

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No.

meeting date: TUESDAY, 19 JUNE 2012
title: LIVE MUSIC ACT 2012
submitted by: CHIEF EXECUTIVE
principal author: MAIR HILL

1 PURPOSE

- 1.1 To inform Members of the provisions of the Live Music Act 2012 and the changes which it will make to the Licensing Act 2003.
- 1.2 Relevance to the Council's ambitions and priorities:
 - Community Objectives – None.
 - Corporate Priorities - An efficient licensing service will promote the Council's priority of being a well-managed and efficient Council.
 - Other Considerations – None.

2 BACKGROUND

- 2.1 The Live Music Act 2012 (the “**Act**”) was introduced as a private members bill with Government support. It received Royal Assent on 23 March 2012. The Government has indicated that after discussions with the Local Government Association and the police it will commence the Act in line with the usual requirements and conventions, which include consulting on and issuing guidance under section 182 of the Licensing Act 2003 and adhering to the common commencement date for new regulations. In light of this the Government expects that the changes will come into force on **1 October 2012**.
- 2.2 Once the Act comes into force it will remove the licensing requirements for:
 - 2.2.1 amplified live music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises;
 - 2.2.2 amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and
 - 2.2.3 unamplified live music between 8am and 11pm in all venues.
- 2.3 Where a premises continues to operate other licensable activities such as the sale of alcohol any conditions relating to live music as set out in paragraphs 2.2.1 to 2.2.3 above will be suspended unless they have been added following a licence review. It is also possible under the Act to reinstate or impose conditions about live music following a review of a premises licence or club certificate relating to premises authorised to supply alcohol for consumption on the premises.

- 2.4 The Act also removes the licensing requirements relating to entertainment facilities and widens the licensing exemption for live music integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to live or recorded music instead of unamplified live music.
- 2.5 The letter from the Department of Culture, Media and Sport (“**DCMS**”) enclosed at **Appendix 1** also deals with queries, which local authorities had raised about the Olympics. Confirmation had been sought of whether there will be any automatic extension of licensing hours during the Olympics similar to those put in place for the Royal Wedding and Diamond Jubilee. The Government has confirmed that it has no plans to introduce extensions to licensing hours for the Olympics and Paralympics. Its reasoning is that the games continue over several weeks and there is no obvious date or dates on which there will be a particular focus which would warrant the automatic extended hours. Additionally, the police have emphasised the need for them to have notice of additional events and activities so that they can plan resources during a period, which will have additional demands on forces across the country. The DCMS anticipates an increase in Temporary Event Notices and licence variations in some areas and has indicated that it hopes a pragmatic approach will be taken and that community events will be encouraged.

3 RISK ASSESSMENT

3.1 The approval of this report may have the following implications:

- Resources – None.
- Technical, Environmental and Legal – None.
- Political – None.
- Reputation – Awareness of the amendments will enhance the Council's reputation.
- Equality & Diversity – None.

4 RECOMMENDED THAT COMMITTEE

4.1 Note the content of the report.

MARSHAL SCOTT
CHIEF EXECUTIVE

DIANE RICE
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BACKGROUND PAPERS

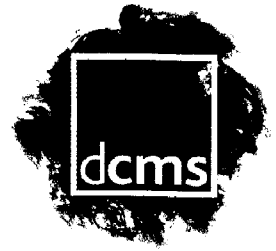
- 1 Appendix 1 - Letter DCMS to Chief Executives of Licensing Authorities in England and Wales dated 23 March 2012
- 2 Appendix 2 – Live Music Act 2012

For further information please ask for Mair Hill, extension 3216

REF: MJH/Licensing Committee/190612

APPENDIX 1

CMS 202653/mk



department for
**culture, media
and sport**

Chief Executives of
Licensing Authorities in England and Wales

23 March 2012

CHANGES TO THE LICENSING ACT 2003

You may be aware that the Live Music Act (the Act), which was a Private Members Bill with Government support, recently completed its passage through Parliament and received Royal Assent today. The Act does not come into force straight away and I am writing to confirm the likely timetable for commencement of the new legislation.

Once the Live Music Act comes into effect, it will remove the licensing requirements for:

- amplified live music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises;
- amplified live music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment); and
- unamplified live music between 8am and 11pm in all venues.

