

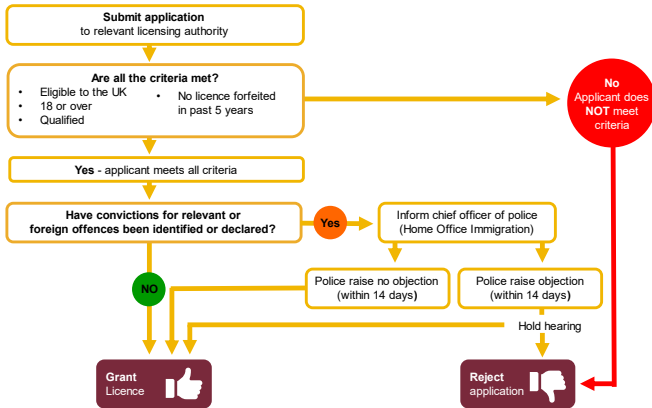
APLH Highfield training presentation – edition 8, March 2024

The following updates have been made to the 8th edition of this training presentation.

Old slide/tutor notes	New slide/tutor notes	Comments
<p>Slide 30</p> <div data-bbox="91 347 779 419" style="background-color: #800000; color: white; text-align: center; padding: 5px;">Eligibility criteria</div> <div data-bbox="91 432 763 499" style="background-color: #c08080; padding: 5px;">Applicants must be eligible to work in the UK, pay an application fee and meet the following criteria:</div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div data-bbox="136 512 412 635" style="background-color: #f0e68c; padding: 5px; border: 1px solid #ccc;">convictions for relevant and foreign offences must be declared</div> <div data-bbox="456 512 703 635" style="background-color: #c08080; padding: 5px; border: 1px solid #ccc;">have no previous licence forfeited within the previous 5 years</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div data-bbox="152 660 398 751" style="background-color: #c08080; padding: 5px; border: 1px solid #ccc;">be at least 18 years old</div> <div data-bbox="479 644 712 751" style="background-color: #f0e68c; padding: 5px; border: 1px solid #ccc;">hold a licensing qualification</div> </div> <div data-bbox="91 767 763 815" style="background-color: #c08080; padding: 5px; margin-top: 10px;">Where the criteria are met and the applicant has no unspent convictions for relevant or foreign offences, the personal licence must be granted.</div> <div data-bbox="398 831 510 863" style="text-align: center; margin-top: 10px;"> 30 </div> <p>Tutor notes Explain that:</p> <ul style="list-style-type: none"> the licensing authority must grant a personal licence if all criteria are met and no unspent convictions for relevant or foreign offences are identified an applicant with a relevant or foreign conviction may apply for a personal licence, however the chief officer of police may object if they believe the crime and disorder objective may be undermined any individual may apply for a personal licence whether or not they are employed or have any interests in a licensed business 	<p>Slide 36</p> <div data-bbox="869 347 1556 419" style="background-color: #800000; color: white; text-align: center; padding: 5px;">Determination of application</div> <div data-bbox="887 432 1536 499" style="background-color: #c08080; padding: 5px;">A personal licence must be granted by the licensing authority if it appears the applicant is:</div> <ul style="list-style-type: none"> is at least 18 years of age is entitled to work in the UK holds a licensing qualification has not had a previous licence forfeited within the last 5 years has no convictions for relevant offences, foreign offences or been required to pay an immigration penalty <div data-bbox="887 730 1536 815" style="background-color: #fff9c4; padding: 5px; margin-top: 10px; border: 1px solid #ccc;">The application will be rejected if the first 4 criteria are not met. If convictions for relevant/foreign offences or immigration penalties are identified, chief officer of police and/or the Home Office must be notified.</div> <div data-bbox="1167 831 1279 863" style="text-align: center; margin-top: 10px;"> 36 </div> <p>Tutor notes</p> <ul style="list-style-type: none"> Licensing authority must grant a personal licence if all 5 criteria are met. If relevant/foreign convictions and/or payment of an immigration penalty are identified the licensing authority must send a notice to the chief officer of police for the area. The chief officer of police may object if they believe the crime and disorder objective may be undermined. Any individual may apply for a personal licence whether or not they are employed or have any interests in a licensed business 	<p>Slide 31 to slide 30 were swapped around so that application procedure is before determination of application.</p> <p>The tutor notes on the new slide 36 have been updated.</p>

