|  |
| --- |
| **LICENSING ACT 2003** |
| **NOTIFICATION****IN RESPECT OF A PERSONAL LICENCE****DISCLOSURE OF CONVICTIONS AND CIVIL IMMIGRATION PENALTIES AND DECLARATION**  |
| **NOTIFICATION***Information held by Torbay Council complies with and is held in accordance with the UK Data Protection Act 1998. The information that you provide on this form will only be used for this application form and will only be disclosed where necessary under any applicable legislation.**Information may also be shared for the prevention and detection of crime, for example with the police and other agencies as required by law, such as the Audit Commission under the National Fraud Initiative data matching exercise.**You have a right of access to your personal information. If you wish to access your personal information or exercise any of your rights under the legislation then please contact Torbay Council’s Information Governance team on 01803 20 7467. Further information can be found on the Information Governance pages on Torbay Council’s Internet site at,* [*www.torbay.gov.uk*](http://www.torbay.gov.uk) |
| ***Completed forms should be returned to:*** |
|  |
| **Environmental Health Manager (Commercial)** |
| **Torbay Council** |
| **Community Safety** |
| **C/O Torquay Town Hall** |
| **Castle Circus** |
| **Torquay** |
| **TQ1 3DR** |
|  |
| ***Contact Details:*** |
|  |
| **Tel: 01803 208025** | **Web:** [***www.torbay.gov.uk***](http://www.torbay.gov.uk)**Email:** ***licensing@torbay.gov.uk*** |

FORM S



**FORM S**



**Disclosure of convictions and civil immigration penalties 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 Mr [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (please state)       |
| SurnameForenames |            |
| 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 [ ]  Mrs [ ]  Miss [ ]  Ms [ ]  Other (please state)       |
| SurnameForenames |            |
|  |
| **2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years** |
|   **Please tick**  |
| Has any personal licence held by you been forfeited or revoked in the last 5 years?If yes, please provide details below: | Yes[ ]  | No[ ]  |
| Name of court/licensing authority |       |
| Address of court |       |
| Date of forfeiture/revocation |       |
| Offence which resulted in the forfeiture/revocation |       |
| Any additional details |       |

|  |
| --- |
| **3. Relevant or foreign offences and civil immigration penalties** |
|  |
| Read Note 1 **Please tick**  |
| Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty? | Yes[ ]  | No[ ]  |
| If you have been convicted of any relevant offence 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 offence 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 received an immigration penalty you must provide details, including the reference, date and company name. |
|       |

|  |
| --- |
| **4. Declaration** |
| I declare that I have not been convicted of any relevant offence or any foreign offence or been required to pay a civil immigration penalty |
| **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 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 of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally. |
| **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.

1. **Civil immigration penalty**

An Immigration penalty means a penalty under either section 15 of the Immigration, Asylum and Nationality Act 2006 or section 23 of the Immigration Act 2014.