorsement. There must also be some reference to the status in which the person is endorsing the photograph (e.g. solicitor, parish clerk)

The two photographs must be:

- identical
- recent (i.e. taken within the last six months)
- 45 millimetres (mm) x 35 millimetres (mm) in size
- printed on normal photographic paper
- taken against a light plain background so that your features are clearly distinguishable against the background

One of the photographs must be:

- endorsed as a true likeness of you by a solicitor or notary, a person of standing in the community or an individual with a professional qualification

The photographs must show:

- your full head, without any head covering, unless it is worn for religious beliefs
- your face uncovered
- your eyes open and clearly visible (with no sunglasses or heavily tinted glasses and no hair across your eyes)
- no shadows

The photographs should:

- be in sharp focus and clear
- have a strong definition between the face and background
- be printed at 1200 dpi resolution or better if they are digital or scanned photographs
- show your full face, looking straight at the camera
- show a neutral expression, with your mouth closed
- show no reflection on your spectacles, if you wear them, and the frames should not cover your eyes
- be a close-up of your head and shoulders so that your face covers 70 to 80% of the photograph
- be of you on your own, no objects or other people

### **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.

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.

This can be done in one of two ways:

- 1) by providing with this application copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk, in guidance and listed below.
- 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).

## **1) Documents which demonstrate entitlement to work in the UK**

### List A

1. A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6. A birth or adoption certificate issued in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer. *Definition includes a full birth certificate issued by a UK diplomatic mission (British Embassy or British High Commission)*
7. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8. A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

### List B Group 1

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question. *This includes a current passport endorsed with a stamp showing an individual has been granted leave to enter and there are no work-related conditions attached. If, under the conditions of the individual's leave, work was restricted or prohibited the endorsement placed in the individual's passport would explicitly set that out as a condition*
2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3. A current immigration status document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

### List B Group 2

A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.

1. A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.
2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU (J) to the Jersey Immigration Rules or Appendix EU to the immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules together with a Positive Verification Notice from the Home Office Employer Checking Service.
3. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
4. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

## 2) 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.

**This document provides a basic guidance; full requirements are detailed in the legislation.**