

# Introduction

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The licensed retail trade has been subject to various laws and complex legislation over the years, with additional alternative legislations being introduced on a regular basis.

When we consider the increased number and variety of activities that take place in many different types of licensed premises today – covering legislations from Weights and Measures, Employment Laws, Protection of Children from harm and new Disability Laws, the list is endless.

It very quickly becomes clear that modern licensees have to operate within a much more complex set of guidelines than their predecessors ever had to.

The aim of this course handbook is to try and simplify the new and some times complex licensing act. We have also tried to make it user friendly without missing out on any of the key points required to gain full knowledge and understanding of the licensing Act (2003)

With the introduction of the new licensing act, licensees will have to take a far greater responsibility for their premises. They will also be expected to demonstrate their knowledge and understanding of relevant legislation and social responsibilities as part of the licensing procedures. They will have to satisfy the licensing Committees and police licensing departments and other relevant authorities that they are fully competent to run licensed premises.

This publication has been designed to assist in your learning and understanding of the Award for Personal Licence Holders, and should be used in conjunction with the one day training programme for the APLH level 2 certificate provided by Personal Licence Training limited. The awarding body for this approved training programme are both NCFE and EDI. It is highly recommended that all candidates read this publication prior to attending the one day training programme.

Further details and information can be found on the government web site for the Department of Culture, Media and Sport. This can be found at [www.culture.gov.uk](http://www.culture.gov.uk) or alternatively on your local authorities website, commonly under “Licensing”.

**Help line for any issues regarding the new licensing act or personal Licence go to our website [www.personallicencetraining.co.uk](http://www.personallicencetraining.co.uk)**



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# A Brief Introduction to the New Law

Under the Licensing Act of 2003, it is not possible to supply intoxicating liquor (alcohol) by retail without a personal licence and an appointed licence holding Designated Premises Supervisor, who in accordance with a premises licence would be fully responsible to the running of licensed premises in line with the new legislation.

Premises are now able to apply for any one or all of these licensable activities:

- The Supply of alcohol by retail.
- The provision of regulated entertainment.
- The provision of late night refreshment.
- The supply of alcohol by qualifying club premises.

## REMEMBER

There are

## 4 Licensing Activities

Sales of alcohol can only be sold during the agreed hours that may vary on each application and must be sold or authorised by a personal licence holder.

There are **4 Licensing Objectives** that have to be complied with. Further details can be found within this publication

**The new Act has taken away the responsibility from the magistrate's courts for the control of licensed premises and given the responsibility to licensing authorities such as your local council.**

Each of these councils has a dedicated team of licensing personal whose responsibility is to grant both premises and personal licence applications (Further details on licensing authorities can be found on the next page.) Their specific role is to police the activities taking place under all premises licences and club premises certificates.

## Accredited Qualifications



To make an application for a personal licence a professional licensing qualification is required. The Award for Personal Licence holders (level 2) is a QCA approved one day training course and examination. Upon successful completion the candidate will be awarded with an accredited APLH certificate. There are several awarding bodies for this licensing qualification.

Personal Licence Training Ltd are committed to responsible promotions and issues guidelines for safe drinking and control for age related products.

# Licensing Authorities

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## Who are they?

Local authorities in England and Wales who have been given the responsibility to issue and administer premises and personal licences at a local level.

A Licensing authority will be one of the following:

- The council of a district of England
- The council of a county that has no district councils
- The council of a county or county borough in Wales
- The council of a London borough.
- A County of the city of London
- A Council of the Scilly isles



Smaller councils such as a parish councils would not be large enough to fund the process of running a licensing department, if this is the case you would need to apply to your nearest licensing authority. That covers your area.

## Licensing Policies

A licensing authority has a duty to publish a statement in agreement with other responsible authorities such as the police and fire services, this statement of the licensing policy must be reviewed over a three year period and then renewed every three years, published and made available to the general public. Copies can be obtained from your authority or can be downloaded from the authorities' web site

## What do they do?

It is the duty of the licensing authority under the terms of the licensing act 2003 to appoint a licensing committee consisting of Ten (10) but no more than Fifteen (15) members of the authority, the committee can only contain persons who have been elected to the council and will have full responsibility dealing with personal and premises licences.

In many cases a formation of a sub committee consists of three (3) members whose duty it would be to attend hearings for applications for personal and premises licences. It would be normal for most licensing authorities to delegate some of their functions to a person appointed as officer of the licensing authority, this person will be an employee of the council and may also supervise a licensing department dependent on the size of the authorities area of responsibility.

All contesting matters have to be dealt with by the committee; an example would be where a responsible authority (such as the police) or interested parties have objected to a premises or personal licence application.

## The Licensing Function

The function of the licensing department is to ensure that all the licensing objectives are adhered to within the confines of the laws relating to them, working in partnership with others such as local authorities, police, fire authorities, others who may be affected, such as local businesses with the intention they will all work together to achieve the objectives of the Act.

In undertaking the licensing function the licensing authority will need to know and have regard for the other legislation that has to be taken into account:

- The licensing act 2003
- Crime and disorder act
- Race relations human rights act
- Health & Safety at Work act
- Town and country planning building regulation

Licensing authorities will take into account strategies to protect revellers from harm through alcohol excesses, unsafe premises, insufficient transport to and from the venues and anti social behaviour

They give guidance to venues on how to achieve the **4 licensing objectives**. Through health and safety, noise and crowd control, fire precautions, alcohol abuse, etc  
Guidance will be offered on other types of functions such as outdoor events occasional events fireworks displays, noise reduction.

**This will not reduce the responsibility of the licensees who will be expected to work within the partnership to ensure that the licensing objectives are not only achieved but maintained for the benefit of all.**

## The Licensing Register



Each local authorities licensing department is required by law to keep a record in the form of a register this contains information of all personal and premises licenses including temporary event notices (Tens). The licensing authority must provide facilities during normal office hours for members of the general public to view the register without payment. Access to the register in most cases can be gained via the local authorities' website. The authorities are also duty bound to supply any person with a copy of the information contained in the register upon request.

## Objections or Representations to an application

In the event of an objection to a premises application the licensing authority has a duty to organise a hearing so misrepresentations/objections on behalf of interested parties or responsible authorities can be heard. If no misrepresentations are made in respect of a premises licence then the licensing authority must grant the application for a premises licence. Misrepresentations or objections to a premises licence application can be made by the following:

**Authorised Persons:** An appointed Licensing Authority Officer, an appointed Health & Safety inspector, an appointed inspector under the Fire Precautions Act, an Environmental Health Officer or an inspector or surveyor appointed under the Merchant Shipping Act.

**Responsible Authorities:** The Chief of Police, The Fire Authority, Specific Environmental Agencies, The Health & Safety enforcing authority, Local Planning authorities, Child Protection Authorities, Environmental agencies & the British Waterways Board

**Interested Parties:** A person or representative body who live in the vicinity, a local business, or in fact anyone who feels they may be affected by the application

An authorised person would be an officer of a licensing authority, an appointed inspector for the fire precautions act 1971, the health and safety at work act 1974 or the environmental health officer.

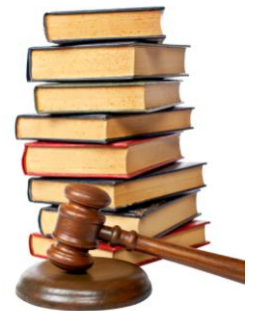
Interested parties would be a person, a body representing a group of people, a individual or a company involved in business locally within the vicinity of the premises.

## Hearings

A small majority of applications made under the licensing act may come before the licensing authority for a hearing. The act states that if there are no relevant misrepresentations (objections to the licence being granted) against the applicant then the local authority **must** issue the licence.

The only conditions that can be imposed on the licence are mandatory conditions or those proposed by the applicant which set out in their operating schedule. The operating schedule forms part of the premises application requirements.

Mandatory conditions would normally be something such as, qualified door personal on licensed premises or possibly the police insisting that video CCTV must be installed as part of the licence etc...



**If a hearing is required from a police objection to an applicant becoming a personal licence holder this can only be avoided when the police, the applicant and the licensing authority reach a mutual agreement and decide no hearing is required.**

There are two types of hearings; where a personal licence is concerned a hearing would take place in the form of a discussion, where a premises licence application is concerned a public hearing will take place allowing all interested parties to attend.

**The licensing authority will inform you to when the hearing will take place you then in turn will inform them that you will be attending.**

After the hearing the local authority has to give you their decision within 5 working days, should the decision go against you then you have every right to appeal

## Appeals

All parties have the right to appeal against a decision made by the licensing authority to the magistrates' courts. An appeal must be applied for to the Justices' Chief Executive at the relevant magistrates' courts within 21 days of the previous decision being made.

It is advisable to seek professional guidance before proceeding with an appeal.

After an appeal a magistrate's court can do one of the following:

- Dismiss the appeal
- Provide an alternative decision
- Return the case to the local authority with a direction to deal with the case in a particular manner

## Points to remember

- Your licensing authority is your local council.
- When you apply for a personal licence you should apply to the licensing authority where you normally live or reside.
- The licensing authority controls all premises in their area.
- A licensing committee consists of between 10 – 15 members
- The licensing authority keeps a register of all licence details in their area.
- This register can be viewed during normal office hours with no charge.
- A copy of the register is chargeable.
- A sub committee is made up of 3 members from the main licensing committee.
- The Sub committees look after licensing hearings if objections arise.
- Interested parties can be neighbours or local businesses.
- Responsible authorities are the : Police, E.H.O. Fire Officer, etc.
- The licensing authority is responsible for producing a licensing policy statement.
- The licensing policy statement is renewed every three years.

# Personal Licence

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## What are they?

A personal licence authorises the holder to **sell alcohol by retail** within the terms and conditions of the premises licence.

All licensing authorities issue a two part licence this consists of a small card and a paper counterpart, this will be their individual identity to allow them to sell or supply alcohol from or on accepted licensed premises.

When applying for a personal licence the licence should be applied for where the holder is "ordinarily resident (where he/she lives). The licence is valid for 10 years from the date of issue.

**The personal licence also allows you to use this on different premises as long as it holds a licence.**

The New examinations have been introduced by the 2003 Act, therefore the national certificate for personal licence holders is not a qualification associated with business, it has been developed to assist the applicant in achieving the understanding of the four licensing objectives

**A person can only hold one personal licence at any one time, therefore if a personal licence holder would apply for a further personal licence the application would be rejected.**

## What do they entitle the holder to do?

The personal Licence will allow the holder to become the Designated Premises Supervisor of a licensed premise, providing the correct application forms have been submitted to the local council and they have sufficient experience to competently run the premises.

It is not always going to be acceptable to move from, small off licensed premises to large entertainment venues without the training required to run this type of establishment, however, prior experience will be taken into account.

## The application requirements

Persons who already hold a justices licence granted by the Magistrates Court (under the 1964 licensing act,) will have been granted what are called grandfather rights subject to any relevant offences of which they have been convicted.

If you currently hold a licence under grandfather rights and decide to move from the premises to a new location you will be required to obtain a new personal licence. This means that you must sit a QCA approved examination as the old certificate which was accepted at the magistrate's courts such as the RLC (Regional Licensees Certificate) or NLC (National Licensees Certificate) are no longer valid.

The requirements of an applicant for a NEW personal licence without grandfather rights under section 6 of the 2003 Act are:

- Must be 18 years or over.
- Possess a relevant licensing qualification, QCA Approved by the secretary of state.
- Must not have forfeited a personal Licence within 5 years of the application.
- Have not had objection from the police.

## Requirements for a NEW personal licence

Application forms for a personal licence and the disclosure of convictions and declarations are available from your local council or can be downloaded from the DCSM website and must be submitted to your local licensing authority where you are resident along with the following information

- Two passport size photographs, one must be certified by a professional person such as a solicitor, teacher, doctor etc...
- A basic disclosure (Criminal Records Bureau), which can be submitted via the website or forms are available upon request from disclosure Scotland. The disclosure is only valid for one month and should be submitted before the disclosure expires.
- An appropriate fee made payable to the local licensing authority.
- An application for a personal licence must be made to the local council's licensing authority in the area that you reside in.

**A Personal Licence must be renewed every 10 years**

Please note an application of a renewal of a personal licence must be made at least one month before the expiry date but no more than 3 months before.

## Objections to a Personal Licence

If your CRB Certificate shows a relevant offence the Police may object to you becoming a personal licence holder if they feel it **undermines the crime prevention objective**. If the Police do object to your licence being granted you will be notified and have to attend a hearing at your local authority before the licensing committee.

### Notice of Police objection to a personal licence application

Within a period of 14 days of having been notified the chief officer of police must give notice to the licensing authority of an objection to grant a personal licence. If He/She is satisfied that granting the licence would undermine the prevention of crime and disorder (the crime and prevention objective). In the absence of such an objection the licensing authority must grant the application for a personal licence. When the police have an objection to a licence, the licensing authority must hold a hearing to decide whether to reject or grant the licence. They must state the reasons for their decision. The need for such a hearing may be cancelled on agreement of the licensing authority, the applicant and the police. Objections are normally forthcoming when the applicant has a relevant offence in their disclosure.

## Relevant offences

Relevant offences and foreign offences under **schedule 4 of the licensing act 2003** will include



- Offences under the licensing act 2003 and 1964 act
- Offences involving serious crime
- Offences involving dishonesty fraud or theft
- Offences under the road traffic act (not points deduction offences)
- Offences involving the supply of drugs
- Offence under section 3 private security industry act 2001

## Spent Convictions

This means that the conviction of the crime has been spent; a jail sentence will normally be unspent for 10 years.