Where a premises continues to operate licensable activities (such as the sale of alcohol), any conditions relating to the activities above will be suspended unless they have been added following a licence review. It would also be possible to reinstate or impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises.

The Live Music Act will also remove licensing requirements for the provision of entertainment facilities. In addition, it will widen the licensing exemption for live music integral to a performance of morris dancing or dancing of a similar type, so that the exemption applies to live or recorded music instead of unamplified live music.



improving
the quality
of life for all

Following discussions with the Local Government Association and the police, I intend to commence the Live Music Act in line with the usual requirements and conventions, which includes consulting on and issuing guidance under section 182 of the Licensing Act 2003 and adhering to the common commencement dates for new regulations. I therefore expect the changes to come into force on **1 October this year**.

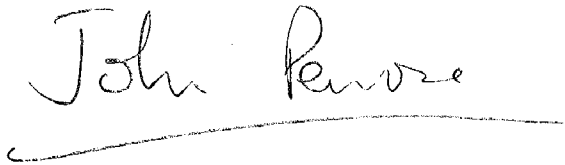
We will, of course, work with local government representatives and others in drawing up guidance on how to implement the new arrangements. I want to ensure that licensing officers, venue operators and enforcement agencies all have a clear understanding of the changes in good time before they come into effect. I am separately considering the responses to the consultation on wider reform of entertainment licensing, including the helpful contributions from many licensing authorities, but no final decisions have yet been made on those measures.

You will also be aware that, as well as looking to relax the regulatory burden on entertainment activities; the Government is rebalancing the Licensing Act 2003 by introducing a number of alcohol licensing reforms in the Police Reform and Social Responsibility Act 2011. Subject to Parliamentary processes, Home Office colleagues expect to bring those reforms into effect in April 2012, except for those that require complex secondary legislation (namely: early morning alcohol restriction orders, the late night levy and locally set fees). The measures intended for April 2012 include giving licensing authorities greater powers and flexibility to crack down on irresponsible premises, including making them responsible authorities in their own right under the Licensing Act 2003 and lowering the evidence threshold for decisions making. The Home Office will communicate with you further about these changes shortly.

Some local authority colleagues have been seeking confirmation on whether there will be any automatic extensions of licensing hours during the Olympics along the lines of those put in place for the Royal Wedding last year and that the Home Office has announced will be put in place during the weekend of the Queen's Diamond Jubilee celebrations in June (further information is available via the Home Office website <http://www.homeoffice.gov.uk>).

The Government considers such cases on their merits and has no plans to introduce extensions to licensing hours for the Olympics and Paralympic Games. The Games continue over several weeks and, unlike other special occasions, there is not an obvious date or dates on which there will be a particular focus which would warrant the automatic extended hours. Additionally, the police have emphasised the need for them to have notice of additional events and activities so that they can plan resources during a period which will place additional demands on forces across the country. Of course, hosting the Olympic and Paralympic games will be a cause for celebration across the country and there will be an important role for licensed premises and community events to mark this unique occasion. Many towns and

cities will already have links with communities from across the globe and others will be hosting different national teams which will mean a whole variety of different events at different times. It is therefore likely that there will be an increase in Temporary Event Notices and licence variations in some areas and these should be processed in the usual way, liaising with the police as necessary. I hope that a pragmatic approach will be taken and that community events will be encouraged.

A handwritten signature in cursive script that reads "John Penrose". The signature is written in black ink and is positioned above a thin, horizontal, slightly wavy line that serves as a separator.

John Penrose MP
Minister for Tourism and Heritage

APPENDIX 2



Live Music Act 2012

2012 CHAPTER 2

An Act to amend the Licensing Act 2003 with respect to the performance of live music entertainment; and for connected purposes. [8th March 2012]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Licence review for live music entertainment

- (1) In section 177 of the Licensing Act 2003 (dancing and live music in certain small premises)—
- (a) in subsections (1) and (2), for “the provision of music entertainment” in each place substitute “dancing”,
 - (b) in subsection (2) omit—
 - (i) paragraph (b) and “and” immediately before it, and
 - (ii) in the words following paragraph (b), the words “, in relation to the provision of that entertainment,”,
 - (c) omit subsections (3) and (4),
 - (d) in subsection (8)—
 - (i) for “music entertainment” substitute “dancing” and in paragraph (a) of that definition omit “(e) or”, and
 - (ii) omit paragraph (b) of that definition and “or” immediately before it, and
 - (e) in the heading omit “and live music”.
- (2) After that section insert—

