

Convictions and Offences

The personal licence application form requires you to disclose to the Licensing Authority any convictions for “relevant offence” or a “foreign offence” if they are “spent” for the purpose of the Rehabilitation of Offenders Act 1974.

Guidance on what constitutes a “spent” or “unspent” conviction is provided in the Criminal Convictions document.

A “relevant offence” is one listed in Schedule 4 of the Licensing Act. A copy of this for your assistance. A “foreign offence” is any offence under the law of any place outside England and Wales. For example, if you have been convicted of any offence in Scotland. This must be disclosed.

New Application

In addition to the disclosure of criminal conviction and declaration form (schedule 3) you are also required to attach an additional document. This can be either a criminal certificate, a criminal record certificate or the results of a subject access search of the police national computer by National Intelligence Service. (Information about this will be provided with your application form)

I have disclosed a conviction – what happens now?

The licensing Authority will notify the Police – you do not have to do this. They will consider whether or not to make an objection to your application.

The Police may lodge an objection notice if they consider that granting you a personal licence would undermine the crime prevention objective.

How long do the police have to object?

14 days from the date on which they receive our notice about your conviction(s).

If no objection notice is received from the Chief Officer of Police within that time limit, then the Licensing Authority will grant the personal licence.

If an objection notice is received and, unless all parties agree that the objection notice should be withdrawn, the Licensing Authority will hold a hearing to determine whether the licence should be granted. At the hearing, the application can only be rejected if it is determined that the granting of the licence would undermine the crime prevention objective.