## Reasons for Refusal

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### Who can not obtain a personal licence?

Persons under the age of 18

Persons who do not hold an accredited licensing qualification

Persons who have had a personal license forfeited in the last five years

Persons with a relevant offence under schedule 4 of the licensing act 2003

### Criminal Record

Applicants will be required to...

- Produce a Criminal Record Bureau Certificate.
- Make a clear statement as to foreign convictions.



Licensing authorities will be required to inform the police of any relevant unspent convictions. If an applicant is refused a licence, He/She is entitled to appeal against the decision. Therefore the licensing authorities are expected to record reasons for any refusal.

## Duties of the Personal Licence Holders

If an applicant is convicted of a relevant offence during the application process it is their duty to inform the licensing authority of the offence as soon as possible. Failure to do so can result in a **level 4 fine** up to **£2,500**

It is also the licence holder's responsibility to inform the authorities if change of name or address, failure to do so will result in a **level 2** fine of **£500**

If a personal licence holder is convicted of a relevant offence they are responsible to supply the licence to the magistrates' courts at their first appearance, if this is not applicable they must notify the courts so they are aware of the personal licence and give the reasons why the licence cannot be produced. Failure to provide a personal licence is an offence and can result in a fine not exceeding **level 2** on the standard scale **£500**.

When a personal licence holder is convicted of a relevant offence and the court has not been notified it is then the responsibility of the personal licence holder to notify their licensing authority.

After a conviction of a relevant offence a personal licence holder must as soon as reasonably practical provide the following details to their licensing authority:

- Nature of offence
- Date of the conviction
- Sentence imposed (if any)

**Points on your driving licence, or similar, is not classed as a relevant offence.**

The licensing authority must also be provided with a notice containing the determination this must be accompanied by the personal licence or a statement stating why the licence cannot be produced. Failure to notify the licensing authority when required will result in a fine not exceeding **level 2** on the standard scale (**£500**).

A police officer or an officer of a licensing authority are the only persons able to ask you to produce your licence on the spot for inspection, you have the right to ask for proof of identity from the persons requiring sight of your licence. Failure to comply with the requirement is an offence and will result in a **fine** of up to **£500**.

## Suspension of licence

If a personal license holder is convicted of a relevant offence by a court in either Wales or England this may result in the licence being forfeited or suspended for a period not exceeding 6 months.

**The maximum penalty for selling alcohol without the authority of a personal licence holder is a fine up to £20,000 and/or imprisonment for up to 6 months.**

## Possible fines for a personal licence holder

- the sale of alcohol to children **fine of £5000**
- Allowing the sale of alcohol on behalf of children **fine of £5000**

A personal licence holder convicted of any relevant offence must inform the licensing authority.

An applicant for a personal licence convicted during the application period must inform the licensing authority.



### Points to remember:

An application for a personal licence, subject to an objection from the Police, will be determined by: **The licensing committee, after a hearing.**

A personal licence holder convicted of a relevant offence may: **Have their licence suspended by the Court.**

A relevant offence is deemed as one committed: **under schedule 4 of the licensing act 2003.**

The Police may object to a personal licence being granted if: **The crime prevention objective would be undermined.**

Failure to notify the licensing authority of a conviction during the application period is subject to: **A level 4 fine of £2,500.**

Failure to notify the licensing authority of a conviction is subject to: **A level 2 fine of £500.**



# Premises Licence

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## History



The Licensing Act 2003 has combined the previous magistrate's licences such as the off licence and on licence and replaced them with a single system of premises licence. This allows businesses to apply for one single licence that covers all four licensing activities.

## What do they entitle the holder to do?

A premises is one of the following:

**FIXED:** Premises building/ Part Building/ Open Field

**MOVABLE:** Hovercraft/Coach/Caravan/Boat

**RE MOVABLE:** Marquee/ Beer tent

The licence allows the holder to apply for the sale of alcohol in a more flexible approach as a result extending trading hours.

## What is a premises licence?

A premises licence allows the holder to carry out all licensing activities, which are:

- **The Supply of alcohol by retail.**
- **The provision of regulated entertainment.**
- **The provision of late night refreshment.**
- **The supply of alcohol by qualifying club premises.**

These listed activities must be carried out in accordance with the licensing objectives

A premises can be anywhere such as a building, an open field, a burger van, a beer tent or a marquee.

## Persons or organisations eligible for a premises licence.

To apply for a premises licence you must fit the following criteria:

- Be an individual over the age of 18 years old or A limited company, a recognised club or organisation, a registered charity or a Sole trader or partnership.
- Be carrying on a business or propose to carry on a business, for which you require the use of licensing activities.

No licence is required for premises known as a royal palace.

# The Licensing Activities

## The supply of alcohol by retail:

The sale of alcohol to the general public from a premise such as a supermarket, off licence, public house, restaurant, hotel etc...

Any sale of alcohol from a fixed premises or temporary event requires either a premises licence or a temporary event notice.

## Mail order and internet sales under retail

The current trend in recent years has seen a growth in internet based businesses where you can order for example a bunch of flowers on line and have a bottle of wine delivered at the same time. Where a sale is made over the internet or telephone to a call centre then a premises licence would not be required but the warehouse where the alcohol has been dispatched from would require a premises licence and a designated premises supervisor.

**Also minors can accept orders delivered to their home by mail order.**

## Wholesale sales of alcohol

The sale of alcohol by wholesale does not require a personal licence holder to be on the premises because the sale is to a trader for the purpose of their trade. If the wholesaler is also selling to the general public for their own personal consumption then a personal licence holder would be required to sell the alcohol and would have to be appointed as the DPS. Alcohol sold in large quantities for resale would be defined as wholesale.

## The provision of regulated entertainment

Entertainment is also regulated by the 2003 licensing act, which means you will require a licence for any of the following activities:

- Performance of a play.
- Exhibition of a film.
- An indoor sporting event.
- The performance of Live music- by group or solo artist.
- The playing of Recorded music – DJ or music playing in the background.
- The Performance of dance.

Or any entertainment which is similar to the above such as, karaoke and mobile discos.

As a general rule, if you are providing entertainment to members of the general public you will require a premises licence to be in force.

## The provision of late night refreshment

This allows a premise to provide hot food or drink to members of the public between the hours of **11.00pm** and **5.00am** for consumption **on** or **off** the premises.

There are some exceptions where the sale of hot food and drink are exempt, such as hotel guest houses, caravan sites and vending machines etc... where a premise is supplying hot food and drink and not selling alcohol, they would not require a personal licence holder.

## Club premises certificate

Under the licensing act 2003 a club such as a social club or local members club (not a nightclub) do not make a profit on alcohol sales, this is because the alcohol is owned by the members and is purchased by the club in advance and then re-supplied to the members at trade price. The supply of alcohol by or on behalf of the club can only be made to its members or members guests. The club also has the provision of supplying regulated entertainment to its members and their guests. A club can still be a qualifying club if only providing regulated entertainment for its members.

In order to qualify for a club premises certificate the club must,

- Have at least 25 members.
- Never supply alcohol other than on behalf of the club.
- Have selected members responsible for the purchase and the supply of alcohol.
- Not allow anyone to financially benefit for alcohol sales.

## Mandatory conditions

The mandatory conditions on a premises licence states the following:

- Alcohol cannot be supplied unless there is a DPS (Designated Premises Supervisor) appointed in respect of the premises.
- The DPS must hold a personal licence.
- Every supply of alcohol must be authorised by either a personal licence holder or a person that has been given permission to do so by a personal licence holder (normally the DPS)

**Failure to comply with the mandatory conditions can result in a maximum fine of £20,000 / 6 months prison sentence.**

A premises licence will be granted by the local council licensing team. (Licensing Authority)

A premise requires a DPS (Designated Premises Supervisor) The DPS will:

- Be in day-to-day control of the premises
- Ensure that the premises are run lawfully
- Ensure any licensable activities are carried out lawfully
- Make and authorise any retail sales of alcohol
- Carry out risk assessments in respect to all licensable activities.

## Application Requirements

Application can be made to the relevant local authority by any person who proposes to carry out licensing activities and has premises suitable to cover the activities described within the application. Applications must submit the following to their local licensing authority when applying for a premises licence.

- Completed application form supplied by the local licensing authority, and signed by the applicant.
- An operating schedule (Statement of how the premises will be run)
- A plan of the premises in the prescribed format of scale 1:100 and containing the consent of the proposed designated premises supervisor.
- Fee dependent on the rateable value bands A - E of your premises.
- Copies of the application pack to responsible authorities (Your local licensing authority will have a list of these including addresses.)

## The responsible authorities are:



- Police.
- Fire authority.
- Health and Safety authority.
- Local planning authority.
- Environmental health authority.
- Child protection authority.
- The rivers authority (In some area's,)

Other Authorities may also require details on certain premises.

**PLEASE NOTE:** In some licensing authority areas the fire prevention officer will insist on premises plans showing details in accordance with fire regulations.

There is an annual fee payable to your local authority each year for your premises licence, details of this can be found by visiting the DCSM website at [www.culture.gov.uk](http://www.culture.gov.uk). The licence fees are determined by the rateable value of the premises.

## Provisional statements

A provisional statement is normally made on behalf of someone constructing or building a new licensed premise. A provisional statement enables the applicant to obtain confirmation that a premises licence would be granted once the building was complete; it can sometimes also be used when a building is having substantial alterations made to it. The statement will also indicate which three of the licensing activities may be required for the premises.

## Interim Authority

A notice of this kind is normally applied for in the event of a death, insolvency or incapacity of the premises licence holder, this will insure that the business could carry on trading. An application of this kind can be applied for by anyone with an interest in the premises such as the free holder or a person connected with the former licence holder. An interim authority lasts a duration of two months, during this time a premises application must be submitted.

The interim authority notice must be given to the local licensing authority responsible for the premises, this application must be completed within **seven days** of the former premises licence lapsing. A copy of this application must also be submitted to the police, the police have the right to object to the application if they feel it would **undermine the crime prevention objective**. The police must object within **48 hours** of receipt of the application.

The licensed premises can operate as soon as the licence has been served on the licensing authority but not before that time. **An Interim Authority notice is valid for two months.**

## Displaying your licence

You must display the summary of the premises licence. Failure to do so will result in a level **2 fine or surrender of the licence.**

# Designated Premises Supervisor (DPS)

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## Roles and Responsibilities of the (DPS)

The person who has overall responsibility for any premises where alcohol will be supplied will be known as the Designated Premises Supervisor (DPS) and will be named on the premises licence and in the operating schedule. **The DPS does not have to be the premises licence holder.**

The Designated Premises Supervisor (DPS) must be a Personal Licence Holder, and will supervise the day to day control of the premises.

The (DPS) will be the expected point of contact should problems occur, while it is respected that no one person can be on the premises at all times a significant amount of time will need to be dedicated to the title. It is essential that the (DPS) should be contactable at all times. In some cases where stores such as supermarkets are open for longer hours it is advisable but not compulsory to have more than one personal licence holder on the premises to cover absence, sickness and holidays.

**There can be a number of personal licence holders working in the premises but there can only be one DPS at any time.**

**It is not possible to have more than one DPS for any one premises.**

It is against the law to not have a DPS designated to your premises.

The Designated Premises Supervisor role commits the individual to the responsibility of the running of the premises and therefore requires the person to consent to this by signing the relevant form 18 and returning it to the local licensing authority. A legal responsibility to act as the point of contact for the, licensing authority.

The police can object to the appointment of a DPS even if they hold a personal licence. The DPS has a legal duty to ensure all licensing activities are carried out lawfully.

## In the event of an Outgoing DPS

The appointed DPS can be changed if need be, this can be done by notifying the local licensing authority providing them with an application to vary the DPS, you will also require the consent of the original/ out going DPS. In the event of the outgoing DPS being unavailable it is advised that you speak to your local authority licensing officer for advice and guidance, or contact PLT Ltd direct on **01527 544780** or **info@personallicencetraining.co.uk**

To Vary or change a DPS there is an application fee set by central government. To do so you must send an application to the local council in the name of the new DPS.

# Operating Schedules

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## What are they?

An operating schedule is part of the application process for a premises licence, the schedule describes how the premises will operate and any activities described providing information such as times and the steps taken to meet the four licensing objectives.

(An Operating Schedule states how you will run the premises)

## The Operating schedule should include:

- A general description of the businesses characteristics.
- The licensing activities taking place on the premises.
- Proposed consumption hours.
- Premises open hours.
- Details of the facilities provided for customers.
- Duration of the licence (if the licence is temporary).
- Details of the designated premises supervisor.
- If alcohol to be supplied is for consumption on or off the premises.
- Steps taken to achieve the licensing objectives.
- Other prescribed matters.

## The four licensing objectives

- ◆ Prevention of **crime** and disorder
- ◆ Promotion of **public safety**
- ◆ Prevention of **public nuisance**
- ◆ Protection of **children** from harm

## Steps to promote the four licensing objectives

- Installation of CCTV.
- Light up car parks with external lighting.
- Carry out regular safety checks.
- Qualified first-aiders on the premises at all times.
- Any noise reduction measures taken to avoid disturbing the neighbours.
- Windows and doors kept closed when loud music is being played.
- Keep area around premises clean and tidy.
- Ask for Photographic Identification from anybody who does not appear over the age of 21.
- Restrict children from the places in the bar which are unsuitable for them.