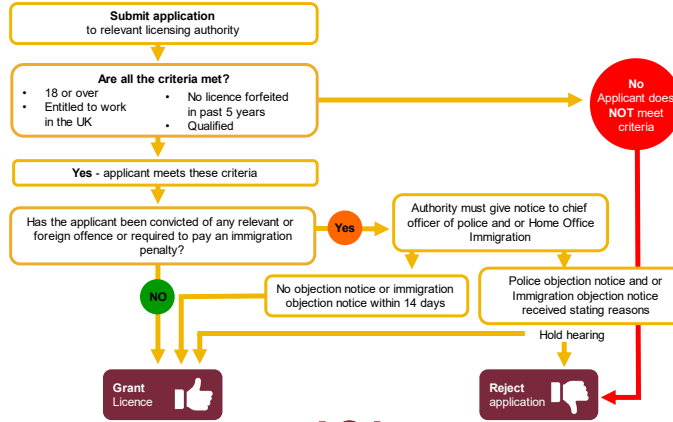
Slide 32

Licensing authority process



Slide 37

Licensing authority process



2nd yellow box down

Are these criteria met?

- 18 or over
- Entitled to work in the UK
- Qualified
- No licence forfeited in last 5 years

3rd yellow box

Yes applicant meets these criteria.

4th yellow box

Has the applicant been convicted of any relevant or foreign offence or required to pay an immigration penalty?

Yellow box to the right of YES
Authority must give notice to chief officer of police and/or Home Office Immigration.

Boxes below - box 1 No objection notice or immigration objection notice within 14 days.

Box 2 – Police objection notice and/or Immigration objection notice received stating reasons.

Slide 33

Objection to personal licence application

Police may object on crime and disorder grounds where applicant has convictions for relevant or foreign offences

Objection notice must be issued within 14 days followed by a hearing

Home Office may object on preventing illegal working grounds where applicant has immigration penalty or offence

If there is no objection, the personal licence will be granted.



33

Slide 38

Objection to personal licence application

Police may object on crime and disorder grounds where applicant has convictions for relevant or foreign offences

Objection notice must be issued within 14 days followed by a hearing

Home Office may object on preventing illegal working grounds where the applicant has an immigration penalty conviction for an immigration offence or comparable foreign offence

If there is no objection, the personal licence will be granted.



38

Left hand side, the 2nd point at the bottom has been updated.

Slide 34

Tutor notes and handout 3

Handout 3 (HO3) for information

Learners may be given a copy of HO3 - a list of relevant offences.

Unspent convictions are ones that still appear on a criminal record and could prevent a personal licence being granted. However, spent convictions (under the Rehabilitation of Offenders Act 1974), due to the time elapsed, are no longer relevant.

For information only (candidates will not be tested on this) here are the basic details regarding the periods of time for rehabilitation, after which a conviction will become spent:

Type of sentence	Sentence	Spent period
Prison	Over 4 years	Never

Slide 39








Tutor notes and handout 3 have been updated to:

Handout 3 (HO3) for information

Learners may be given a copy of HO3 - a list of relevant offences.

Unspent convictions are ones that still appear on a criminal record and could prevent a personal licence being granted. However, spent convictions (under the Rehabilitation of Offenders Act 1974), due to the time elapsed, are no longer relevant.

The tutor notes and handout 3 have been updated.

