



## Licensing Act 2003

# Application for a personal licence

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Please continue on a separate sheet if necessary. You may wish to keep a copy of the completed form for your records.

Once completed, send your application to:-

- Environmental Health - Licensing, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX

1. Your personal details		
<b>Title</b> (delete as appropriate): Mr Mrs Miss Ms Other (please state)		
Surname:		
Forenames:		
<b>Previous names</b> (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary		
<b>Title</b> (delete as appropriate): Mr Mrs Miss Ms Other (please state)		
Surname:		
Forenames:		
Date of Birth:		
Nationality:		
I am 18 years old or over please tick <input checked="" type="checkbox"/>	Yes	No
<b>Address where ordinarily resident</b> (we will use this address to correspond with you unless you complete the separate correspondence box below)		
Post town	Postcode	
<b>Telephone numbers</b>		
Daytime		
Evening		
Mobile		

<b>Fax number:</b>			
<b>E-mail address</b> (if you would prefer us to correspond with you by e-mail)			
Where applicable (if demonstrating a right to work via the Home office online right to work checking service) the 9-digit “share code” provided to the applicant by that service (please see note 2 for information)			
<b>Address for correspondence associated with this application (if different to the address above)</b>			
Post town		Postcode	
<b>Telephone numbers</b>			
Daytime			
Evening			
Mobile			
<b>E-mail address</b> (if you would prefer us to correspond with you by e-mail)			

<b>2. Your licensing qualifications</b>			
<b>Read note 1</b>	<b>Please tick <input type="checkbox"/> yes</b>		
Please indicate below which one of these statements applies to you			
1. I hold an accredited licensing qualification			
2. I hold a certified qualification			
3. I hold an equivalent qualification			
4. I am person of prescribed description			
<ul style="list-style-type: none"> <li>If you have ticked either of statements 1, 2, or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.</li> <li>If you have ticked statement 4, please provide evidence that you are a person of prescribed description.</li> </ul>			
<b>3. Previous or outstanding applications for a personal licence</b>			
<b>Note: You may only hold one personal licence at a time</b>		<b>please tick <input type="checkbox"/></b>	
Do you currently hold a personal licence?	Yes	No	
Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?	Yes	No	
Has any personal licence held by you been forfeited in the last 5 years?	Yes	No	

Licensing Authority	
Licence number	
Date of issue	
Date of expiry	
Any further details	

<b>4. Checklist:</b>	
<b>I have</b>	<b>Please tick <input type="checkbox"/> Yes</b>
• Enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Intelligence Service	
• Enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or an individual with a professional qualification	
• Enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3)	
• Made or enclosed payment of the fee for the application (Currently £37 – cheques should be made payable to 'BCKLWN')	
• Enclosed any licensing qualification I hold or proof that I am a person of prescribed description (see note 1).	
• Include proof of my right to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (see note 2)	

<b>5. Declaration</b>	
<p><b>I am entitled to work in the UK and am not subject to a condition preventing me from doing work relating to the carrying on of a licensable activity. I understand that my licence will become invalid if I cease to be entitled to live and work in the UK.</b></p> <p><b>The information contained in this form is correct to the best of my knowledge and belief.</b></p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine of any amount. It is also an offence under Section 24B of the Immigration Act 1971 to work illegally.</p>	
<b>Signature</b>	<b>Date</b>

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Licensing Act 2003.

Your data will be used for this specific purpose and may be passed to such third parties, including Council departments and other agencies where there is lawful authority to do so, including for the purposes of preventing or detecting fraud or other crimes.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, password-protected database on the Council's computer system.

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](https://www.west-norfolk.gov.uk/privacy) page which can be found at the following link <https://www.west-norfolk.gov.uk/privacy>. We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You have a number of rights available to you, including the right to see copies of all the data held about you by the Council, to ask for it to be corrected, updated or deleted, to request the Council to restrict what it does with your data in certain circumstances, to object to what the Council may do with your data, and to data portability.

Please note that these rights are not absolute and that there are circumstances where they do not apply or the Council's obligations may override these rights. If this is the case, you will be informed of this.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](https://www.west-norfolk.gov.uk/dataprotection) page which can be found at the following link <https://www.west-norfolk.gov.uk/dataprotection>

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner, website: https://ico.org.uk/](https://ico.org.uk/).

## NOTES

### 1. **Licensing qualifications**

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003.

### 2. **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 licensing activity. They do this in one of two ways 1) by providing with this application copies or scanned copies of the following documents (which do not need to be certified) or 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 services (see below).

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

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- 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.
- 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, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.

- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - working e.g. employment contract, wage slips, letter from the employer,
    - self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - self-sufficient e.g. bank statements.
- Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- any page containing the holder's personal details including nationality;
- any page containing the holder's photograph;
- any page containing the holder's signature;
- any page containing the date of expiry; and
- any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

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.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, 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 9-digit 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 (provided within this application), 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 checked online.

The Home Office online right to work checking service sets out what information and or documentation applicants will need to order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.