When an application for a premises licence has been granted, the licensing objectives then become conditions on the licence and failure to comply is a criminal offence and could result in a maximum **6 months prison sentence** and a **fine** of up to **£20,000**.

# Temporary Event Notices

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In some instances the sale of alcohol is required for outside events these were previously known by people in the trade as out bars or occasional licences. Under the new 2003 act this is now known as a **Temporary Event Notice**.

A Temporary Event Notice must be given to the licensing authority and the local police if the applicant intends to organise any licensing activity including the sale of alcohol in a place where a premises licence does not exist. This includes any event to take place which your original premises licence doesn't cover for example selling alcohol past the time allocated on your licence.



## Temporary event notices will not be given if:

- The number of people attending exceeds 499 persons
- The Temporary event notice can be given to any one premises no more than 12 times in one calendar year
- An event can only last for up to 96 hours (4 Days)
- There must be a minimum of 24 hours between each event at the same premises
- A personal licence holder can only give 50 temporary event notices per year.
- A person not holding a personal licence can only give 5 temporary event notices per year
- 15 Calendar days

## Application for a temporary event notice

You must apply 10 days prior to an event being scheduled, copies of the notice must be given to the local licensing authority along with the appropriate fee. One copy of the notice must go to the local police.

## The notice should address the following matters:

- The Date of the event
- The running times
- The licensable activities planned
- How long is the event (only able to be held for 96 hours.)
- How many people are attending (Maximum 499 persons.)

## Acknowledgement of notice

When the licensing authority receives the application for a temporary event they will acknowledge receipt and forward a copy of the notice by sending or delivering one notice to the premises user.

This should be received by the next working day. The law states the following:

- before the end of the first working day following the day on which it was received, or
- if the day on which it was received was not a working day, before the end of the second working day following that day.

The authority must mark on the notice to be returned under subsection (1) an acknowledgement of the receipt in the prescribed form.

Subsection (1) does not apply where, before the time by which the notice must be returned in accordance with that subsection, a counter notice has been sent or delivered to the premises user under section 107 in relation to the temporary event notice.

A temporary event notice can be cancelled no later than 24 hours prior to the beginning of the event.

## **Duty to display temporary event notice**

The applicant is required to keep a copy of the notice prominently displayed at the premises for the duration of the event.

**Once you have your copy of the temporary event notice it is then your responsibility to display this throughout the duration of the event, and a copy must be made available to the licensing officer or police constable upon request!**

## **Police objections to a temporary event notice**

The Police have the right to object to both personal licence applications and premises licence applications this also includes temporary events where alcohol may be sold.

A temporary event notice must be considered by the police. If they decide to give notice of an objection, the licensing authority must decide if it is necessary to hold a hearing to decide whether to issue a counter notice. A temporary event notice must always be submitted in duplicate. 1 copy must be forwarded to the licensing officer of the local authority and the other to the chief of police for that area. This should be submitted no later than 10 days prior to the event.

Where the chief officer of police is satisfied that allowing the premises to be issued for a temporary event would undermine the crime prevention objective. He/She must issue an objection notice stating the reasons why he/she believes the temporary event should not go ahead.

**The objection notice must be given no later than 48 hours after the chief of police has received notice of the event.**

## **Police objections and the issuing of a counter-notice**

Where the police object to a temporary event notice, the licensing authority must hold a hearing to consider the objection notice unless all parties agree that a hearing is unnecessary. If the authority accepts the police objection it must issue a 'Counter-notice' to the premises user in which case the event cannot proceed. If the authority does not accept the police objection it must inform the police. Any decision or counter-notice must be issued to the premises user at least 24 hours before the specified event period. Failure to do so will result in the premises user being able to proceed with the event.

**If a hearing is to be avoided then both the objector (normally the police) and the organiser have to agree modification to the application**

## Points to remember

- **A temporary event notice must be displayed at the premises during the event.**
- **The maximum time for a temporary event is 4 days (96 hours).**
- **A personal licence holder can hold up to 50 temporary events per year.**
- **you can only hold 12 temporary events in any one year at the same premises.**
- **At the standard fee a temporary event would be for up to 499 people.**
- **If a hearing is to be avoided then both the objector (normally the police) and the organiser have to agree modification to the application.**
- **An objective notice must be given no later than 48 hours after the chief of police has received notice of the event.**



# Licensing Objectives

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## The four licensing objectives

Licensing Authorities are duty bound to ensure that the objectives of the licensing act are adhered to when carrying out its licensing functions, these are:

### The Prevention of Crime & Disorder

E.g. - To install a CCTV digital recording system.

### The Promotion of Public Safety

E.g. – carry out fire risk, health & safety assessments

### The Prevention of Public Nuisance

E.g. – To ensure litter is kept to a minimum, any event of anti social behaviour will be recorded on CCTV.

### The Protection of Children from harm

E.g. – to be fully aware of the **challenge 21** rule, and only accept home office approved ID cards.

Therefore it is envisaged that licensing authorities will not grant licenses to premises that have not taken these matters into account in their operational procedures before the application is submitted.

Other factors will also be considered when looking at licence applications including, location effects on local community etc.

## Partnership Working

Licensing authorities will need to work together with other organizations to promote the continuation of the licensing objectives.

Police, Environmental Health, Health & Safety Officers, Fire Authorities, Child Protection Agencies and Alcohol Harm Reduction Strategy Partnerships.

### Crime and Disorder Reduction Partnership.

These are normally local, run partnerships dedicated to reducing crime and disorder within the local community, they sometimes can be know as community safety partnerships.

# Prevention of Crime & Disorder

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## Crime and Disorder



Licensed premises are a frequent target for crime, and in order to keep crime in society to a minimum, the licensing authorities will seek to reassure themselves that the problems have been addressed before issuing a licence.

In some local authority areas raid control is being implemented. Raid control **TM** is a police and security initiative to prevent crime and armed robbery taking place on both licensed premises and pharmacies for further information on raid control please visit [www.lta.co.uk](http://www.lta.co.uk) or ask your police crime prevention officer.

Crime can affect the personal licence holder both personally and financially. It is very important to consider the types of crime your premises might attract – details of how you intend to prevent crime and disorder should be included in your operating schedule and all reasonable measures must be taken to prevent them or at the very least reduce the likelihood of their happening.

### Below are listed some of the measures that should be considered:

- Windows that are likely entry points should be locked and made of toughened or wired glass. If possible they should also be barred.
- Doors and frames should be reinforced making it more difficult for intrusion.
- A burglar alarm is essential even if the licensee lives on the premises.
- Where ram raiding is a possibility bollards should be installed in front of the premises.
- CCTV Should be installed inside the premises and outside if possible.
- Banking should be carried out frequently but at differing times and by differing routes. Large amounts of money should never be left on the premises overnight.
- Expensive items should be kept near or behind the counter and kept under constant surveillance.
- Keep a close watch on all customers, especially groups of people and anyone who appears to be loitering.
- Be on the lookout for distraction techniques, and train your staff to do the same.
- Keep a clear view of the whole of your premises at all times. Do not allow displays to block your view.
- Always keep the premises well stocked and faced up as this makes it easier to see if items have been removed.
- Consider the use of an electronic forged note detector.
- Be extra vigilant when customers are using cheque books, cheque guarantee cards and credit cards. Always refer to the list of stolen cards issued by the police.
- Ensure that your staffs understand that as part of your routine security measures their belongings will be subject to random inspections.
- Take great care to check the references of any new staff you employ.

It is advisable to consider how you would react in various situations before they occur, so that you have planned appropriate action bearing all considerations in mind- for instance, too enthusiastic a response could lead to you being charged with assault, and a person who is spotted may be trying to lure you away so that a greater crime may be committed.

## Violence & Disorder on licensed premises.

It is advisable when a personal licence holder commences trading from new licensed premises to join the local 'pubwatch' scheme. For information on your local pubwatch scheme contact your local community officer at the local police station. In most cases public houses, off licences and restaurants in the community will normally be members of the local pubwatch scheme. By becoming a member you can gain valuable information about local trouble makers and violent incidents that have occurred locally. As a result you can protect your premises, yourself, staff and your customers from harm. Violence can take many forms from simple disagreements which get out of hand to mindless assault. It may be connected with crime, revenge, drugs, sports, drinking, stress, temper or stubbornness all of which a competent licensee should be able to control. Problems in pubs or licensed retail premises that lead to trouble are often associated with poor standards or poor handling of difficult situations.

Many situations can be avoided by constantly monitoring the service areas. Local 'Pubwatch' or 'retail' schemes make a difference, but there are some simple rules to help prevent violence in your premises:

- know our customers
- Train your staff
- Develop the right atmosphere
- Uphold the law
- Maintain high standards
- Regular checks on unseen areas such as toilets
- Liaise with the local police
- Commit yourself to keeping your premises a safe one.



Having introduced a management strategy to prevent violence, trouble may occur. If this happens;

- Be Calm and decisive
- Keep control of your own feelings & emotions
- Do not react to provocation.
- Try to reduce tension.
- Keep a distance between yourself & protagonists and try to separate them for their audience
- Do not threaten violence or threaten to call the police as this may provoke a reaction
- Do not follow them outside
- Do not force them to lose face

Further advice on controlling crime and disorder can be obtained from the local crime prevention officer, pubwatch scheme and the Portman group. There are courses available where licensees can learn techniques for conflict management.

Remember that you accept the licence in the knowledge that running an unruly or immoral house (prostitution) is illegal.

## Alcohol Harm Reduction Strategy

A.H.R.S (Alcohol Harm Reduction Strategy) is the government initiative to help prevent alcohol abuse, crime and anti social behaviour in city and town centres. As a personal licence holder you are responsible for the lawful sale of alcohol, this means ensuring that alcohol is sold in a responsible manner. You also have a duty under the policy to run reasonable promotions and advertising campaigns which will not encourage excessive drinking leading to public disorder and violence.

The Alcohol harm reduction strategy contains proposals to prevent alcohol related incidents, these include the use of the following:

- Exclusion Orders
- Anti Social Behaviour orders (ASBOs)
- Fixed penalty notices for anti social behaviour.

Fixed penalty notices are normally dealt with by the local police force.

### Anti- Social Behaviour Orders

If an individual has been convicted of a violent or disorderly offence, the local magistrate may issue an exclusion order banning the person from entering licensed premises.

An individual may also be issued with an A.S.B.O. (Anti Social Behaviour Order) this means they are prohibited or restricted from being in certain areas.

### Fixed penalty notices for anti-social behaviour

- Obtaining alcohol for a person under the age of 18
- The sale of alcohol to anyone under the age of 18
- Consumption of alcohol by anyone under the age of 18
- Allowing the consumption of alcohol by anyone under the age of 18
- The delivery to anyone under the age of 18
- Allowing the delivery of alcohol to anyone under the age of 18

This is in addition to any fines that may be incurred under the licensing act 2003

### Disorderly Conduct

Disorderly conduct is one of the most commonly committed crimes and can lead to fines and imprisonment.

Examples of disorderly conduct:

- Public drunkenness.
- Disturbance of the peace.
- Loitering in certain areas.
- Fighting.
- Obstructing traffic.
- Use of extremely offensive language.
- Urinating in a public place.



Disorderly conduct is essentially any form of public annoyance; it's the licensee's objectives to prevent these situations from occurring on or around the licensed premises.

# Door Staff

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Public houses, Clubs and even some Restaurants offering live music and entertainment often employ door staff to monitor the entrances, keeping an eye on proceedings and looking for miss use of drugs and alcohol. Therefore preventing undesirables from gaining entry, deterring them from unacceptable behaviour.

Stopping people from entering and asking them to leave is a difficult task that needs special skills and training. Under the new security act it states that all door staff must undertake a full training programme and attain the relevant qualification.

It is essential that all door staff are fully trained to the approved standard.

The training should include management and prevention of violence, first aid, fire and safety precautions, drug abuse, race relations and other aspects of the licensed trade.

Door staff may have to use physical force, but must be aware of the necessary level of force to be used, and use the minimum to avoid a charge of assault.

The ideal door person has the ability to use minimum force coupled with a confident, persuasive, firm and authoritative manner.

## Door staff should never:

- Carry weapons.
- Drink alcohol on duty or prior to reporting for duty.
- Use excessive force.

New Door Staff legislation, schemes for training and registering door staff are run through the Security Industries Authority. Licensees wishing to employ door staff should consult the Authority and Police for information.

It is an offence to employ Door staff who do not comply with legislation and hold the appropriate qualification and registration under the act.

**It is an offence to knowingly allow disorder or violence on relevant premises therefore door staff can be charged with this offence.**

While it is accepted that not all licensed premises will require trained door supervisors, licensees should be mindful of the fact that they have the responsibility.



