

GUIDANCE NOTES – PERSONAL LICENCE

Personal licences are issued by Falkirk Council Licensing Board. A Personal Licence allows you to authorise the sale of alcohol.

If you are the Designated Premises Manager (DPM) of a licensed premise you **must** have a Personal Licence

You can only be the holder of one Personal Licence at a time and you must

- be at least 18 years of age
- possess an accredited licensing qualification; and
- not have had a personal licence revoked within a period of 5 years.

How much will it cost?

The application fee is £50. The fee to amend your licence in relation to a change of address or change of name is £25. The cost of a replacement licence is £25.

Generally you won't get your money back if we have started to process your application and change your mind or if your application is refused.

How long will my licence last for?

Your licence will be granted for 10 years and you must undergo refresher training every 5 years.

How do I apply?

You must complete the application form in full and submit it to us in any of the ways listed in the **How can I contact you?** section. We also need the following:

- The application fee (which can be paid in cash, by a cheque made payable to "Falkirk Council", debit/credit card or postal order),
- 2 passport photographs, one of which must have "I certify that this is a true likeness of [name of applicant] " followed by the full name of the person endorsing the photograph written on the back. The photographs should be attached to the endorsement form which will be sent out in the application pack. The person endorsing the photograph should fill this form in and sign it.
- Your original training certificate.

What happens if I have convictions?

You need to give details on the application form of any conviction for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974. If you have no such convictions, you should enter "None" on the application form.

How long will it take to process my application?

The processing of your application is straightforward. We aim to issue 90% of licences within 20 days of it being granted. If your application has been filled in correctly, we will give notice of the

application to the Chief Constable of Police Scotland. If there are no convictions, then the Board must grant the application. If you have been convicted of a relevant or foreign offence, the Chief Constable can provide a notice to the Board and make a recommendation that the application be refused. In such circumstances the Board will hold a hearing before determining the matter. You will be asked to attend the meeting of the Licensing Board to speak in support of your application.

If you have not filled in the application form correctly, we will send it back to you.

What happens if my application is refused?

Appeals against the refusal of an application must be made to the Sheriff of the Sheriffdom of Tayside, Central and Fife.

Appeals can only be made under one of the following grounds:

- the Licensing Board erred in law
- the decision was based on incorrect material facts
- the Licensing Board acted contrary to natural justice
- the Licensing Board used their discretion in an unreasonable manner

Do any conditions apply to my licence?

No.

What Happens if I am Convicted of a Relevant or Foreign Offence?

You must notify the Licensing Board if you have been convicted of any relevant or foreign offence during the time between making your application and it being determined by the Board.

You will commit an offence if you do not advise us if you are convicted of a relevant or foreign offence once your licence has been granted. If you work outwith the Falkirk Council area, you must also advise the Licensing Board for the area in which you are working.

What Happens if I change my Name or Address?

Once your licence has been granted, you must advise us if you change your name or address no later than a month after the change. It is an offence not to do so.

How can I contact you?

- By Post or in person:** **Licensing Section**
District Court Offices
Falkirk Council
Municipal Buildings
West Bridge Street
Falkirk
FK1 5RS
- **By Telephone:** 01324 501575
 - **By Fax:** 01324 501588
 - **By Email:** licensing@falkirk.gov.uk