

Licensing, Wakefield One, PO Box 700, Burton Street, Wakefield, WF1 2EB

Telephone: 01924 302932

Fax: 01924 302928

Email: [licensingoffice@wakefield.gov.uk](mailto:licensingoffice@wakefield.gov.uk)

CHECKED BY

FEE TO PAY

DATE STAMP

**HOW TO APPLY TO:-**

**PERSONAL LICENCE**

*Please submit to the above address:-*

1. **Application Form** (completed in full)
2. **Fee** - £37.00
3. **2 x photographs** (1 must be certified to be a true likeness of the applicant)
4. **Declaration of convictions**
5. **Criminal conviction certificate** (Must not be more than 1 month old)
6. **Licensing Qualification** – (Level 2 National Certificate for Personal Licence Holders)
7. **Proof of Right to Work in the UK**

**Full details of the above requirements are provided on the guidance sheet attached.**

**IMPORTANT**:- If the above requirements are not complied with, the application will be rejected.

Wakefield Council requires the requested information in order to process your application. It has a duty to protect and safeguard the public and therefore may share the information you have provided on this form with other service areas within the Council, Government Departments, law enforcement agencies and partners for these purposes.

Wakefield Council is also under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of crime / fraud. It may share this information with other bodies responsible for auditing or administering public funds for these purposes. For further information, see

[www.wakefield.gov.uk/nfi](http://www.wakefield.gov.uk/nfi)

## Application for a personal licence

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. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

<b>1. Your personal details</b>				
<b>TITLE Please tick</b>				
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)				
Surname				
Forenames				
<b>PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.</b>				
<b>TITLE Please tick</b>				
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)				
Surname				
Forenames				
Date of Birth				
Nationality				
<b>I am 18 years old or over. Please tick</b>			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).</b>				
<b>Post town</b>		<b>Post code</b>		
<b>TELEPHONE NUMBERS</b>				
Daytime				
Evening				
Mobile				

<b>FAX NUMBER</b>	
<b>E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)</b>	
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>	
<b>Post town</b>	<b>Post code</b>
<b>TELEPHONE NUMBERS</b>	
Daytime	
Evening	
Mobile	
<b>E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)</b>	

<b>2. Your licensing qualifications</b>	
Read Note 1	<b>Please tick yes</b>
Please indicate below which one of these statements applies to you:	
1. I hold an accredited licensing qualification	<input type="checkbox"/>
2. I hold a certified qualification	<input type="checkbox"/>
3. I hold an equivalent qualification	<input type="checkbox"/>
4. I am a person of prescribed description	<input type="checkbox"/>
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. If you have ticked statement 4, please provide evidence that you are a person of prescribed description.	

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<b>3. Previous or outstanding applications for a personal licence</b>		
Note: You may only hold one personal licence at a time.		<b>Please tick</b>
Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Licensing Authority		
Licence number		
Date of issue		
Any further details		

<b>4. CHECKLIST:</b>	
<b>I have</b>	<b>Please tick yes</b>
<ul style="list-style-type: none"> <li>• 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 any individual with a professional qualification</li> <li>• enclosed any licensing qualification I hold or proof that I am a person of prescribed description</li> <li>• 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 Identification Service</li> <li>• enclosed a completed disclosure of criminal convictions and declaration form (Schedule 2)</li> <li>• included a 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)</li> <li>• made or enclosed payment of the fee for the application</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

**5. Declaration**

**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.**

**The information contained in this form is correct to the best of my knowledge and belief.**

It is an offence to knowingly or recklessly make a false statement in or in connection with an application for the grant 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 an offence under section 24B of the Immigration Act 1971 to work illegally.

<b>SIGNATURE</b>		<b>DATE</b>	
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## Disclosure of convictions and declaration

### 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. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

<b>1. Your personal details</b>	
<b>TITLE</b> Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state)	
Surname	
Forenames	
<b>PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names.</b> <b>Please continue on a separate sheet if necessary.</b>	
<b>TITLE</b> Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please state)	
Surname	
Forenames	

<b>2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years</b>		
	Please tick	
✓		
Has any personal licence held by you been forfeited or revoked in the last 5 years? If yes, please provide details below:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Name of court/licensing authority  Address of court  Date of forfeiture/revocation  Offence which resulted in the forfeiture/revocation  Any additional details		

<b>3. Relevant or foreign offences</b>			
Read Note 1 ✓		Please tick	
Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have been convicted of any relevant offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed.			
If you have been convicted of any relevant foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed.			
If you have been convicted of any relevant foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed.			
<b>4. Declaration</b>			
<b>I declare that I have not been convicted of any relevant offence or any foreign offence or been required to pay a civil immigration penalty.</b>			
<b>Signature</b>		<b>Date</b>	
<b>5. Declaration</b>			
<b>The information contained in this form is correct to the best of my knowledge and belief</b>			
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 an offence under section 24B of the Immigration Act 1971 to work illegally.			
<b>Signature</b>		<b>Date</b>	

## **NOTES**

### **1. Relevant or foreign offences**

**Relevant offences** are the offences listed in Schedule 4 of the Licensing Act 2003.

The meaning of **foreign offences** is dealt with in section 113 of the Licensing Act 2003.