# The Promotion of Public Safety

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The Licensing Authority will expect appropriate measures to be put into place to promote public safety objective, these are:



1. The use of toughened drinking vessels, plastic bottles or a glass free policy.
2. A comprehensive risk assessment(s) appropriate for proposed premises operation and individual risk assessment for entertainment involving special one off risk, such as events involving foam, hypnotism, nudity/striptease etc.
3. Comprehensive fire risk assessments including occupancy consideration whenever building or operational alterations are carried out at the premises.
4. Installation of appropriate and adequate safety equipment, warning systems, emergency lighting and evacuation procedures.
5. Provision of access for emergency vehicles, should be kept free of obstructions at all times.
6. Fully comprehensive safety checks of all electrical equipment to be undertaken within the premises annually by a competent person and evidenced by certification to National Inspection Council for Electrical Installation Contracting (NICEIC) Standards. Such certification to be made available for inspection at any time by an authorized Officer of the Police and Licensing Authority.
7. Provision of adequate fire fighting equipment within the premises including annual equipment safety checks by a recognised company, records of such checks should be made readily available for inspection at any time by an authorised Officer of the Fire Brigade and Licensing Authority.
8. Employment of sufficient staff appropriately trained in first aid and Fire evacuation procedures when the premises are used for the licensed purposes.
9. Written risk assessments identifying special safety measures appropriate to entertainment activities involving any special risks E.g. Foam parties, Bouncing castles, Inflatable Slides, special effects machines and pyrotechnics.
10. The Provision of adequate and appropriate lighting and emergency lighting.
11. The Provision and maintenance of appropriate ventilation systems.
12. Where it is intended to provide special entertainment delivered by professional performers e.g. Hypnotism, the licensee must ensure that performers are members of a professional association where one exists for example, FESH – Federation of Ethical Hypnotists or have similar accreditation/quality assurance.

13. Applicants must be aware of and comply with all current, fire and health and safety legislation as required by law.
14. Applicants should identify (through safety and crime & disorder risk assessments) realistic maximum occupancy figures for their premises.
15. In order to ensure compliance with the maximum occupancy figures agreed, the use of counting measures must be applied.
16. The provision of barriers outside doorways, which front directly onto public highways.
17. The provision of safe transit assistance for patrons to their place of residence.
18. New premises and those subject to internal or external alterations must show the measures they have incorporated to improve public safety standards through the use of design features.

**It is a legal obligation of the DPS to carry out their duties to run the premises safely inline with the 1974 Health and Safety at Work act.**



**Please attend our Cellar Management or Health and Safety course, for more information contact the head office on:**

**Tel: 01527 544780**

**Fax: 01527 402756**

**Email: [info@personallicencetraining.co.uk](mailto:info@personallicencetraining.co.uk)**

**Web : [www.personallicencetraining.co.uk](http://www.personallicencetraining.co.uk)**



# The Prevention of Public nuisance

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The Licensing Authority expects appropriate and proportionate measures to be taken by personal licence holders to promote the Public Nuisance Objective. Under the anti social behaviour act the environmental health officers have the powers to close premises creating nuisance problems below are details of how these may be controlled.

## Control of noise



1. Keeping doors and windows closed, especially during periods when regulated entertainment is taking place.
2. The careful positioning and use of air conditioning systems, so as not to cause a noise nuisance, but to compensate for closure of windows and doors during the summer trading period or otherwise when necessary for the comfort of customers inside the premises.
3. Controlling and where possible setting maximum sound levels for amplified and acoustic music and P.A. systems, singing including Karaoke, vibration, noise from ventilation and other equipment and human voices from both within and outside the premises. Consideration should be given to:

## Control of smells

It is essential that no bad or obnoxious smells come from any premises serving food therefore extraction has to be used to ensure the neighbourhood is not offended there by causing a nuisance.

## Crowd control

4. Effective queue management, both pedestrian and vehicular, by licensed security staff, to include the prevention of persons after closing time. This will be of the greatest importance between 10.00pm and 07.00am. If some queuing is inevitable, measures might include the diversion of queues away from neighbouring premises and measures to prevent the obstruction of public highways.
5. Measures taken to ensure customers, employees, visiting bands and DJ's, leave the premises in a quiet and orderly manner. This should include a winding down period with reduced levels and more soothing music.
6. A management policy in place to take into account the external areas of the premises and the conduct of their customers when in the surrounding areas the external areas will take into account the correct disposal of rubbish especially glass disposal.
7. The Transportation of customers if available, must take into account any disturbance to local residents
8. It should be seen that licensees work in partnership with other licensed premises to promote the development of a safer working environment through voluntary codes of conduct and with involvement with pubwatch schemes, liaising with the police and the local licensing authority.

Public Nuisance is normally monitored by the environmental health officers for the area who can ask for a review of your premises licence that could lead to revocation of your licence or closure of the premises under the anti social behaviour act 2003.

## Violence and disruptive order

When violence and disruption are expected or taking place the police are then able to take the following actions:

### Closure orders

A closure order is issued by the magistrates court on the say so of a senior ranking police officer, (superintendent or above) if there is trouble or expected trouble in a certain area the court can order all licensed premises in that area to remain closed for 24 hours, the premises licence holder has to abide by this as failure to do so is an offence.

A police inspector may also issue a closure order on a individual premises for up to 24hours where he reasonably believes that there is either:

- A disorder on or in the vicinity of the premises and a closure order is necessary for the interest of public safety
- A public nuisance is coming from the premises and therefore has to be prevented.

A closure order can be extended for a further 24 hours maximum.

Opening relevant premises under a closure order can result in a fine of up to £20,000 and a maximum of 3 months imprisonment.

The police officer is responsible for letting the licensing authority know that a closure order is in place. The licensing authority then reviews the premises licence within 28 days this can lead to suspension or revocation of the licence.

If you feel the police have acted in bad faith or in contravention of the Human Rights Act you may be able to claim damages if the case is proven

## Anti Social Behaviour Act 2003

Anti social behaviour control can be monitored by the use of CCTV, door supervisors and by using your rights to refuse entry or service, together in conjunction with high profile management. It is particularly important during last orders to offer efficient service until closing.



## Rights of Entry

Few persons have a "right of entry" to licensed premises. Those who do are listed below, with details of any restrictions.

**Police Officers** may enter the premises at **any time day or night** in the course of their duty. A constable may not be supplied with food and drink without the permission of a superior officer

**Customs & Excise Officers** may enter licensed premises at **any time day or night**, but at night they must be accompanied by a Police Officer. The purpose of their visit would normally be for evasion of duty or searches for fraudulent goods.

**Environmental Health Officers** may also enter licensed premises at any time they have several duties to perform under the objectives of the act. And can under the antisocial behaviour act issue a closure notice should you break any environmental laws.

The closure will start when the notice is served to the person with the authority to close the premises.

**Fire Officers**, It is normal for fire officers to attend licensed premises for the purpose of checking the premises for compliance with fire regulations they will usually keep to reasonable hours

**Trading Standards Officers, Inland Revenue Officials and Licensing Authority Officers** have a right of entry "at reasonable times" in order to carry out their statutory duties.



# The Protection of Children from Harm

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## The Consumption & purchase of Alcohol by young persons

There are detailed measures to ensure that persons under the legal age of 18 do not purchase or consume alcohol. An exception is made for persons over the age of 16, to the licensee's approval, when accompanied by an adult for consumption with a table meal. If alcohol is bought on behalf of a youngster it will result in a **level 5** fine of **£5000**.

**It is the duty of the personal licence holder or anyone working in licensed premises to ensure that a person under the age of 18 is not sold alcohol.**

This is why you should use  
**THE CHALLENGE/CHECK 21 SCHEME**

## Young Persons on Licensed Premises

A child is classed as someone under the age of 16, children are not allowed on licensed premises after midnight and until 5.00 am the following morning. An exclusion from the premises for 5 hours Entry policy must include diligent measures on proof of age, particularly where entertainment is not suitable for young persons. When performances are aimed at young persons under the age of 16, they must be accompanied and supervised by adults.

Designated children's areas, should be away from the normal function area of a public house, this will protect children from inappropriate language or behaviour.

It is an offence to allow children who are not accompanied by an adult on the premises when

- (a) The premises is used solely for the sale and consumption of alcohol
- (b) The premises is open between midnight and 5.00am and selling alcohol for consumption on the premises.

The premises licence holder should make a decision on whether letting children into the premises would suit the businesses image, if children are allowed into the premises rules must be followed where children under 16 must be accompanied by an adult, and the times in which children are allowed to stay on the premises. This should be included in the operating schedule.

They should also make sure that;

- **Health & Safety measures are in place where equipment is of danger to young persons**
- **Cigarettes and gambling machines should be in areas restricted to children.**

## The sale or supply of Alcohol to children



### The law states that regarding the sale of alcohol to children

A person commits an offence if he/she sells alcohol to an individual aged under 18

A club commits an offence if alcohol is supplied on its behalf to a member or an individual aged under 18.

On the standard scale this could attract, if convicted a **level 5 fine of up to £5,000**

Where a person is charged with an offence under this section by reason of his/her conduct, it is a valid defence that;

- (a) He/She believed that the individual was aged 18 or over.
- (b) Had taken all reasonable steps to establish the individual's age
- (c) Nobody could reasonably have suspected from the individual's appearance that they were aged under the age of 18.
- (d) Any evidence offered would have convinced a reasonable person in a court of law

If charged of an offence it is also a valid defence if due diligence has been exercised.

A person found guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard fine scale, up to £5,000.

### Allowing the sale of alcohol to children

It is an offence for knowingly allowing the sale or supply of alcohol on relevant premises, including temporary events to an individual aged under 18. This can attract a fine upon conviction of up to £5,000, level 5 on the standard scale

It is also an offence for knowingly allowing the supply of alcohol on relevant qualifying club premises to an individual under the age of 18

**It is an Offence to sell liqueur confectionery (such as chocolates containing alcohol) to a person under the age of 16.**

**The sale or supply of liqueur confectionary to children can result if convicted in a level 2 fine of up to £500**

## Purchase of alcohol by persons under the age of 18.

It is an offence for persons under the age of **18** to purchase alcohol, unless instructed to do so by a trading standards officer or a police officer as part of Trading Standards test purchase.

This offence could be subject to a **level 3 fine of up to £1,000.**

## Purchase of alcohol on behalf of a person under the age of 18.

It is also an offence for persons over the age of 18 to attempt to purchase alcohol for someone under the age of **18** for consumption on or off licensed premises.

This could result in a **level 5 fine of up to £5,000.**

## Consumption of alcohol by children

An individual under the age of **18** commits an offence if he/she consumes alcohol on relevant premises.

This could result in a **level 3 fine of up to £1,000.**

A person commits an offence if he/she knowingly allows the consumption of alcohol on relevant premises by an individual under the age of 18.

This could result in a **level 3 fine of up to £1,000.**



There is an exception under the licensee's approval where a child between 16 /17 may consume average strength beer, wine or cider when accompanied by an adult, who must make the purchase during a table meal.

## Delivering alcohol to children

A person working on relevant premises in any capacity commits an offence if he/she knowingly delivers alcohol to an individual under the age of **18.**

With the exception where;

- (a) The alcohol is delivered to the purchasers home ( the child may sign for the delivery).
- (b) The individual under the age of 18 works on the relevant premises in a capacity that involves the delivery of alcohol.
- (c) The alcohol is sold or supplied for consumption on relevant premises.

## Sending a child to obtain alcohol

It is an offence to send an individual under the age of 18 to collect alcohol from relevant or qualifying club premises with the exception if the child is sent by;

- (a) a police constable.
- (b) a weights and measures inspector, undertaking his statutory duty.
- (c) A trading standards test purchase.

Remember, If a person is charged with selling alcohol to a minor they must be able to prove they carried out the correct preventative procedures.

#### Points to remember

- It is an offence to sell liqueur confectionery to a person under the age of 16.
- It is not an offence for an individual under the age of 18 employed as a waiter/ waitress to serve alcohol to a table where a meal is being served.
- A person under the age of 18 may serve alcohol from a bar on licensed premises under a young apprentice scheme.
- A person under the age of 18 consuming alcohol on licensed premises is subject to a level 3 fine of up to £1,000
- Knowingly selling or allowing a person to consume alcohol on relevant premises is subject to a level 5 fine of up to £5,000
- It is an offence to knowingly send a child to collect alcohol from off licence premises.

### THE CHALLENGE / CHECK 21 SCHEME – NO ID NO SALE!

Every young person who looks under the age of 21 attempting to purchase alcohol from licensed premises should be asked for I.D. Only acceptable forms of I.D. should be accepted, these are ideally cards or forms of identification bearing a photograph and date of birth.

**PLT promotes responsible retailing and suggest you remain diligent on all sales of age restricted goods therefore protecting your licence.**



# Proof of Age

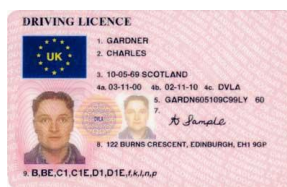
Age is a big problem for the responsible retailer and licensee. Today young people often appear older than they are. Ask yourself how old you were when you first obtained a drink on licensed premises.

Under the new licensing act 2003 it is an offence to knowingly serve alcohol to people underage. Therefore all personal licence holders along with all their staff will have to be diligent in their efforts to stop persons underage from purchasing alcohol on relevant premises.

There are several forms of identification that are acceptable as proof of age and all will contain a recognisable photograph and also show a date of birth. To obtain some of the cards below certain requirements are asked for conformation of age.



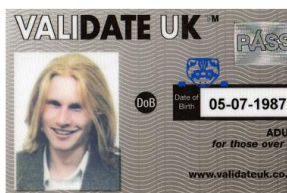
**CITIZENCARD 18+**



**DRIVING LICENCE**



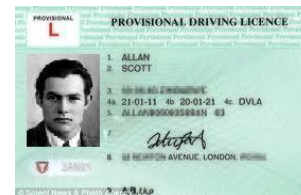
**PASSPORT**



**Validate UK card**



**Young Scot card**



**Provisional Licence**

Forms of identification must display the  hologram!

