

At the beginning of this week, the Home Office published responses to their Consultation on the future of personal licences. As previously reported in [Licensing without Hiccups](#), the Home Office had proposed replacing personal licences with a system of locally applied conditions to premises licences where appropriate.

However, the Home Office has now announced that the requirement for personal licences will remain, in light of the significant opposition to the proposal by both Local Authorities and businesses.

This news will no doubt be welcomed by those who were concerned that the alternative would be overly complex, lead to inconsistencies from Authority to Authority and potentially undermine recognised national standards for training and criminal record checks.

Duration and Renewals

More good news seems to be on the way: the introduction to the Consultation confirmed that the Home Office did not consider the renewal of personal licences every 10 years to be an effective or proportionate way to tackle crime and disorder and they committed to removing that requirement.

That proposal is now contained within the Deregulation Bill, which provides that from the date it comes into force, personal licences issued under the Licensing Act 2003 will have effect indefinitely i.e. there will be no expiry or renewal date.

Furthermore, the requirement to notify the loss or theft of a personal licence to police will be removed under the same Bill. This will mean that in future a duplicate licence can be obtained without having to provide a crime reference number.

Two notes of caution though:

- 1 The Deregulation Bill still has to go through Parliament. It is currently at Report stage in the House of Commons and has yet to go to the Lords. If the Bill does not receive Royal Assent by the end of this year, the first renewals will start to fall due. Under the current legislation, renewals of personal licences must be submitted between one and three months prior to expiry and the first expiry dates will be in February 2015.
- 2 The Bill does not propose any alternative to the renewal of personal licences. However, in reality, there may be an alternative introduced under separate legislation in due course. For example, in Scotland, all personal licence holders are required to undertake mandatory training every five years. Is this an option which might be considered in due course for England and Wales?

For these reasons, operators may be best advised to budget in any event for personal licence renewals. The old adage "hope for the best and prepare for the worst" in our view still rings true.

Contact

If you have any queries about this issue, or if you need any advice on your licensing requirements, applications, or procedures, please contact us. We can assist with the drafting and submission of applications, contested hearings, audits and advice on procedures, policies and/or training, prosecutions or licence reviews.

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