If you are the holder of a justices' licence and you are applying for a personal licence under regulation 8 of the Licensing Act (Personal Licence) Regulations 2005 see paragraph 23 and 28 in Part 3 of Schedule 8 to the Licensing Act 2003 for the information you are required to give.

If you are convicted of any relevant or foreign offence during the period between when your application is made and when your application is determined or withdrawn, you must notify the authority to which your application was made. Failure to do so without reasonable excuse could lead to prosecution and a fine not exceeding level 4 on the standard scale.

### **2. Civil Immigration penalty**

An Immigration penalty means a penalty under either section 15 of the Immigration Asylum and Nationality Act 2006 or section 23 of the Immigration Act 2014.

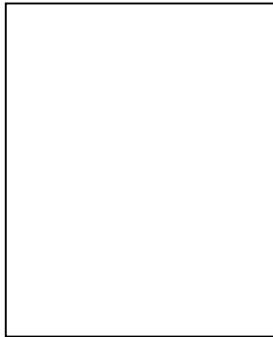


## NOTES FOR GUIDANCE

### **Photographs for Personal Licence Application - Licensing Act 2003**

The Licensing Act 2003 sets out specific requirements for photographs as part of an application for a Personal Licence, as follows:

1. You must obtain two passport-style photographs of yourself, on photographic paper, taken against a light background so that your features are readily distinguishable.
  2. The photographs must be 45mm x 35mm, show the full face uncovered and without sunglasses and unless the applicant wears a head covering for religious beliefs, without a head covering.
  3. One photograph must be endorsed with a statement verifying the likeness of the photograph to the applicant. This must be on the back of one of the photographs both of which should then be stapled or pinned, at the edge, onto the spaces below. Please do not glue the photographs onto the paper.
4. Persons able to certify photographs are:
- the chief executive to the licensing justices for the relevant licensing authority;
  - a solicitor or notary;
  - a person of standing in the community
  - an individual with a professional qualification



**PERSONAL LICENCE APPLICATION FORM**  
**GUIDANCE**

*(This guidance is in addition to the notes on the application form.)*

**The following points must be complete in order for your application to be accepted by the Licensing Authority.**

- Your application must be sent to the licensing authority within whose area you live.
- Read the questions carefully and answer all questions relevant to your application.
- **Two photographs** – must be included with the application, one must be certified by a prescribed person. Those who can certify a photograph are listed in section 4 of the application.
- **Original Licensing Qualification certificate** to be enclosed – The correct qualification as prescribed by the Act is the **Level 2 National Certificate for Personal Licence Holders**. The Home Secretary has accredited the following personal licence qualifications under the Licensing Act 2003:
  - BIIAB (QCF Recognition number RN5118) Level 2 Award for Personal Licence Holders. Qualification accreditation number 501/1494/3
  - CIEH (QFC recognition number RN5238) Level 2 Award for Personal Licence Holders. Qualification accreditation number 601/2104/X
  - HABC (QCF Recognition number RN5219) Level 2 Award for Personal Licence Holders. Qualification accreditation number 500/9974/7
  - IQ (QCF Recognition number:RN5330) Level 2 Award for Personal Licence Holders. Qualification accreditation number: 601/4980/2
  - LASER (QCF Recognition number RN5326) Level 2 Award for Personal Licence Holders. Qualification accreditation number 600/6446/8
  - NCFE (QCF Recognition number RN5156) Level 2 Award for Personal Licence Holders. Qualification accreditation number 600/1323/0
  - SQA (QCF Recognition number RN5167) Level 2 Award for Personal Licence Holders. Qualification accreditation number 600/1269/9
  - Pearson Education Ltd (QCF Recognition number RN5133) Level 2 Award for Personal Licence Holders. Qualification accreditation number 601/3483/5.