As you can see there are various forms of identification available, all of the above carry the PASS hologram logo except the United Kingdom passport. All of the above cards can be accepted as proof of age.

**Student I.D card and bank debit/credit cards are not a valid form of identification.**

Unfortunately there are also novelty I.D.'s on the market that look very similar to some of the above. They are classed as novelty items and can be obtained via the internet for as little as £10.00. You will need to be vigilant when checking forms of identification.

(More details fake I.D. can be found on page 40)

## New UK Driving Licence

The new driving licence issued by DVLA is also acceptable as identification for the purchase of age restricted goods, this licence came in to force on July 1<sup>st</sup> 2007.

### New photocard licence

A new generation of driving licence has been introduced. The general appearance of the licence is very similar to the old style plastic licence issued since 1998.

However, the new licence, made entirely from polycarbonate, does have a number of enhanced security features not available on the older licence. One of the main differences between the two is the new version has a black and white photograph while the older version had a colour one.

### About the new UK driving licence

- 1, Licence holder's first names
- 2, Licence holder's surname
- 3, Date of birth and place of birth.
4. Date of licence issue, photo expiry
5. Driver Number
6. Holder's photo

The new photocard licence has a black and white photograph.

#### 7. Holder's signature

This is a digital copy of your signature taken from the application form.

#### 8. Holder's address

#### 9. Entitlement Categories

#### 10. Holographic Feature

This feature is similar to a hologram but more clear as it has definite lines and brilliant colours. It contains a steering wheel that appears to turn as you tilt the card in different directions.

#### 11. Changing Images

a. This security feature is an image that changes both shape and colour depending on how you tilt the licence.

#### 12. Unique Identifier

Cards are pre numbered by the card manufacturer. This number is laser engraved onto the card prior to delivery to DVLA and is unique on every card.

#### 13. & 14. Not used

#### 15. Categories & Pictograms

The letters in capitals show the categories of vehicle you can drive according to the European Directive. The pictures show the types of vehicles in those categories shown. The smaller letters show the national categories of vehicles you can drive.

#### 16. Category validity periods

These are the dates when your entitlement to drive each category of vehicle begins and ends.

#### 17. Information codes

The code numbers printed in this area shows any restrictions to the vehicle categories that you can drive.

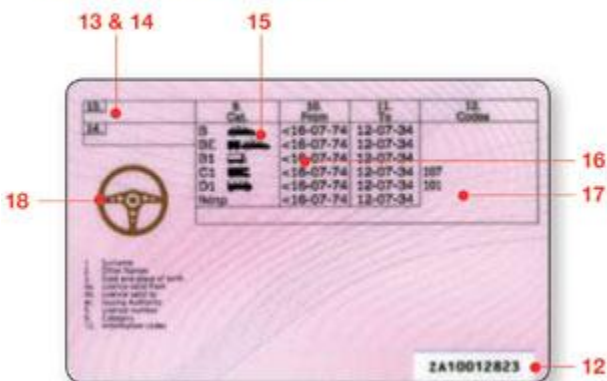
#### 18. Steering Wheel Security Feature

This is a security feature in the shape of a steering wheel. The colour of the wheel changes from green to gold depending on how you tilt the licence.

#### Front of Driving Licence



#### Back of Driving Licence



# Fake I.D

Although not part of the NCPLH syllabus we feel this is extremely important. All retailers should be vigilant and know what to look for, this warning to retailers was issued on South Ayrshire's Trading Standards web site.

## Internet Fake ID Warning for Traders

Trading Standards Officers have issued a warning to traders after they discovered for themselves just how easy it is to buy fake proof of age and ID cards from the Internet. By enlisting the help of a volunteer aged just 17, the consumer watchdogs sent false personal details to sites offering bogus cards. The project came about after complaints from nightclubs about the increasing numbers and variety of apparently genuine proof of age cards and ID's which young people present to them. One nightclub was presented with what appeared to be a 'passport card' issued by the United Kingdom Passport Agency, complete with gold crest! In fact it was a fake card containing false details, bought over the Internet with no questions asked for around £15 - £20.

Officers investigating the problem were deeply concerned to discover out just how easy it was to buy cards online - and some of the claims printed on them. They found a range of web sites offering cards such as a National Identity Card, a European Driving Permit, and various 'accredited' proof of age cards, costing between £10 and £25. The cards are cleverly designed to look like the designs of other more authentic cards. All of the cards issued were bogus and no checks were made of the young person who applied for them.

The web sites try to remain on the right side of the law by publishing disclaimers that the cards are issued as 'novelty' items and are not to be used for other purposes. They also state that they accept no legal liability for their misuse - but are happy to leave the legal consequences to the young person and the unwary trader who might accept the card. The sites are clever enough to add features which unwary persons might expect from genuine cards, such as holograms, bar codes, overlays, code numbers and even electronic 'chips'. The supplied personal details are printed onto the card and the card is styled to look like a 'genuine ID' authority has issued it.



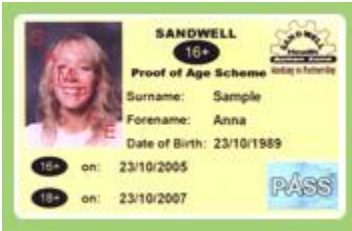
**DON'T LOSE  
YOUR  
LICENCE**

**REMEMBER THE SALE OF ANY AGE RESTRICTED PRODUCT IS AN OFFENCE**

**Know your I.D. check it and make sure it is acceptable**

# Regional Proof of Age Cards

Many regional councils and trading standards now operate their own proof of I.D. card schemes, as you can see below there is quite a few of them! All of these cards have one thing in common they all bear the pass hologram logo.



Sandwell Council



Bromley Council



Stockport Council



Bracknell forest Council



Blackpool Council



Essex County Council



Derbyshire County council



Peterborough Council



Stoke On Trent Council



Wrexham Council



Southampton City Council



Southwark Council

As a responsible retailer it is advisable to check with your local police or local council to see if there are any regional card schemes running in your area!



# Challenge 21 and Challenge 25

There are various forms of identification throughout the UK, We recommend that you check with your local licensing authority or police community officer in your area to check what forms of identification are accepted in your area. You may also wish to talk to your local trading standards officer as they can supply guidance and support materials for forms of acceptable identification.

There are various organisations as mentioned on page 38 that produce nationally recognised proof of age cards, these are as listed: Young Scot card, citizen card 18+, validate UK, passport, Driving Licence, Portman. Please see below useful websites.

[www.portmangroup.org.uk](http://www.portmangroup.org.uk)

[www.citizencard.net](http://www.citizencard.net)

[www.validateuk.co.uk](http://www.validateuk.co.uk)

[www.drinkaware.co.uk](http://www.drinkaware.co.uk)

[www.youngscotcard.org](http://www.youngscotcard.org)



Although the law requires the personal licence holder or individual making a sale of alcohol to show "due diligence" when dealing with the subject of age. It does not mean that asking a customer if he/she is 18 is enough. As a general guide the person making the sale of alcohol must ask for identification if they suspect that the customer making the purchase is under 21 or under 25 depending on what challenge policy is in force at the premises. Proof of age **MUST** be requested and shown to satisfy the law.

It is recommended that you use **challenge 21** or **challenge 25**

REMEMBER

**NO ID NO SALE!**

Provision is made in the act for person 16-17 to consume alcohol of less strength than spirits when accompanied by an adult purchaser with no exception other than with a table meal. If there is doubt by the person selling the alcohol that the identification is not sufficient, the sale should be refused!



## Trading Standards and the Test Purchaser

Unfortunately many businesses are challenged every year selling alcohol, solvents or tobacco products to persons under age, resulting in prosecution and in some cases the forfeiture of the personal licence and revocation of the premises licence.

Trading standards are responsible for ensuring that children are protected from rouge traders who take it upon themselves to break the law, they implement this by using test purchasers who are children under restricted age who will attempt to purchase alcohol from licensed premises. These test purchasers are always accompanied by a trading standards officer or the police, and will attempt to obtain restricted items. This is to ensure that the licensed retailer is abiding and adhering to the law. Trading standards will always be happy to give guidance and issue literature that will help you when dealing with young persons trying to obtain alcohol. Please also be aware of people buying alcohol on behalf of young people. This is also against the licensing laws.

If you get caught trading standards may prosecute you and your staff in a court of law

You can obtain underage sales prevention posters from your local Trading Standards department as shown below. These offer an ideal deterrent for young people visiting your premises. Further information on trading standards can be found on their web site.

[www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk)



**REMEMBER THE SALE OF ANY AGE RESTRICTED PRODUCT IS AN OFFENCE!**



# Alcohol



Alcohol is a drug which is more addictive and kills more people than heroin. When consumed it is absorbed into the blood and affects all parts of the body. The effect on the individual depends on the quantity of alcohol in the bloodstream this is known as the BAC (**B**lood **A**lcohol **C**ontent.)

The blood alcohol content is measured in **milligrams** of alcohol in **millilitres** of blood.

**80 mg alcohol in 100 ml of blood is the limit above which it is an offence to drive.**

The amount and the speed at which alcohol enters the bloodstream depend on:

- **The quantity consumed and the strength.**
- **The sex, build, weight and metabolism of the individual.**
- **The amount of food in the stomach, as food slows down the absorption rate.**

There is no way of determining how much alcohol may be consumed to stay within the "legal limit" drink affects different people in different ways depending on the above.

**It is illegal to serve drink to a drunken person** or to be drunk on licensed premises, and it is the responsibility of the designated premises supervisor (DPS) to ensure that this law is adhered to. There is also a social responsibility to ensure that people do not drink to excess.

How can you tell if someone is drunk? There are a few obvious signs to look out for:

- **drowsiness**
- **loud**
- **argumentative**
- **obnoxious behaviour**
- **boisterous or over-friendly behaviour**
- **loss of eye contact;**
- **clumsy movements;**
- **slurred speech;**
- **offensive behaviour**
- **Abusive Comments to other customers.**
- **Vomiting**

**Remember drink affects different people in different ways; drunks will take advantage of a licensee's good nature. Be ruthless when dealing with them!**

## Binge drinking

The emotional effect of alcohol on customers will show that any feelings they have when they start drinking will be enhanced by alcohol intake, the more they drink the more the emotion will come to the fore for example happy drinkers get happier, unhappy drinkers can become depressed. The major concern is from people who drink when angry as they have a tendency to drink faster than normal increasing the anger, sometimes to the point of violence, otherwise known as **binge drinking**. Recognise binge drinking when an individual consumes an excessive amount of alcohol in one drinking session.

When drinking stops, the BAC starts to decline. Some alcohol is lost through respiration and excretion but most is removed by the liver. It takes the body approximately **one hour** to remove **one unit** of alcohol from the system.

An individual gets drunk because they drink faster than the body can handle the alcohol input. Therefore, licensees should be cautious when dealing with young persons drinking games that knowingly increase amounts and speed of consumption with drinkers not being aware of the strength of the products they are consuming.

## Chronic drinking/ Alcoholic

This is a person who consumes an excessive amount of alcohol on a daily/ regular basis. People who drink this way cause serious damage to their liver, heart and blood pressure. The consumer can become addicted where they become reliant on alcohol to get through the pressures and strains of their everyday life. There is an official organisation which can help people with alcohol problems; this organisation is called the AA (Alcoholic Anonymous.)

## The sale of alcohol and security

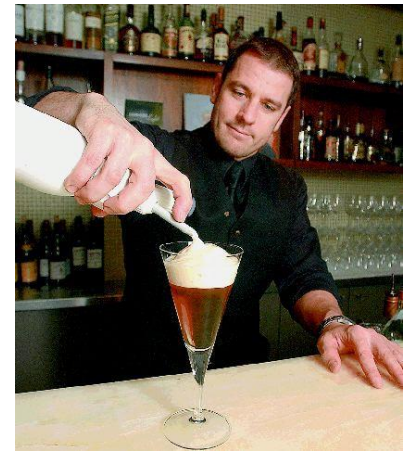
The sale of alcohol from shops and off licences in certain areas will sometimes have to be controlled by additional methods of security, in some locations throughout the united kingdom the police licensing officer may insist that the sale of alcohol is set a side or located behind screens, so that anyone attempting to purchase alcohol will have to be served over the counter. This will prevent alcohol being stolen for consumption by persons underage. This type of shop/ off licence will normally operate in areas where police have experienced problems with anti social behaviour and under age drinking. Police licensing officers will always make recommendations to help prevent crime and disorder and to help minimise anti social behaviour towards you and your staff, if you do not follow police proposals on licensing matters then they may object to your licence being granted. When applying for a new licence it is always a good idea to speak to the local police licensing officer as he or she will have an in depth knowledge of the local area and any problems such as anti social behaviour, under age drinking, etc. it would also be to your advantage to speak to the crime prevention officer as he or she will give you free help and guidance with any security issues. Some police forces will insist on **raid control** being implemented in your store this is to prevent robbery and armed robbery from taking place at your premises. Further information on raid control can be found on the raid control web site or by asking your local crime prevention officer.

# Service of Alcohol

There is no legislation that states that a licensee "MUST" serve anyone. Ultimately it is the decision of the licensee (DPS) to serve customers that he considers fit, similar to the old licensing laws.

