

## SPELTHORNE BOROUGH COUNCIL

### INFORMATION TO ACCOMPANY PERSONAL LICENCES

Duties of a Personal licence holder:

- **Change of name or address.** This must be notified to the licensing authority as soon as practicable. The notification must be accompanied by the personal licence and the prescribed fee of £10.50. An offence is committed if licence holders fail without reasonable excuse to comply with this requirement, subject to a level 2 fine on conviction.
- **Theft or loss of personal licence.** Where a personal licence is lost, stolen, damaged or destroyed then, subject to the payment of the prescribed fee of £10.50, the holder can apply to the licensing authority for a certified copy of the licence. Where the licence has been lost or stolen, this must have been reported to the Police.
- **Conviction for relevant offence.** A person who holds a personal licence who is charged with a relevant offence must produce the licence in court, no later than his first appearance in a magistrates' court. (Where a personal licence is granted **after** the first appearance in court he is obliged to produce his personal licence on his next appearance in court). If a licence holder is unable to produce his licence, he is obliged to notify the court of the existence of his personal licence, the licensing authority that granted it and the reasons why he cannot produce the licence.

Where a person charged with a relevant offence has complied with the above notification / production requirement but prior to conviction or acquittal, a "notifiable event" occurs, he must notify the court of that event. A "notifiable event" is a:

- A) making or withdrawing an application for a renewal of the personal licence
- B) surrender of the licence
- C) renewal of the licence, or
- D) revocation of the licence

A person who fails without reasonable excuse to comply with the notification / production requirements set out above commits an offence which is liable on summary conviction to a fine not exceeding level 2.

Where a licence holder is convicted of a relevant offence or a foreign offence, the licence holder must as soon as is reasonably practicable give the licensing authority notification of the conviction. The notice must contain details of the nature and date of the conviction and any sentence imposed. Where a conviction is appealed, the licence holder is required to give the licensing authority notice of the determination of

the appeal, as soon as reasonably practicable after the determination. Any notification of conviction must be accompanied by the personal licence, or a statement why the licence cannot be produced.

An offence is committed if the personal licence holder fails without reasonable excuse to comply with these requirements, subject to a level 2 fine on conviction.

Relevant offences are set out in schedule 4 to the 2003 Act and form part of the application pack for personal licences.

- **Licence Holder's duty to produce licence** Where a personal licence holder is on premises to make or authorise the supply of alcohol and such supplies are authorised by either a premises licence or a Temporary Event Notice, a Police Officer, Police Licensing Officer or authorised officers of the licensing authority may require the holder of the licence to produce his licence for examination. A person who fails to comply with the requirement without reasonable excuse, is guilty of an offence and is liable to a maximum level 2 fine on summary conviction.

This information is intended for guidance only and is not intended to provide authoritative legal advice

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