

Licensing (Scotland) Act 2005 Guidance on Applying for a Personal Licence - FIRST APPLICATION

Shetland Islands Area Licensing Board

Please read this guidance document before applying for your Personal Licence

What is a Personal Licence and why do I need one?

A Personal Licence will allow you to supervise and authorise the sale of alcohol in a Licensed Premises and provide certain training to staff. You will also be able to apply for Occasional Licences. You must hold a Personal Licence if you are to be the Premises Manager of a Licensed Premises.

What do I need before I can apply for a Personal Licence?

Before applying you must meet the following conditions:

- be at least 18 years of age;
- Hold a 'Scottish Certificate for Personal Licence Holders at SCQF Level 6' qualification in your name that has been issued by an accredited training provider **after** 1 August 2013.
- NOT hold another current Personal Licence either with Shetland Islands Area Licensing Board or another Scottish Licensing Board;
- NOT have had a Personal Licence *revoked* within the last five years for any reason other than failure to undertake refresher training;

How do I apply/pay for a Personal Licence?

You will need to download and complete the application form available [here](#) and submit it to the Licensing Board with:-

- A **copy** of your Scottish Certificate for Personal Licence Holder Qualification (SCPLH); If you provide the original document we will retain a copy and return the original to you;
- two passport photos - one of which needs to be endorsed on the back with the words "*I certify that this is a true likeness of (name of applicant)*", followed by the full name of the person endorsing the photograph; (The person endorsing the photograph must be "a person of standing in the community". Examples of such persons are lawyer, accountant, medical doctor, bank manager, teacher, member of clergy, police officer or elected public representative.); and
- the application fee.

Applications can be submitted to the following address either by post or in person:-

Shetland Islands Area Licensing Board
Governance & Law
8 North Ness Business Park
Lerwick
Shetland, ZE1 0LZ

Alternatively, once completed and signed, applications, training certificate and photos can be scanned and sent via email to licensing@shetland.gov.uk. If you submit your application electronically then you must post or deliver the original passport photos to the address above. We will not be able to finalise your Personal Licence without them.

The current fee can be found on our website or by contacting licensing@shetland.gov.uk. Applications cannot be accepted unless they are accompanied by the correct fee.

The fee can be paid by credit/debit card by calling our office 9am-5pm Monday to Friday on 01595 744550. Alternatively, you can pay online [here](#). Please note that cheques are to be made payable to 'Shetland Islands Council'.

What happens to my application once it is submitted?

Your application will be copied to Police Scotland who will advise the Board if you have been convicted of any relevant or foreign offences. Police Scotland may also recommend refusal of your application for the purposes of any of the Licensing Objectives.

Your application will also be copied to the Licensing Standards Officer for their consideration. Both have 21 days to report on your application.

Once responses have been received your application will be reviewed.

How will I know if my application has been granted?

If no issues have been raised by Police Scotland or the Licensing Standards Officer then your application will be granted, usually within 2-3 weeks of review. Your Personal Licence will be posted to you together with your original training certificate (if submitted) and an information sheet.

If Police Scotland or the Licensing Standards Officer have highlighted an issue with your application it will be referred to the Board for consideration. If this happens you will be notified in writing advising you of the date and time of the meeting and explaining the reason why your application is being heard by the Board.

You do not have to attend this meeting but you are strongly advised to attend to answer any questions the Licensing Board Members may have. A decision is usually made at this meeting. The outcome of the meeting will also be advised by letter.

What happens if my application is refused?

We will advise you if your application is refused by the Licensing Board. If you are unhappy with the refusal you can appeal the decision to the Sheriff at Lerwick Sheriff Court. If you wish to appeal you will need to obtain a Statement of Reasons from the Licensing Board within 28 days of the decision being made.

The Licensing Board are unable to give you advice or guidance if you decide to appeal. If you decide to take this course of action you will need to obtain your own independent legal advice or contact the Sheriff Clerk at Lerwick Sheriff Court.