It is important to remember: you have a great responsibility for the behaviour of your customers!!

You must be aware of the age of your customers, the safety and security of your customers and others affected by your customer's behaviour.



Your rights as a personal licence holder:

- A personal licence holder may refuse to serve anyone!
- A personal licence holder may not refuse services on discriminatory grounds.
- A personal licence holder may refuse service WITHOUT giving reason.
- A personal licence holder may use reasonable force to remove a customer from the premises should they refuse to leave.
- A personal licence holder may ban a customer from the premises for any length of time.

REMEMBER, a licensee may serve whoever they want to:

- **IF THEY ARE SOBER ENOUGH**
- **IF THEY ARE OLD ENOUGH**
- **NOT SUBJECT TO BEING EXCLUDED**



"UNDER THE AFLUENCE of INKAHOL" (yes admitted it sound silly it also deters other customers) don't let them bully you into serving them, serve them once they will keep coming for more you do not have a choice

A principle offence under the Licensing Act 2003 is knowingly serving alcohol to a drunken person. Under the same Act it is an offence:

- To be drunk on licensed premises - including the licensee.
- Allowing a drunken person to remain on licensed premises.
- Permitting drunkenness and rowdiness on the premises.

**REMEMBER THE LICENSEE HAS THE RIGHT TO REFUSE ANYONE SO USE YOUR RIGHTS!**

The penalty for permitting drunkenness, disorderly conduct, prostitution, serving intoxicating drinks to a drunk or an underage person is a **fine** up to **£2,000** and/or revocation.

# Responsible Promotions

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Encouraging over consumption of alcohol by providing drinks promotions is very irresponsible and can result in attracting crime and anti social behaviour to the premises.

## Happy Hour (Maximum 2 Hours)

An American import, the Happy Hour was designed as a marketing ploy to boost trade during quiet periods using low pricing in the hope that the customer will remain when the premises return to the standard pricing structure. Invariably the Happy Hour has evolved into happy hours where discounted drinks are sold for extended periods even all day.

Some licensees do not approve of the concept, especially the extended variation. They maintain that the best way to attract custom is to improve standards of facilities and service and that reducing profits makes this difficult.

Licensees who chose to conduct a Happy Hour should use high profile management techniques to monitor their pubs and prevent disorderly or unacceptable behaviour caused by the price reductions and the related increased quantities of alcohol consumed.

## Portman Group – Promoting responsible drinking

The Portman group are the responsible body for the licensed retail trade, their role is to ensure retailers adhere to correct standards of social responsibility regarding alcohol promotions such as happy hours. The overall aim of the Portman group is to promote responsible drinking

The Portman group set out the following guidelines:

- **Timing**

Happy hours should only be during the early evening hours and the premises must provide food or bar snacks to ensure customers are not drinking on an empty stomach

- **Duration**

Happy hours should only last for a short amount of time, the recommended time is 2 hours, start and finish times must be displayed so customers can see them.

- **Discounts**

Please be aware that the greater the discount the more inclined customers are to drink excessively, to avoid this include non alcoholic drinks so customers have an option.

For more information visit promoting sensible drinking at

[www.portmangroup.org.uk](http://www.portmangroup.org.uk)

**PLT Ltd is also a promoter of sensible drinking**

# Know your products

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Alcohol is the substance that makes a drink intoxicating. Alcohol is classed as a drug, although when taken in moderation it is not considered dangerous. Misuse or abuse of alcohol can cause an inability to concentrate, drowsiness, anti social behaviour and even unconsciousness, this eventually leads to damage to health. Therefore it is important that those involved in selling alcohol should be aware of the nature of the drinks they are serving and behave responsibly.

**A drink is classed as being intoxicating if it contains more than 0.5% A.B.V Alcohol By Volume, and a Licence is required when sold from licensed premises.**

The strength of an alcoholic drink is expressed as a percentage of alcohol within the drink, known as alcohol by volume or A.B.V, for example, a wine labelled as 11.5% A.B.V .means that 11.5% of any given quantity is pure alcohol. As customers should be made aware of the varying strengths of drinks it is a good practice for A.B.V.s. to be quoted on the price list.

## Units of Alcohol

Customers often talk of "Units of Alcohol", when discussing alcohol intake.

**A Unit is 8 grams (g) or 10 millilitres (ml) of alcohol.**

**Any drink containing 8 g. or 10ml of alcohol is said to contain one unit. For example, half a pint of beer at 3.6% A.B.V. contains approximately one unit!**

The British Medical Association suggest a weekly intake of no more than 14 units for females & 21 units for males, they also suggest no more than 2-3 units a day for a female and 3-4 units a day for a male. The calculations given on the next page are an indication to units of alcohol in certain drinks by using the following formula we can envisage how quickly customers can exceed the recommendations.



## How many units per drink

The formula for working out a drink into the units contained in the drink is;

The amount of liquid in **ml** x **A.B.V.** ÷ **1000**

### EXAMPLES



#### 1. A measure of whisky at 40% A.B.V.

$$25 \times 40 = 1 \text{ unit with } 1000$$

**1 bottle contains 28 units**



#### 2. A pint of beer at 4% A.B.V.

$$568 \times 4 = 2.27 \text{ units } 1000$$

**beer can vary in ABV strengths**



#### 3. A glass of wine at 12% A.B.V.

$$125 \times 12 = 1.5 \text{ units } 1000$$

**1 bottle contains 9 units**

Much concern has arisen from the introduction of new fashionable drinks such as Alco pops designer beers and ciders, mixtures of spirits with other alcoholic products along with the culture of trying to out drink their fellow revellers means that the above units are soon exceeded.

Wine is now more popular than ever and most people do not realise its alcoholic strength.

Over recent years wine sales in the United Kingdom have grown dramatically with some supermarket chains dedicating whole aisles to the sale of wines from various countries around the world.

**Did you know the average bottle of wine contains between 9% -16% A.B.V.**

# Weights and Measures

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Weights and Measures Act (Intoxicating Liquor) Order 1988 states that draught Beer and Cider must be sold in measures of 1/2 pints or multiples of 1/2 pints (one pint).

When metered pumps are used, the drink must be dispensed into oversized or Government-stamped 'to the line' glasses. On free-flow systems the glass used must be either a government-stamped 'to the line' or a government-stamped "brim full" glass. The case of a brim full glass, the liquid dispensed may consist of a reasonable head (about 6mm. In depth) so that once the head has collapsed, the contents are not less than 95% of the permissible level. This does not apply, however, if the beer or cider is sold as an ingredient of a mixed drink containing two or more drinks, such as shandy.

## Whisky, Gin, Vodka and Rum

These four principal spirits must be sold for consumption in a public house in measures of 25ml, or multiples thereof an optional 35ml. Measure is permitted it must be noted that measurement rules do not apply to cocktails, mixed drinks or when a customer specifies the quantity of any of the listed spirits required in a mixed drink there are no legislated measures for other spirits or liqueurs. Wine by the glass must be sold in measures of 125ml or 175ml (specified on a notice displayed to customers). Carafes, or other open containers not intended to be used as drinking vessels, must be of 25cl, 50cl, 75cl, or 1 litre capacity.

**The licensee MUST display a notice showing the capacity of the measures used on the premises.**

## The strengths of alcoholic drinks

Less than 0.05% ABV	Alcohol free. Personal and premises licence not required to sell this
Above 0.5% ABV	Alcoholic A Licence must be held to retail
Less than 1.2% ABV	Low alcohol content also requires a licence
Above 1.2% ABV	ABV must be stated on the label or displayed at point of sale
1 unit of alcohol	8 grams or 10 millilitres of alcohol

# Drinking and Driving

The responsible licensee should make every effort to help their customers make sensible decisions about drinking and driving by:

- Displaying drink-drive material.
- Enlisting a taxi firm willing to offer priority to the pub and place their number by the phone.
- Liaising with the bus companies concerning late services on routes.
- Developing a Drivers' Shelf: displaying soft drinks and low-and no-alcohol beers, ciders and wines as well as tea and coffee.
- Using signs outside the pub to remind customers that low-and non-alcohol drinks are available.
- Avoiding relying on patent remedies and breath tester machines, as advice given to a drinker may make the licensee liable for damages if he/she is blamed for false information.
- Avoiding offering pub transport using the licensee's or staffs cars unless the correct insurance has been obtained.

There is no reliable evidence that anything but TIME reduces the BAC: anything claiming to do so should be treated with caution.

**If a personal licence holder is committed of an offence whilst under the influence of either drugs or drink it could lead to forfeiture of the personal licence.**

Current opinion makes the practice of drinking to excess and then drinking socially unacceptable. However there are customers who continue to disobey the law. The legal limit for driving is **35 micrograms in a 100 ml of breath** or **80mg of alcohol in 100ml of blood**, and the penalties for exceeding this can lead to loss of licence for at least 12 months, A maximum **fine of £5,000** and up to **6 months in prison**.

## Remember these key points

35 micrograms in a 100 ml of breath

80mg of alcohol in 100ml of blood

A maximum **fine of £5,000** - and up to **6 months in prison**

Drink driving is classed as a relevant offence!



# Tobacco



The Children and Young Persons (protection from tobacco) Act 1991 states that it is illegal to sell tobacco, including cigarettes to persons under 18 years of age.

A Notice to this effect must be displayed behind the bar and by machines in a public house, or in a retail shop close to the point where tobacco products are sold:

**"IT IS ILLEGAL TO SELL TOBACCO PRODUCTS  
TO ANYONE UNDER THE AGE OF 18"**

Infringement of this law will result in a **fine** of up to **£2,500**.

It is also illegal to open a packet of cigarettes or cigars and sell the contents as separate items to anyone. Infringement will impose a **fine** of up to **£1,000**.

**It is illegal to purchase tobacco products from a source that has not paid duty on the goods and charged you duty on the sale. Customs and Excise have the right to enter your premises at any time day or night don't get caught**

## Notices

Public houses are bound by statute to display the following information and notices.

- The premises licence must be displayed giving details of the DPS and the agreed trading hours. In the event of a variation the summary and licence has to be submitted
- The measures used in the sale of Whisky, Gin, Rum and Vodka.
- Accurate Price Lists or acceptable pricing details.
- A tobacco sales notice (as described earlier).
- The A.B.V. of a representative sample of drinks (normally included on the price list).
- Temporary Event Notices (T.E.N.) Notices must be displayed at all temporary events such as outside bars. A personal licence holder should also have there personal licence with them during a temporary event. both must be made available to authorised persons

# Drugs and Illegal Substances

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## Drug Abuse



Sadly, drug and solvent abuse is on the increase. Allowing drug use on licensed premises will invite heavy penalties, even closure revocation of the licence.

The misuse of drugs act 1971 categorises drugs into the following **A, B and C classes**. Class A being the most dangerous drugs and C not as dangerous – classes are listed on the drug fact sheet.

Prevention of drug use on your premises need not be difficult. High standards of service, cleanliness and monitoring will deter a user. It is well known that users and dealers look for uncollected glasses, sloppy service, dirty ashtrays etc.

High profile management will discourage drug users, as they are not stupid and will not take unnecessary risks. It is important that bar staff realise this and act as your eyes and ears to ensure vigilance at all times.

**Knowingly allowing drugs to be used or sold on your premises will lead to imprisonment!**






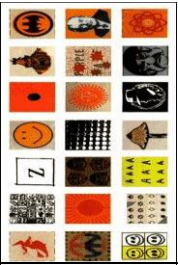

## What are the signs of use?

- Torn up beer/cigarette packets/bits of card left on the table or in ashtrays.
- Foam padding taken from the seats.
- Small packets made from paper, card or foil.
- Empty sweet wrappings in the toilets.
- Payment with tightly rolled bank notes.
- Traces of blood on bank notes.
- Drinking straws in the toilets.
- Traces of blood on toilet seats, or obviously wiped clean surfaces.
- Syringes.
- Spoons left in toilets.
- Pieces of burnt foil.

## What are the signs of dealing?

- A person seeing lots of 'friends' who only stay for a short time.
- A person going over-frequently to the toilet, often followed by another person.
- Persons handing over small packages deviously.
- Targeting young people outside of licensed premises.

