

Personal Licences due for renewal in 2015

Fact Sheet for Existing Licence 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 will not receive Royal Assent before the first licences that were issued begin to expire. To ensure that personal licence holders are not disadvantaged by this position, the Government has introduced new arrangements through secondary legislation for those licences which are due for renewal before the proposal in the Bill comes into force.

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 will acknowledge receipt of all applications.

(1) 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.

(2) When will the repeal of the requirement to renew take effect?

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.

(3) 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 and contact details are available on their website.

(4) How do I make an application?

The renewal application for Wigan is available via the following link:

<https://www.gov.uk/apply-for-a-licence/personal-licence-to-sell-alcohol/wigan/renew-1>

Applications should, where possible be made online.

(5) What information will I need to provide?

Personal licence holders (licensed with Wigan) will need to submit a completed form to the Trading Standards & Licensing Section via the above link.

Applications should be accompanied by a copy of your existing licence. This can be uploaded online, or can be posted to the following address:

Trading Standards & Licensing Section
PO Box 100
Wigan
WN1 3DS

If you are no longer in possession of your original licence then you will need to apply for a duplicate copy as part of the above application.

Applicants should not return their original licences unless they have:

- (1) Changed their name and / or address; or
- (2) Been convicted of a relevant or foreign offence.

There is a fee payable for a duplicate licence to be issued, including any amendment(s) or endorsement(s).

(6) Why do I have to provide my licence?

The law, namely 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.

(7) How much will it cost?

There is no fee payable in respect of a renewal application UNLESS:

- (1) You have lost or mis-placed your original licence;
- (2) You have changed your name and / or address; or
- (3) You have been convicted of a relevant or foreign offence.

There is a £10.50 fee payable for a duplicate licence to be issued, including any amendment(s) or endorsement(s).

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

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

(9) When do I need to submit my application?

Your application for renewal can be submitted up to three months before it is due to expire but no later than one month before it is due to expire.

(10) 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, following the new application process.

(11) 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.

(12) 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.

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

You need to notify the licensing authority which issued your licence. There is a £10.50 fee payable for a duplicate licence to be issued, including any amendment(s).

(14) I have been convicted of a relevant or foreign 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 therefore contact the court and also notify the licensing authority which issued the licence.

There is a £10.50 fee payable for a duplicate licence to be issued, including any amendment(s) or endorsement(s).

(15) What will the licensing authority send me?

The Trading Standards & Licensing Section will acknowledge your application and will return your licence to you, if you sent the original, or requested a duplicate copy.

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

The Trading Standards & Licensing Section will acknowledge receipt of all the applications they receive within 5 working days. If you have not heard from us within this time please contact us.

You will need to keep a copy of your acknowledgement with your original licence as proof you have made an application to renew your licence.

(17) Will I receive a new licence?

No. There will be no change to the expiry date on your licence, and therefore a copy of acknowledgement letter should be kept with your original licence as evidence of your renewal. You may be required to produce this letter to a Police Officer or other Authorised Officer.

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

You should use the acknowledgement letter as proof that the licence has been renewed, and continues to have effect.

(19) My photo no longer looks like me.

If a Police Officer or an Authorised Officer needs to verify your identity they may request a separate piece of identification, for example a driving licence.

(20) I can't find my personal licence or details.

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

There is a £10.50 fee payable for a duplicate licence to be issued.

(21) What about new applications for personal licences?

These renewal arrangements do not affect applications for new licences. New applications will continue to be made in the same way as they are currently. New licences granted before the measures in the Deregulation Bill take effect will continue to contain an expiry date, but this date will cease to apply once the new provisions come into force.

(22) Contact Wigan Council's Trading Standards & Licensing Section

Email: licensing@wigan.gov.uk

Web: www.wigan.gov.uk/Licensing

Telephone: (01942) 404627