

Licensing Act 2003

Application for a Personal Licence

LICENSING



Beacon
Council

2004-2005
Benefits Administration



Blackpool Council

BUILDING A BETTER COMMUNITY FOR ALL

Where an applicant for a personal licence has a conviction listed below, the Licensing Authority must notify the Police. The Police may then object to the application if they believe that to grant a personal licence would undermine the crime prevention objective. Where such an objection notice is lodged, a hearing would be held before a licensing sub-committee, who would either grant or reject the application.

If you are convicted of an offence detailed below whilst your application for a personal licence is being processed, you must notify the licensing authority as soon as reasonably practicable, failure to do so without a reasonable excuse is an offence.

If after the personal licence has been granted, the licensing authority becomes aware that you have been convicted of a relevant offence during the application period, the Police will be informed of the conviction. If the Police are of the opinion that to continue the licence would undermine the crime prevention objective, they may serve an objection notice. If a notice is served, there will be a hearing before a licensing sub-committee to determine whether the personal licence should be revoked

Relevant Offences

1. An offence listed under the Licensing Act 2003
2. An offence under any of the following enactments:
 - Schedule 12 of the London Government Act 1963 (Public Entertainment Licensing)
 - The Licensing Act 1964
 - The Private Places of Entertainment (Licensing) Act 1967
 - Section 13 of the Theatres Act 1968
 - The Late Night Refreshment Houses Act 1969
 - Section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982
 - The Licensing (Occasional Provisions) Act 1982
 - The Cinemas Act 1985
 - The London Local Authorities Act 1990
3. An offence under the Firearms Act 1990
4. An offence under section 1 of the Trade Descriptions Act 1968 (false trade description of goods) in circumstances where the goods in question are or include alcohol.
5. An offence under any of the following provisions of the Theft Act 1968
 - Section 1 (Theft)
 - Section 8 (Robbery)
 - Section 9 (Burglary)
 - Section 10 (Aggravated burglary)
 - Section 11 (Removal of articles from places open to the public)
 - Section 12A (Aggravated vehicle taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person
 - Section 13 (Abstracting of electricity)
 - Section 15 (Obtaining property by deception)
 - Section 15A (Obtaining a money transfer by deception)
 - Section 16 (Obtaining pecuniary advantage by deception)
 - Section 17 (False accounting)
 - Section 19 (False statements by company directors etc)
 - Section 20 (Suppression etc. of documents)
 - Section 21 (Blackmail)
 - Section 22 (Handling stolen goods)
 - Section 24A (Dishonestly retaining a wrongful credit)
 - Section 25 (Going equipped for stealing etc.)
6. An offence under Section 7(2) of the Gaming Act 1968 allowing child to take part in gaming on premises

licensed for the sale of alcohol)

7. An offence under any of the following provisions of the Misuse of Drugs Act 1971
 - Section 4(2) (production of a controlled drug)
 - Section 4(3) (supply of a controlled drug)
 - Section 5(3) (possession of a controlled drug with intent to supply)
 - Section 8 (permitting activities to take place on premises)
8. An offence under either of the following provisions of the Theft Act 1978
 - Section 1 (obtaining services by deception)
 - Section 2 (evasion of liability by deception)
9. An offence under either of the following provisions of the Customs and Excise Management Act 1979
 - Section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc)
 - Section 170B (taking preparatory steps for evasion of duty)
10. An offence under either of the following provisions of the Tobacco Products Duty Act 1979:
 - Section 8G (possession and sale of unmarked tobacco)
 - Section 8H (use of premises for sale of unmarked tobacco)
11. An offence under the Forgery and Counterfeiting Act 1981 (other than an offence under section 18 or 19 of that Act)
12. An offence under the Firearms (Amendment) Act 1988
13. An offence under any of the following provisions of the Copyright, Design and Patents Act 1988
 - Section 107(1)(d) (iii) (public exhibition in the course of a business of article infringing copyright)
 - Section 107(3) (infringement of copyright by public performance of work etc.)
 - Section 198(2) (broadcast etc of recording performance made without sufficient consent)
 - Section 297(1) (fraudulent reception of transmission)
 - Section 297A(1) (supply etc of unauthorised decoder)
14. An offence under any of the following provisions of the Road Traffic Act 1988
 - Section 3A (causing the death by careless driving while under the influence of drink or drugs)
 - Section 4 (driving etc a vehicle when under the influence of drink or drugs)
 - Section 5 (driving etc a vehicle with alcohol concentration above prescribed limit)
15. An offence under either of the following provisions of the Food Safety Act 1990 in circumstances where the food in question is or includes alcohol
 - Section 14 (selling food or drink not of the nature, substance or quality demanded)
 - Section 15 (falsely describing or presenting food or drink)
16. An offence under section 92 (1) or (2) of the Trade Marks Act 1994 (unauthorised use of trade mark etc in relation to goods) in circumstances where the goods in question are or include alcohol
17. An offence under the Firearms (Amendment) Act 1997
18. A Sexual Offence, within the meaning of section 161 (2) of The Powers of Criminal Courts (Sentencing) Act 2000 listed as note 1 below.
19. A Violent Offence within the meaning of section 161(3) of that Act listed as note 1 below
20. An offence under section 3 of the Private Security Industry Act 2001 (engaging in certain activities relating to security without a licence).

Note 1.

In "The Powers of the Criminal Courts (Sentencing) Act 2000" a "Sexual Offence" means any of the following:

- An offence under the Sexual Offences Act 1956, other than an offence under section 30, 31, 33 to 36 of that Act
- An offence under section 128 of the Mental Health Act 1959
- An offence under the Indecency with Children Act 1960
- An offence under section 9 of the Theft Act 1968 of burglary with intent to commit rape
- An offence under section 54 of the Criminal Law Act 1977
- An offence under the Protection of Children Act 1978
- An offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit any of the offences in paragraphs above
- An offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit any of those offences
- An offence of inciting another to commit any of those offences.

In "The Powers of the Criminal Courts (Sentencing) Act 2000" a "Violent Offence" means any offence that leads, or is intended or likely to lead, to a person's death or to physical injury to a person, and includes an offence which is required to be charged as arson (whether or not it would otherwise fall within this definition).

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