# Drug Abuse Fact Sheet

Drug and slang names	Picture	How it is taken	Physical symptoms	What to look for
<b>CANNABIS ( CLASS B)</b> Dope, Weed hash grass, pot, reefers, Ganja, Skunk, Solid,		Smoked, often mixed with tobacco in a hand rolled 'joint'	'Sleepiness,	Strong smell of burnt leaves Brown resin leaves or oil. Bits of beer mats or foam upholstery used to make filters
<b>HEROIN (CLASS A)</b> "H", junk, smack, horse, Chasing the dragon, Brown, Gear		Swallowed, sniffed, or smoked. Hard line addicts will inject.	Stupor drowsiness, needle marks, running nose and eyes. Loss of appetite.	Stupor, drowsiness, needle marks, running nose and eyes, loss of appetite. Vinegary smell. white powder. Syringe needles, blood stained cotton wool. Scorched tinfoil. Drug is heated and sniffed this is called Chasing the Dragon
<b>COCAINE/ CRACK (CLASS A)</b> Coke, "C", snow, Charlie, toot, white		Usually smoked or sniffed but can be injected	As for amphetamines. Nasal speech as repeated sniffing damages nasal membranes.	Sharp smell. White powder. Wrapped in shiny paper or tinfoil
<b>AMPHETAMINES (CLASS B)</b> (Stimulants) Speed bombers, uppers, blueies, Chalkies, If prepared for injection they become class A		Normally swallowed but can be crushed and sniffed, smoked or injected	Aggressive behaviour, rapid speech, silliness, confused thinking,. Effects accelerated by alcohol.	Pills and capsules of all shapes, sizes and colours
<b>BARBITURATES (CLASS B)</b> (Sedatives) Barbs,downers, nemmies.		Normally swallowed	Drowsiness, stupor, drunken appearance. Effects accelerated by alcohol	Pill and capsules of all sorts
<b>LSD or (Lysergic Acid Diethylamide) (CLASS A)</b> Acid, blotter, cheer, dots, drop, flash, hawk, L, lightening flash, liquid acid, Lucy, micro dot, paper mushrooms, rainbows, smilies, stars, tab, trips, tripper,		The drug is found on what is called a tab a small piece of paper usually in a square with pictures on it. It can also be sold in liquid or pellets. The drug is swallowed	Trippin' on LSD can put you through 12 hours in a happy place or 12 hours suffering from paranoria and terrifying illusions.	similar to a sweet wrapper.
<b>Ecstasy (CLASS A)</b> E, pills, brownies, burgers, disco biscuits, hug drug, 'Mitsubishi's', 'Rolex's', 'Dolphin's', XTC		The drug is usually in a pill form and swallowed although can be sniffed or smoked in a powder form.	E's give the person a buzz and the energy to dance for hours. Often chew on their gums and their pupils dilate.	Pills or powder of all different colours.

# Fines & Age limits

## Age limits on products

PRODUCT	AGE
Alcohol	18
Cigarettes	18
Fireworks	18
Solvents	18
Butane gas & lighter fuel	18
Lottery tickets & scratch cards	16
Offensive weapons & knives	18
Video computer games etc	12, 15, 18, & P. G.
Party poppers, novelty matches	16
Liqueur chocolates	16

**SOLVENT  
ABUSE  
CAN KILL  
INSTANTLY**



**It is illegal to sell any of these products to ANYONE under the products age limit.**

## Standard scale of fines

### LEVEL

LEVEL 1

LEVEL 2

LEVEL 3

LEVEL 4

LEVEL 5



### FINE

£250

£500

£1,000

£2,500

£5,000

## Example of fines



### The sale of alcohol to children

- A person commits an offence if he/she sells alcohol to any persons under the age of 18
- A person commits an offence if he/she supplies alcohol on behalf of a club to an individual under the age of 18. this would result in a level 5 **fine of £5000**

### Allowing the sale of alcohol to children

- A person commits an offence if he/she knowingly allows the sale of alcohol on relevant premises to any person under the age of 18. this will result in a **fine** not exceeding **£1000**

### Sale of liqueur confectionery to children under the age of 16

- A person commits an offence if he/she sells liqueur confectionery to any individual under the age of 16. Level 5 fine £5,000

### Consumption of alcohol by children

- An individual under the age of 18 commits an offence if he/she knowingly purchases alcohol for consumption on relevant premises. This would result in a level 3 **fine** of **£1000**

### Purchase of alcohol by or on behalf of children

- A person commits an offence if he/she buys or attempts to buy alcohol on behalf of an individual under the age of 18
- An offence under subsection (3) or (4) is subject to a **fine** not exceeding level 5 - **£5000**



Most Children who obtain alcohol get someone over 18 to purchase it for them!

# Pricing

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Under the price marking (food and drink on premises) order 1979, it states that an accurate price list must be displayed clearly, so members of the general public can access the information.

The basic rules for price lists are:

If there are 30 items or fewer on a menu or bar tariff, the prices of ALL items must be displayed: otherwise it is enough to show the prices of 30 selected items.

If the menu or tariff has categories, such as whiskies or rums, the list must give the price of all the items if there are fewer than five items in any group, otherwise it is enough to show the price of five items. If you sell mixed drinks, such as shandy, the total price need not be shown separately if the selling price equals the two separate items.

The price list should include:

- **All prices MUST be VAT inclusive.**
- **The quantity being sold e.g. 25ml of whiskey**
- **Any minimum charge and any compulsory service charge**

**There are separate obligations in relation to wines served with a meal, regarding numbers stocked, types and colours available.**

## Credit

Granting credit means supplying goods or services against a promise to pay in the future. The Licensing Act states that it is **ILLEGAL** to give credit for intoxicating drinks to be consumed on licensed premises. Therefore an account, "slate", or "tab" is illegal in a public house.

The only exception is when drinks are served as an accompaniment to a meal, where payment is made when finishing the meal; the same applies to residents at a hotel, when an account may be settled upon leaving.

**Cheques and credit cards are classed as legal payment for intoxicating liquor.**

## Consumer Protection/Trading Descriptions

The Trades Descriptions Act and the Consumer Protection Act 1987, deals respectively with false statements about services and products, and misleading indication of prices. More recently The Food Safety Act has also legislated against misrepresentation.

To avoid contravening these Acts, the descriptions of food and drink must be written with care. Prices must be accurate and not misleading. The licensee must make every effort to ensure that "passing off" is avoided.

"Passing off" is the action of replacing the requested brand with another without the customer's consent, or misleadingly displaying a branded item (e.g. placing a Bells whisky bottle on a Grants optic display. If the products do not fulfil the criteria, the customer is entitled to receive a refund, or to refuse payment.

It is essential under the Trading Descriptions Act 1968 to provide accurate descriptions of all goods and services you are providing, this information should never be misleading to the purchaser.

# Betting, Gaming and Lotteries

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Betting is illegal in licensed premises, the passing of betting slips and even dealing with pools coupons is illegal. Writing out pools coupons or betting slips is not in itself illegal - the law is broken when the slip is given to someone else, or when the licensee's telephone (not the public telephone) is used on a regular basis to place bets.

It is also illegal to allow a "bookie's runner" to operate from the premises. This includes the pools collector.

Gaming is defined as the playing of a game of chance for money or an item of value. A "game of chance" includes games of chance and skill.

Since 1970 the Licensing Justices have had jurisdiction over gaming on licensed premises. An application under Section 6 of the Gaming Act 1968 may be made to allow the playing of certain specified games.

Games of skill that are allowed on licensed premises are

- Billiards
- Skittles
- Darts
- Pool
- Shove Ha'penny.

Permissible games of chance are Dominoes and Cribbage. These may be played for reasonable "small" stakes.

No game of any kind may be used as an inducement to use the premises.



## Lotteries

The rules governing the promotion and running of Lotteries are complex and the licensee should seek professional advice from the Local Authority's Licensing Department.

As far as licensed premises are concerned lotteries fall into three types:



### Small lotteries

These are secondary to entertainment such as functions, dinners, dances, sporting events etc, where the lottery is not the main reason for attendance; small lotteries are permissible providing the following regulations are met.

#### No prize can be money

**A maximum of £250 may be spent on the prize: all others must be donated.**

**All tickets must be sold at the event.**

**The results must be declared there and then.**

**The proceeds must not be for private gain.**

### Private lotteries

These lotteries are promoted by and confined to members of a club, society, or persons working on the premises.

### Society's lotteries

This lottery requires registration with the Local Authority. They may be permitted if:

**They are conducted for charitable purposes;**

**They are for fund raising purposes of charitable organizations or members, clubs etc...**

**There is no private gain.**

## Bingo

Although this game is popular and relatively harmless, the Gaming Board is opposed to the playing of bingo in public houses on the grounds that it acts as an inducement to "resort on the premises". Some public houses have been successful in having it approved when the bingo is promoted within a private club with no public access. The subject is in the hands of the Local Authority.

## The National Lottery



The National Lottery is not subject to lottery law, but is supervised by the Director General of the National Lottery. There is no legal reason why public houses should not participate, but Camelot plc have not as yet allowed it. The possible temptation to intoxicated person may well remain the deciding factor

The promotion of lotteries is governed by strict and complex rules. The licensee is advised to seek professional advice before permitting a lottery to be held on his/her premises.

The penalty for contravening the gaming laws is a fine of up to £2500.

# Music and Dancing



## Regulated Entertainment

Regulated entertainment for people who want to supply any type of performance will have to have the provision of regulated entertainment authorised on their premises licence application

As a consideration for the above it must be accepted that certain other requirements must be in place before a performance begins.

Under the licensing act 2003 there are various types of regulated entertainment that need to be licensed; these can be found in a new premises licence application form.

They are as follows:

- Plays
- Films
- In-door sporting events
- Boxing or Wrestling entertainment
- Live music
- Recorded music
- Performances of dance
- Provision of facilities for making music
- Provision of facilities for dancing

These included Karaoke and mobile discos, Solo artists etc.

## Performing Rights Society (PRS)

When premises wish to supply the public entertainment such as a live band a performing right society licence is needed

Address: copyright house  
29-33 Berners street  
London  
W1T 3AB

web: [www.prs.co.uk](http://www.prs.co.uk)

## Phonographic Performance Ltd. (PPL)

This licence is needed when providing other means of music in the licensed premises ie: background music.

Address: Phonographic Performances Ltd  
1 upper James Street  
London  
W1F 9DE

web: [www.ppluk.com](http://www.ppluk.com)

# Liability

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## **Criminal Liability**

In many cases the licensee is liable for the acts of his/her employees. Examples might be in respect of offences regarding out-of-hours trading, credit sales, the sale of liquor to a drunken person etc. Similarly, if a licensee leaves the control of his house to an employee, he will generally be liable for any breach of the licensing law committed by such employee eg permitting drunkenness or gambling.

However, licensees are not criminally liable for the acts of their employee, where such acts are outside the scope of their employment.

## **Civil Liability**

An employer may be liable to a civil action by third parties for the acts of his employee, if the employee makes a contract authorised, or subsequently ratified, by the employer, or when the employee's authority to make a contract is to be implied from the nature of his employment, or from the conduct of the employer. An employer will be similarly liable for wrongful acts of an employee carried out within the scope of the employee's authority and in the course of his employment.

## **Occupiers Liability Act 1957**

The occupier of premises has a general duty under the Occupier's Liability Act 1957. This is a duty to all visitors to the premises to take reasonable care and to see that visitors will be reasonably safe in using the premises for the purposes for which they are invited or allowed to be there. Visitors for this purpose include not only someone specifically invited but also customers and persons having business on the premises in any way.

## **Employers Liability (Compulsory insurance) Act 1969**

This Act prescribes that all employers must insure against liability for personal injury and disease sustained by their employees and arising out of, or in the course of their employment in Great Britain.

The insurance must be made under one or more approved policies with an authorised insurer. A certificate of insurance is issued and copies of this must be displayed at each place of work.

## **Disclaimer Notice**

These are used to disclaim responsibility for loss or damage to cars in pub car parks, and for property brought on to the premises by anyone (including staff). It should be remembered, however, that the Health and Safety at Work Act places a clear responsibility on employers to provide secure and safe storage for staff's outer clothing.

These notices are only valid in so far as they are 'reasonable and fair in the circumstances'.

Disclaimers are invalid if they are used to avoid liability due to negligence

# Glossary of Terms

<b>Word or Phrase</b>	<b>Definition of words in the context of Licensing Law and Practice</b>
ABV (Alcohol By Volume)	The percentage of alcohol measured in any amount of drink
AHRS	Alcohol Harm Reduction Strategy
Appeal	A procedure that allows some one to challenge a decision
ASBO	Anti-social Behaviour Order
Authorised Person	A person who is authorised and trained to sell alcohol by the DPS or a personal licence holder
Binge Drinking	Constantly drinking to get drunk
Breach	Breaking the law
Closure Order	A premises that has been ordered to close
Conditions	Requirements agreed by the premises licence holder and the licensing authority to maintain the licensing objectives
Consumption / Consume	Eating or drinking
Conviction	When some body has committed an offence and been found guilty for it
Crime and Disorder Reduction Partnership	An area which has been aimed at to reduce crime by local partnership strategies
Criminal Records Bureau Check	Evidence that an individual has or hasn't got a criminal record
Customs and Excise	The enforcing body relating to VAT and duty
Defence	A legal argument of a person who denies committing an offence
Designated Premises Supervisor (DPS)	The person who is accountable in a premises licence to sell alcohol
Disorderly Conduct	Disruptive, disorderly, noisy, maybe drunk behaviour
Due Diligence	Doing your best to prevent the law from being broken
Exemption / Exempt	Where a rule or law does not apply
Facilities for entertainment	For example a stage or dance floor where entertainment can take place
Foreign Offence	An offence which was committed outside of England and Wales
Forfeit / Forfeiture	To be permanently withdrawn

<b>Word or Phrase</b>	<b>Definition of words in the context of Licensing Law and Practice</b>
Frivolous	Lacking in seriousness
Hearing	Where people meet and state their case concerning a licensing matter
Interested Party	Some one who live or work in the vicinity of a premises
Interim Authority Notice	A procedure that reinstates a premises licence at short notice
Lapse	To stop being valid or in force
Late Night Refreshment	A licensing activity which includes serving hot food or drink between 11.00pm and 5.00am
Licensable Activities	There are 4 licensable activities and a premises licence is required for any or all of these
Licensing Authority	The local government which is responsible for licensing matters
Licensing Objectives	The 4 principles which support the licensing act
Mandatory Conditions	The conditions which must be adhered to that are applied to all premises which are licensed to sell alcohol
Notification	A notice which informs the local authority of a temporary event that is taking place
Objection	An objection in the context of licensing laws is where a representation has been made against an appointment of a DPS or a temporary event notice
Operating Schedule	A plan of how the premises will be run, this must be included in the application for a premises licence
Penalty	A punishment which normally includes either a fine or imprisonment
Personal Licence	A licence for a person which authorises the sale of alcohol in conjunction with a premises licence
Premises Licence	A licence which authorises a premises to one or more licensable activities
Prohibitions	Activities which are not allowed by law