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“177A Licence review for live music

- (1) Subsection (1) applies where live music takes place on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, and—
- (a) at the time of the live music, the premises are open for the purposes of being used for the supply of alcohol for consumption on the premises,
 - (b) either—
 - (i) the live music is unamplified, or
 - (ii) the live music is amplified and takes place in the presence of an audience of no more than 200 persons, and
 - (c) the live music takes place between 8am and 11pm on the same day (or, where an order under section 172 has effect, between the hours specified in that order).
- (2) Any condition of the premises licence or club premises certificate which relates to live music does not have effect in relation to the live music, unless it falls within subsection (3) or is added to the licence in accordance with subsection (4).
- (3) A condition falls within this subsection if, on a review of the premises licence or club premises certificate it is altered so as to include a statement that this section does not apply to it.
- (4) On a review of a premises licence or club premises certificate a licensing authority may (without prejudice to any other steps available to it under this Act) add a condition relating to live music as if—
- (a) the live music were regulated entertainment, and
 - (b) the licence or certificate licensed the live music.
- (5) In this section—
- “condition” means a condition—
- (a) included in a premises licence by virtue of section 18(2)(a) or (3)(b), 35(3)(b), 52(3) or 167(5)(b),
 - (b) included in a club premises certificate by virtue of section 72(2)(a) or (3)(b), 85(3)(b) or 88(3),
 - (c) added to a premises licence by virtue of its inclusion in an application to vary the licence in accordance with section 34 or 41A which is granted under section 35(2) or 41B(3) (as the case may be), or
 - (d) added to a club premises certificate by virtue of its inclusion in an application to vary the certificate in accordance with section 84 or 86A which is granted under section 85(2) or 86B(3) (as the case may be);
- “live music” means entertainment of a description falling within, or of a similar description to that falling within, paragraph 2(1)(e) of Schedule 1;
- “supply of alcohol” means—
- (a) the sale by retail of alcohol, or

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(b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.”

2 Removal of requirement to license the provision of entertainment facilities

(1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.

(2) For paragraph 1(1) substitute—

“(1) For the purposes of this Act, the “provision of regulated entertainment” means the provision of entertainment of a description falling within paragraph 2 where the conditions in sub-paragraphs (2) and (3) are satisfied.”

(3) In paragraph 1(2) omit “, or entertainment facilities are,”.

(4) For paragraph 1(3) substitute—

“(3) The second condition is that the premises on which the entertainment is provided are made available for the purpose, or for purposes which include the purpose, of enabling the entertainment concerned to take place.”

(5) For paragraph 1(4) substitute—

“(4) For the purposes of sub-paragraph (2)(c), entertainment is to be regarded as provided for consideration only if any charge—

- (a) is made by or on behalf of any person concerned in the organisation or management of that entertainment, and
- (b) is paid by or on behalf of some or all of the persons for whom that entertainment is provided.”

(6) In paragraph 1(6) omit paragraph (c).

(7) Omit paragraph 3.

(8) For paragraph 4 substitute—

“4 The Secretary of State may by order amend this Schedule for the purposes of modifying the descriptions of entertainment specified in paragraph 2, and for this purpose “modify” includes adding, varying or removing any description.”

(9) For paragraph 7 substitute—

“7 The provision of entertainment consisting of the performance of live music or the playing of recorded music is not to be regarded as the provision of regulated entertainment for the purposes of this Act to the extent that it is incidental to some other activity which is not itself a description of entertainment falling within paragraph 2.”

(10) In paragraph 8 omit “or entertainment facilities”.

(11) In paragraph 9 omit “or entertainment facilities”.

(12) In paragraph 10(1) omit “or entertainment facilities”.

(13) In paragraph 11—

- (a) omit “or entertainment facilities”, and

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(b) omit sub-paragraph (b).

(14) In paragraph 11A omit sub-paragraph (4).

(15) In paragraph 12 omit “or entertainment facilities”.

3 Exemptions for live music entertainment

(1) Schedule 1 to the Licensing Act 2003 (c. 17) is amended as follows.

