

We reported in our last edition of '[Licensing Without Hiccups](#)' that the Home Office had acknowledged some individuals would need to renew their personal licences before the proposed abolition of the renewal process is approved under the Deregulation Bill. We understand that the Home Office has now written to local authorities with a factsheet on proposed simplifications to the renewal process in the interim period. The factsheet has been published by the [trade press](#).

It seems that the Home Office has decided to remove the requirement to lodge photos, a criminal record check, or a Council fee. A simplified renewal form will also be introduced. Once the application is lodged and is 'pending', the existing personal licence will continue to have effect. Licensing authorities will be expected to acknowledge the application so that applicants have certainty that their forms have been received.

However, operators should note that in a change to previous indications from the Home Office, applicants **will** be required to lodge their current personal licence. The Home Office states that individual licensing authorities can decide whether applicants will be required to submit the original or a copy of their licence. This seems a little strange, given that the intention is that licensing authorities will not need to process the application, but simply to 'acknowledge' it. On this basis, when would the original licence be returned?

Our 'top tips' for personal licence renewals, given this latest update, are as follows:

1. Remember that the Home Office factsheet is **not** law. Changes to the renewal process will require secondary legislation. As secondary legislation requires the agreement of Parliament, the proposals may yet change and Parliamentary time constraints may mean that final confirmation of the process is not available until the deadline for the first renewals is upon us.
2. Ensure you identify all of the current personal licence holders in your business. You may well have records of all those who have applied for personal licences while they were with you, but do you have details of all those who obtained their licences in their previous employment?
3. Remind personal licence holders that if their personal licences have been lost or stolen, duplicates must be requested; and if their names or addresses have changed, notifications to the relevant licensing authority are required. It is, of course, a criminal offence not to notify such changes, or of lost licences, in any event.

4. Prioritise identification of expiry dates for designated premises supervisor(s) – if their personal licence expires, there will be no authority to sell alcohol under the premises licence.
5. Remember that the absolute deadline for renewal applications is one month prior to expiry and schedule renewals accordingly. Aim to get the application in at least six weeks before expiry. If a licence expires, a new application would be required if they require a personal licence again in future. Many licence holders who applied early in 2005 will never have taken the personal licence holders' course, as they 'converted' from the old regime, so they would need to take that course if they want to re-apply. This would, of course, have cost implications for your business. Criminal record checks, new photos and completed application forms would also be required.

The factsheet makes quite clear that the Deregulation Bill is still going through Parliament and the timescales are therefore subject to Parliamentary processes. An exact date for the repeal of the renewal requirement cannot be given, but it is unlikely that the Bill will get Royal Assent before Spring 2015.

In summary hope for the best but plan for the worst.

We will, of course, report further if and when draft secondary legislation is published. However, if you have any queries or comments in the meantime, please do get in touch.

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