	Definition of words in the context of Licensing Law and Practice
Provisional Statement	A premises licence that can be gained for a premises under construction
Regulated Entertainment	Entertainment which is defined as a licensable activity in the act
Regulations	Information given from the government to local licensing authorities concerning application procedures and fees
Relevant Bodies	Authorities defined as being interested in licensing policies statements
Relevant Offence	An offence listed in the act that may prevent some one from becoming a personal licence holder
Relevant Representations	Objections to the allowance of a premises licence
Repetitive	An objection which is alike to one made by the same person within a year
Review	A legal procedure which allows a premises to be changed in order to make sure that the licensing objectives are met
Revoke / Revocation	To take away (Usually applied to a premises licence)
Risk Assessment	The appointed premises licence holder/DPS must survey the premises for any risks before submitting their application. Once this has been done they must take steps to minimise the risks
Smuggled Goods	Goods obtained exclusive of payment to Government Duty
Secretary of State Guidance	The governments guidance to the local authorities about how to implement the act
SIA Licensed Door Supervisor	Door supervisors must be licenced by the security industry authority. This came into force in April 2005
Spent Conviction	A conviction that elapsed and no longer counts on a convictions check
Statement of Licensing Policy	licensing authorities issues a policy statement every three years

<b>Word or Phrase</b>	<b>Definition of words in the context of Licensing Law and Practice</b>
Suspension / Suspend	A premises or personal licence no longer valid for a certain amount of time
Temporary Event Notice	An event normally outside of a licensed premises selling alcohol for a specific period of time
Transfer	A procedure when a premises licence holder is changed
Unauthorised Sale of Alcohol	The sale of alcohol which isn't licensed by a premises licence or a temporary event notice
Unspent Conviction	A conviction stated on a persons criminal record which could stop them from getting a personal licence
Variation	A procedure which could be changed by the operating schedule for example extended trading hours
Vicinity	The interpretation of vicinity is to be defined by the courts
Vexatious	An objection that is made by a business rivalry

## APPENDIX A – LIST OF APPLICATION FORMS

Licensing Authorities must either:-

- Issue these forms printed on paper to applicants on request; or
- (Where a website is maintained by the Authority) provide electronic versions of the forms on its website.
- Forms can be also downloaded from <http://www.culture.gov.uk>

Licensing Authorities cannot reject application forms if they comply with the Regulations of the Act.

Application for a Personal Licence;

Disclosure of convictions and declaration form;

Application to renew a Personal Licence;

Format of Premises Licence and summary;

Application for a Premises Licence;

Application for a Provisional Statement;

Application to vary a Premises Licence;

Application to vary Premises Licence – vary DPS;

Application to transfer a Premises Licence;

Interim Authority Notice;

Application for review of a Premises Licence;

Application for Temporary Event Notice.

## APPENDIX B – RELEVANT OFFENCES

1. An offence under this Act.
2. An offence under any of the following enactments –
  - (a) Schedule 12 to the London Government Act 1963 (c.3) (public Entertainment Licensing);
  - (b) The Licensing Act 1964 (c.26);
  - (c) The Private Places of Entertainment (Licensing) Act 1967 (c.19);
  - (d) Section 13 of the Theatres Act 1968 (c.54);
  - (e) The Late Night Refreshment Houses Act 1969 (c.53)
  - (f) Section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c.30);
  - (g) The Licensing (Occasional Permissions) Act 1983 (c.34);
  - (h) The Cinemas Act 1985 (c.13);
  - (i) The London Local Authorities Act 1990 (c.vii).
3. An offence under the Firearms Act 1968 (c.27)
4. An offence under section 1 of the Trade Descriptions Act 1968 (c.29) (false trade description of goods) in circumstances where the goods in question are or include alcohol.
5. An offence under and of the following provisions of the Theft Act 1968 (c.60)-
  - (a) Section 1 (theft);
  - (b) Section 8 (robbery);
  - (c) Section 9 (burglary);
  - (d) Section 10 (aggravated burglary);
  - (e) Section 11 (removal of articles from places open to the public)
  - (f) Section 12A (aggravated vehicle-taking), in circumstances where subsection (2) (b) of that section applies and the accident caused the death of any person;
  - (g) Section 13 (abstracting of electricity);
  - (h) Section 15 (obtaining property by deception)
  - (i) Section 15A (obtaining a money transfer by deception)
  - (j) Section 16 (obtaining pecuniary advantage by deception)
  - (k) Section 17 (false accounting);
  - (l) Section 19 (false statements by company directors etc.);
  - (m) Section 20 (suppression, etc. of documents);
  - (n) Section 21 (blackmail);
  - (o) Section 22 (handling stolen goods);
  - (p) Section 24A (dishonesty retaining a wrongful credit);
  - (q) Section 25 (going equipped for stealing etc.).
6. An offence under section 7 (2) of the Gaming Act 1968 (c.65) (allowing child to take part in gambling on premises licensed for the sale of alcohol).
7. An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c.8) –
  - (a) Section 4 (2) (production of a controlled drug);
  - (b) Section 4 (3) (supply of a controlled drug);
  - (c) Section 5 (3) (possession of a controlled drug with intent to supply);
  - (d) Section 8 (permitting activities to take place on premises).
8. An offence under either of the following provisions of the Theft Act 1978 (c.1) –
  - (a) Section 1 (obtaining services by deception);
  - (b) Section 2 (evasion of liability by deception);
9. An offence under either of the following provisions of the Customs and Excise Management Act 1979 (c.2) –
  - (a) Section 170 (disregarding subsection (1) (a) (fraudulent evasion of duty etc.);
  - (b) Section 170B (taking preparatory steps for evasion of duty).

10. Any offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c.7) –
  - (a) Section 8G (possession and sale of unmarked tobacco);
  - (b) Section 8H (use of premises for sale of unmarked tobacco)
11. An offence under the Forgery and Counterfeiting Act 1981 (c.45).
13. An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c.48) –
  - (a) Section 107 (1) (d) (iii) (public exhibition in the course of a business of article infringing copyright);
  - (b) Section 107 (3) (infringement of copyright by public performance if work etc.);
  - (c) Section 198 (2) (broadcast etc. of recording of performance made without sufficient consent);
  - (d) Section 297 (1) (fraudulent reception of transmission);
  - (e) Section 297A (1) (supply etc. of unauthorised decoder).
14. An offence under any of the following provisions of the Road Traffic Act 1988 (c.53) –
  - (a) Section 3A (causing death by careless driving while under the influence of drink and drugs);
  - (b) Section 4 (driving etc. a vehicle when under the influence of drink or drugs);
  - (c) Section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit).
15. An offence under either of the following provisions of the Food Safety Act 1990 (c.16) in circumstances where the food in question is or includes alcohol –
  - (a) Section 14 (selling food or drink not of the nature, substance or quality demanded);
  - (b) Section 15 (falsely describing or presenting food or drink).
16. An offence under section 92 (1) or (2) of the trade Marks Act 1994 (c.26) (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.
17. An offence under the Firearms (Amendment) Act 1997 (c.5)
18. A Sexual offence, within the meaning of section 161 (2) of the Powers of Criminal Courts (Sentencing) Act 2000 (c.6).
19. A violent offence, within the meaning of section 161 (3) of that Act.
20. An offence under the section of the Private Security Industry Act 2001 (c.12) \*engaging in certain activities relating to security without a licence).

#### Useful websites you may want to visit

[Http://www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

[Http://culture.gov.uk](http://culture.gov.uk)

**For Personal Licence Applications or premises Licence applications visit:**

[www.personallicencetraining.co.uk](http://www.personallicencetraining.co.uk)

**Or our other Company websites**

[www.personallicencescotland.com](http://www.personallicencescotland.com)

[www.alcohollicence.org](http://www.alcohollicence.org)

[www.personallicencecourse.co.uk](http://www.personallicencecourse.co.uk)

[www.personallicencelondon.com](http://www.personallicencelondon.com)



## APPENDIX C – THE FEES REGULATIONS

### Schedule 1

#### Rateable Values and Bands

Rateable Value	Band
No rateable value to £4300	A
£4301 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

### Schedule 2

#### Application Fee - Premises Licenses and Club Premises Certificates

Band	Fee
A	£100
B	£190
C	£315
D	£450
E	£635

### Multiplier

Band	Multiplier
D	X2
E	X3

These multipliers apply to Schedule 2 where premises with a Premises Licence which are used primarily or exclusively for the business of selling alcohol.

### Schedule 3

Number	Additional Fee
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,000	£24,000
50,000 to 59,000	£32,000
60,000 to 69,000	£40,000
70,000 to 79,000	£48,000
80,000 to 89,000	£56,000
90,000 and over	£64,000

## Schedule 4

### Variation fee in transaction for premises licence applications only (where variation relates to the supply of alcohol)

Band	Fee
A	£20
B	£60
C	£80
D	£100
E	£120

## Schedule 5

### Annual Fee Part 1

Band	Fee
A	£70
B	£180
C	£295
D	£320
E	£350

## Multiplier

Band	Multiplier
D	x2
E	x3

These multipliers apply to Schedule 5 when premises with a Premises Licence which are primarily or exclusively for the business of selling alcohol.

### Part 2

Number	Additional Fee
5,000 to 9,999	£500
10,000 to 14,999	£1,000
15,000 to 19,999	£2,000
20,000 to 29,999	£4,000
30,000 to 39,999	£8,000
40,000 to 49,999	£12,000
50,000 to 59,999	£16,000
60,000 to 69,999	£20,000
70,000 to 79,999	£24,000
80,000 to 89,999	£28,000
90,000 and over	£32,000

## Schedule 6

## Permitted temporary activities, personal licensed and miscellaneous

Application of notice	Fee
Section 25 (theft, loss, etc. of premises licence or summary)	£10.50
Section 29 (application for a provisional statement where premises being built, etc.)	£315.00
Section 33 (notification of change of name or address)	£10.50
Section 37 (application to vary licence to specific individual as premises supervisor)	£23
Section 42 (application for transfer of premises licence)	£23
Section 47 (interim authority notice following death etc. of a licence holder)	£23
Section 79 (theft, loss etc. of certificate or summary)	£10.50
Section 82 (notification of change of name of alteration of rules of club)	£10.50
Section 83 (1) or (2) (change of relevant registered address of club)	£10.50
Section 100 (temporary event notice)	£21
Section 110 (theft, loss, etc. of temporary event notice)	£10.50
Section 117 (application for a grant or renewal of personal licence)	£37
Section 126 (theft, loss, etc. of personal licence)	£10.50
Section 127 (duty to notify change of name or address)	£10.50
Section 178 (right of freeholder etc. to be notified of licensing matters)	£21



### About PLT Personal Licence Training Ltd

The company was originally founded in 1992 by the Directors to provide a flexible and alternative approach to hospitality and licensed retail training. The company specialised in providing training programmes aimed at the independent retailer and small Pub companies, Restaurants and hotels. From the offset it was always the Companies intention to be able to offer training for small groups and also on a one to one basis.

Now we have grown to become the UK's number one training provider for the independent licensed retail sector. We can offer various other hospitality based courses such as food hygiene, health & safety, cellar management and of course the Award for Personal Licence Holders (APLH) level 2. The company also offer help and advice on personal licence applications, new premises licensing, transfers and D.P.S. appointments. The company provide a wide varied selection of services to it clients, including web site design and construction, shop plans drawn at 1:100 scale for alcohol licence applications, Advice on raid control and CCTV installations.

For further details please visit the **PLT** web site. [www.personallicencetraining.co.uk](http://www.personallicencetraining.co.uk)

# Notes

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# Notes

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# Other courses and services we offer

## COURSES

- Health and Safety
- Food Hygiene

(Both above course are available as a distance learning package.)

- Award for Personal Licence Holders (APLH)
- Scottish Certificate for Licensed Premises Staff (SCLPS)
- Scottish Award for Licensed Premises Staff (SALPS)
- National Certificate for Drug Awareness
- National Certificate for a DPS
- Award in Beer and Cellar Quality
- Award in Responsible Alcohol Retailing
- Bar Management
- Cellar Management
- First Aid
- 

***The UK's Favorite  
Licensing  
Company!***



## SERVICES

- Premises Licence applications
- Personal Licence applications
- Licensed premises transfers
- Health and Safety and Fire Risk assessments and audits
- H.A.C.C.P
- Hospitality and retail properties for sale
- Business and property finance
- Business insurance
- A3/A5 Change of use and Planning Permission
- Stocktaking

FOR INFORMATION OR ANY ENQUIRIES PLEASE CONTACT US.

**Course Bookings on 0845 388 5472 (Local Rate Call)**

**TEL: 01527 544 780**

**FAX: 01527 402 756**

**EMAIL: [info@personallicencetraining.co.uk](mailto:info@personallicencetraining.co.uk)**