(2) In paragraph 11(a) for “a performance of unamplified, live music as” substitute “the playing of live or recorded music that forms”.

(3) After paragraph 12 insert—

“Live music in licensed venues

12A The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act on premises authorised to be used for the supply of alcohol for consumption on the premises by a premises licence or club premises certificate, if—

- (a) the requirements of section 177A(1)(a) to (c) are satisfied, and
- (b) conditions have not been included in the licence or certificate by virtue of section 177A(3) or (4).”

(4) After paragraph 12A (as inserted by sub-paragraph (3)) insert—

“Live music in workplaces

12B The provision of entertainment consisting of a performance of live music is not to be regarded as the provision of regulated entertainment for the purposes of this Act, provided that—

- (a) the place where the performance is provided is not licensed under this Act (or is so licensed only for the provision of late night refreshment) but is a workplace as defined in regulation 2(1) of the Workplace (Health, Safety and Welfare) Regulations 1992,
- (b) the performance takes place in the presence of an audience of no more than 200 persons, and
- (c) the performance takes place between 8am and 11pm on the same day.”

(5) After paragraph 12B (as inserted by sub-paragraph (4)) insert—

“Live unamplified music

12C The provision of entertainment consisting of a performance of live music is not (subject to section 177A(3) and (4)) to be regarded as the provision of regulated entertainment for the purposes of this Act provided that the music—

- (a) is unamplified; and
- (b) takes place between 8am and 11pm on the same day.”

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4 Short title, commencement and extent

- (1) This Act may be cited as the Live Music Act 2012.
- (2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act extends to England and Wales only.

STATUTORY INSTRUMENTS

2012 No. 946

LICENCES AND LICENSING

**The Licensing Act 2003 (Personal
licences) (Amendment) Regulations 2012**

<i>Made</i>	- - - - -	<i>24th March 2012</i>
<i>Laid before Parliament</i>		<i>30th March 2012</i>
<i>Coming into force</i>	- -	<i>25th April 2012</i>

The Secretary of State, in exercise of the powers conferred by sections 133(1) and 193(1) of the Licensing Act 2003(2), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Licensing Act 2003 (Personal licences) (Amendment) Regulations 2012 and shall come into force on 25th April 2012.

Personal licences: forms

2. For the form in Schedule 1 to the Licensing Act 2003 (Personal licences) Regulations 2005(3) ("the 2005 Regulations"), substitute the form in Schedule 1 to these Regulations.

3. For the form in Schedule 2 to the 2005 Regulations, substitute the form in Schedule 2 to these Regulations.

4. For the form in Schedule 3 to the 2005 Regulations, substitute the form in Schedule 3 to these Regulations.

Home Office
24th March 2012

Lord Henley
Minister of State

(1) See the definition of "regulations".
(2) See the definition of "licences".
(3) See the definition of "forms".

SCHEDULE 1

Regulation 2

[insert name and address of relevant licensing authority and its reference number (optional)]

Application for a personal licence

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records

1. Your personal details	
TITLE Please tick ✓	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick ✓	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
I am 18 years old or over. Please tick ✓	Yes <input type="checkbox"/> No <input type="checkbox"/>
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).	
Post town	Post code
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

Address for correspondence associated with this application (if different to the address above)

Post town _____ Post code _____

TELEPHONE NUMBERS

Daytime _____

Evening _____

Mobile _____

E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)

2. Your licensing qualifications

Read Note 1 **Please tick ✓ yes**

Please indicate below which one of these statements applies to you:

1. I hold an accredited licensing qualification	<input type="checkbox"/>
2. I hold a certified qualification	<input type="checkbox"/>
3. I hold an equivalent qualification	<input type="checkbox"/>
4. I am a person of prescribed description	<input type="checkbox"/>

If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.
 If you have ticked statement 4, please provide evidence that you are a person of prescribed description.