- QNUK (RQF Recognition number RN5159) Level 2 Award for Personal Licence Holders. Qualification accreditation number 603/1021/2.
  - Training Qualifications UK (QCF Recognition number RN5355) Level 2 award for Personal Licence Holders. Qualification accreditation number 601/6508/X.
- **Criminal Conviction Certificate** – must be provided with the application form. **This must not be more than 1 month old at the time of making your application.** The current check to meet the requirements of section 4 of the application can be obtained by receiving a **Basic Disclosure** from the **DBS**; contact details are:
    - **Tel:** 03000 200 190
    - **Email:** customerservices@dbs.gsi.gov.uk
  - **A disclosure of criminal convictions and declaration** form must be completed (see enclosed). Please refer to the relevant offences listed on the back of the application form.
  - **A fee of £37.00** must be included with the application. Cheques must be made payable to Wakefield Metropolitan District Council (Wakefield MDC).
  - **Please ensure you complete the checklist on page 4.**
  - **If your application does not meet the requirements stated on the application form and this guidance it will not be accepted and will delay your application.**

## **NOTES**

Information on the Licensing Act 2003 is available on [legislation.gov.uk](http://legislation.gov.uk) or from your local licensing authority.

### **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 documents listed below (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 service (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 birth or adoption certificate issued 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 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) 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:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) 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 in 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.

## **Transparency Notice**

### **Miscellaneous Licences (Sex shops, Sex cinemas, Sexual entertainment venues, Charitable collections, Tattoo, Piercing, Acupuncture, Electrolysis, Gambling, Licensing Act)**

Here at Wakefield Council, we take your privacy seriously and will only use your personal information for the purpose(s) listed in section 2 below. This notice provides details of how the Council collects and uses information (data) about you.

We will keep your information (data) secure at all times.

#### **1. Who we are.**

a) The Controller for the information we hold is Wakefield Council. Contact details:

Telephone: 01924 306112

Email: [dataprotection@wakefield.gov.uk](mailto:dataprotection@wakefield.gov.uk)

b) If you have any queries regarding your information that we are using for the purpose outlined in section 2, please contact the Controller's representative. Contact details:

Alison Patterson, Licensing Project Officer

Telephone: 01924 302348

Email: [alisonpatterson@wakefield.gov.uk](mailto:alisonpatterson@wakefield.gov.uk)

c) The Council's Data Protection Officer is the City Solicitor: Contact details:

Telephone: 01924 305211

Email: [dpo@wakefield.gov.uk](mailto:dpo@wakefield.gov.uk)

#### **2. How we use your data:**

The Licensing Office may need to collect the following information about you. The Licensing Officer has obtained your personal data from you to provide their service:

Name, address, date of birth, contact telephone number, email address, residency status, identification details, any criminal conviction details, proof of Right to work in the UK

We use this information to process your application for a licence.

Should you decide not to provide any of the information we request from you we will not be able to process your application and a licence will not be granted or renewed.



### **3. What authority does the Council have to collect and use this information?**

The information is processed under the Miscellaneous Provisions Act 1982.

### **4. How long will we keep your data?**

We will keep your personal information collected for the purpose(s) detailed in section 2 for a period of 6 years after which time it will be deleted from our systems. Retention is 99 years for anyone who has had their licence revoked, refused or suspended. The reason for keeping information for this period of time is due to financial regulations.

### **Your rights and your personal data**

Under the GDPR you have the following rights:

#### **Right of Access**

You have a right of access to the personal information that the Council holds about you, and/or the right to be given a copy of the data undergoing processing.

#### **Right to Rectification**

You have the right to request that the Council corrects any personal data if it is found to be inaccurate, incomplete or out of date.

#### **Right to Erasure**

In certain circumstances, you may have the right to request your personal data is erased.

#### **Right to Restriction of Processing**

You have the right, where there is a dispute in relation to accuracy or lawfulness of processing of your personal data, to request that a restriction is placed on further processing.

#### **Right to Portability**

You have the right to request the Council provide you with your personal data and where possible, to transmit that data directly to another data controller. However, this only applies to data that you have provided to us and not to all the information that the Council holds about you.

#### **Right to Object to Processing**

In certain circumstances, you may have a right to object to the processing of your personal data.

#### **Automated Decision Making**

Part of our process includes automated decision making. You have a right to not be subject to a decision based solely on automated processing.

#### **Right of Complaint**

You have a right to lodge a complaint with the Information Commissioner, please find contact details below.

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

To exercise any of your rights, you should contact the Data Controller's representative as shown in section 1b.

**6. Transfer of data outside the EU**

Not applicable.

**7. Automated decision making**

Not applicable.

**8. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Transparency Notice, then we will provide you with a new Transparency Notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.