<p>Prison plus 7 years More than 30 months, Sentence</p> <p>Prison plus 4 years More than 6 months, Sentence</p> <p>Prison years up to 4 years up to 30 months</p> <p>6 months or less Sentence plus 2 years</p> <p>Community orders and fines: 1 year.</p>		
<p>Slide 39</p> <p>  Legal duties of a personal licence holder</p> <p>Inform licensing authority of:</p> <ul style="list-style-type: none"> change of name or address convictions for relevant offences or foreign offences <p> Failure to meet legal duties is an offence subject to a level 2 penalty (£500)</p> <p>KEY POINT</p> <p>A personal licence holder authorising alcohol sales must produce their licence when requested to do so by the police or an authorised officer of the licensing authority.</p> <p> 39</p>	<p>Slide 44</p> <p> Legal duties of a personal licence holder</p> <p>Inform licensing authority of:</p> <ul style="list-style-type: none"> change of name or address convictions for relevant offences, foreign offences or immigration penalties <p> Failure to meet legal duties is an offence subject to a level 2 penalty (£500)</p> <p>KEY POINT</p> <p>A personal licence holder authorising alcohol sales must produce their licence when requested to do so by the police or an authorised officer of the licensing authority.</p> <p> 44</p>	<p>The 2nd bullet point has been updated.</p>

Slide 40

  Personal licence application

A personal licence allows the holder to sell or [redacted] the sale of [redacted] on licensed premises in accordance with licence [redacted].

Once granted, a personal licence does not need to be [redacted].

It is issued by the relevant licensing [redacted] to an applicant who:

- is [redacted] to work in the UK
- Is aged [redacted] or over
- holds an accredited licensing [redacted]
- has not forfeited a previous licence within [redacted] years

Personal licence applicants must provide evidence of whether they have [redacted] convictions for relevant or [redacted] offences.

If convictions are identified, police and/or Immigration may [redacted] to an application on crime and [redacted] grounds.

Slide 45 and handout 4

  Personal licence application

A personal licence allows the holder to sell or [redacted] the sale of [redacted] on licensed premises in accordance with licence [redacted].

Once granted, a personal licence does not need to be [redacted].

It is issued by the relevant licensing [redacted] to an applicant who:

- is [redacted] to work in the UK
- Is aged [redacted] or over
- holds an accredited licensing [redacted]
- has not forfeited a previous licence within [redacted] years

Personal licence applicants must provide evidence of whether they have [redacted] convictions for relevant or [redacted] offences or immigration penalties.

If convictions or immigration penalties are identified, police and/or Immigration may [redacted] to an application on crime and [redacted] grounds.

The last paragraph and handout 4 has been updated.

Slide 44

Premises licence validity

A premises licence will continue until:

- it is revoked
- premises cease to be used for licensable activities
- it is surrendered
- the premises licence holder (where an individual) dies, becomes incapacitated or bankrupt



A premises licence may be suspended for up to 3 months. 

Slide 49

Premises licence validity

A premises licence will continue until:

- it is revoked
- premises cease to be used for licensable activities
- it is surrendered
- the premises licence holder (where an individual) dies, becomes incapacitated or bankrupt or ceases to be entitled to work in the UK



A premises licence may be suspended for up to 3 months. 

The 4th bullet point has been updated.

Slide 56

Duties of the premises licence holder

- Keep the premises licence (or a certified copy) at the premises
- Display a summary of the licence
- Inform the licensing authority of change of DPS
- Inform of change of name/address of DPS
- Put age verification policy in place.

Slide 61

Duties of the premises licence holder

- Keep the premises licence (or a certified copy) at the premises
- Display a summary of the licence
- Inform the licensing authority of change of DPS
- Inform licensing authority of a change of own name or address and of the DPS
- Put age verification policy in place.

The 4th bullet point has been updated.

Slide 113

Event limits

- Maximum 15 events per calendar year or 20 per year during 2022 and 2023
- Duration of events up to 21 days per calendar year or for up to 26 days per year during 2022 and 2023
- A minimum 24 hours between events
- Each event may last for up to 168 hours (7 days)
- The event must have fewer than 500 people attending at any one time.

Slide 118

Event limits

- Maximum 15 events per calendar year
- Duration of events up to 21 days per calendar year
- A minimum 24 hours between events
- Each event may last for up to 168 hours (7 days)
- The event must have fewer than 500 people attending at any one time.

Temporary event limits have been updated to remove:

20 per year during 2022 and 2023.

26 per year during 2022 and 2023.

Slide 138



Partnerships



Slide 31



Partnerships



Slide 138 moved to the end of module 1 and is now slide 31.

-END-