3. Previous or outstanding applications for a personal licence

Note: You may only hold one personal licence at a time. **Please tick ✓**

Do you currently hold a personal licence?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Licensing Authority		
Licence number		
Date of issue		
Date of expiry		
Any further details		

4. CHECKLIST:	
I have	Please tick ✓ yes
<ul style="list-style-type: none"> enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed any licensing qualification I hold or proof that I am a person of prescribed description 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service 	<input type="checkbox"/>
<ul style="list-style-type: none"> enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3) 	<input type="checkbox"/>
<ul style="list-style-type: none"> made or enclosed payment of the fee for the application 	<input type="checkbox"/>

5. Declaration	
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.</p>	
SIGNATURE	DATE

NOTES

1. Licensing qualifications

Licensing qualifications are dealt with in section 120(8) and (9) of the Licensing Act 2003

SCHEDULE 2

Regulation 3

[Insert name and address of relevant licensing authority and its reference number (optional)]

Application to renew a personal licence

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records

1. Your personal details	
TITLE Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).	
Post town	Post code
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
FAX NUMBER	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

Address for correspondence associated with this application (if different to the address above)	
Post town	Post code
TELEPHONE NUMBERS	
Daytime	
Evening	
Mobile	
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	

2. Your current personal licence	
Your personal licence must accompany your application for a renewal. If you are unable to send your personal licence, you must explain why you cannot do so in the box provided below.	
Details of current personal licence:	
Licensing Authority	
Licence number	
Date of issue	
Date of expiry	
Any further details	
If you cannot provide your personal licence, provide a statement explaining why	

3. Other personal licences		
		Please tick ▼
I confirm that I do not hold any other personal licences other than the one submitted for renewal.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4. CHECKLIST:	
I have	Please tick ✓
• enclosed my current personal licence or a statement of the reasons of any failure to provide my licence	<input type="checkbox"/>
• enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor, notary, a person of standing in the community or any individual with a professional qualification	<input type="checkbox"/>
• enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service	<input type="checkbox"/>
• enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3)	<input type="checkbox"/>
• made or enclosed payment of the fee for the application	<input type="checkbox"/>

5 . Declaration	
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.</p>	
SIGNATURE	DATE

SCHEDULE 3

Regulation 4

(Insert name and address of relevant licensing authority and its reference number (optional))

Disclosure of convictions and declaration

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details	
TITLE Please tick <input checked="" type="checkbox"/>	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick <input checked="" type="checkbox"/>	
Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	

2. Forfeiture of a personal licence in the last 5 years		
Do not answer this question if you are applying under regulation 8 of the Licensing Act (Personal licences) Regulations 2005		
		Please tick <input checked="" type="checkbox"/>
Has any personal licence held by you been forfeited in the last 5 years? If yes, please provide details below		Yes <input type="checkbox"/> No <input type="checkbox"/>
Name of court		
Address of court		
Date of forfeiture		
Offence which resulted in the forfeiture		
Any additional details		

3. Relevant or foreign offences		
Read Note 1	Please tick ✓	
I have you been convicted of any relevant offence or foreign offence?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If you have been convicted of any relevant offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed.		
If you have been convicted of any foreign offences you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:		

4. Declaration		
I declare that I have not been convicted of any relevant offence or any foreign offence		
SIGNATURE	DATE	

5. Declaration		
The information contained in this form is correct to the best of my knowledge and belief.		
It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.		
SIGNATURE	DATE	

NOTES

1. Relevant or foreign offences

Relevant offences are the offences listed in Schedule 4 to the Licensing Act 2003.

The meaning of **foreign offence** is dealt with in section 113 of the Licensing Act 2003

If you are the holder of a justices' licence and you are applying for a personal licence under regulation 8 of the Licensing Act (Personal licences) Regulations 2005 see paragraphs 23 and 28 in Part 3 of Schedule 8 to the Licensing Act 2003 for the information you are required to give.

If you are convicted of any relevant or foreign offence during the period between when your application is made and when your application is determined or withdrawn, you must notify the authority to which your application was made. Failure to do so without reasonable excuse could lead to prosecution and a fine not exceeding level 4 on the standard scale.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Licensing Act 2003 (Personal licences) Regulations 2005 (SI 2005/11).

The forms prescribed in Schedules 1 to 3 to these Regulations replace the forms prescribed respectively in Schedules 1 to 3 to the Licensing Act 2003 (Personal licences) Regulations 2005. These are respectively the forms of the application for the grant or renewal of a personal licence, and the form of declaration of disclosure of convictions which must accompany each of these applications.

Previously, each form contained reference to the Department for Culture, Media and Sport. This reference is redundant and has been deleted.

An impact assessment has not been produced for this instrument as no impact on businesses, charities, voluntary bodies or the public sector is foreseen.