

The Licensing Act 2003

Important information

Licensing Act 2003	This Act came into force November 24 th 2005
Licensing Committees	Local Authority Councillors between 10 & 15 in number
Sub Committee	3 committee members needed to hold hearing
Club Premises Certificates	Issued to Members Clubs instead of a Premises Licence. Do not need a Personal Licence Holder to authorise the sale of alcohol. To qualify, must be for members and guests only and be non-profit making
Appeals to Licensing Committee decisions	Can be made by either Party, must be made to Magistrates Court. Intention to appeal must be made within 21 days of the original Licensing Committee decision
Regulated Entertainment	<ul style="list-style-type: none"> A) Performance of a play before an audience B) Showing of a film C) Indoor sporting events D) Boxing or wrestling E) Live or recorded music F) Dancing
Late Night Refreshment	Any premises selling hot food &/or drink between 11.00pm & 05.00am.
Premises not permitted to sell/supply alcohol	<ul style="list-style-type: none"> A) Motorway Service areas. B) Garages used primarily for the repair or sale of vehicles C) Petrol Service stations used primarily for the sale of fuel
Moving vehicles	If the vehicle is appropriately licensed it may sell alcohol but only when parked temporarily or permanently
Personal Licence	Needed to allow the sale of alcohol or to authorise others to do so, from a premises that has the sale of alcohol as a Licensable Activity
Objections to the granting of a Personal Licence	Only the police can object to the grant and only if there is evidence of a relevant un-spent conviction
Basic Disclosure	Needed for all Personal Licence applications. It identifies if there is any Relevant Convictions in place. Unspent convictions can lead to the refusal of the granting of the Personal Licence if the police lodge an objection
Renewing the Personal Licence	Renewed every 10 years. Must give a minimum 1 month & a maximum of 3 months notice
Suspension of a Personal Licence	Can be suspended for any time up to a maximum of 6 months

The Licensing Act 2003

Important information

Duties of a Personal Licence Holder	<ul style="list-style-type: none"> A) Notify the issuing authority if you change your name &/or address B) Inform the authority if you are convicted of any relevant or relevant foreign offences C) Produce the licence on request to the police, officer from the Licensing Authority or HM Revenue & Customs
Premises Licence	<p>Needed by any premises wishing to undertake a 1 or more Licensable Activity. Must have a Personal Licence holder who will be the Designated Premises Supervisor if they have the Licensable Activity of the sale of alcohol. Application can be made by a person 18 or over or a Company operating the business</p>
Risk Assessment	<p>Needed to accompany the Premises Licence application. It will identify any risk to upholding the Licensing Objectives and what action to reduce the risk you will be making</p>
Operating Schedules	<p>To be included in a Premises Licence application or Variation application. Identifies the Licensable Activities that will take place and when and how they will be undertaken</p>
Internet or Mail Order Sales	<p>A Premises Licence will be required from where the Alcohol is being dispatched, a Personal Licence holder-Designated Premises Supervisor will be required</p>
Premises Licence Review	<p>Must be held by the Licensing Authority on request from a Relevant Body or by an Interested Party if it is deemed not to be Frivolous, Irrelevant or Vexatious. The Authority may then make changes to the way Licensable Activities can be conducted at the Premises concerned</p>
Mandatory Conditions	<p>These are compulsory and must be followed at all times. The most important being that a Personal Licence Holder must authorise the sale of alcohol from a premises that has the Licensable Activity of the sale of alcohol</p>
Unauthorised Licensable Activity	<p>Any Licensable Activity that is not identified on the Premises Licence or temporary Event Notice. e.g. Serving alcohol after the identified termination of sale time. Entertainment not authorised on the licence</p>

The Licensing Act 2003

Important information

Designated Premises Supervisor	There can only be one for each Premises. Must be a Personal Licence Holder. Identified on the Premises Licence. In day to day control, sole point of accountability.
Children in Licensed Premises	If the premises are primarily for the sale of alcohol, under 16's must be accompanied by an adult. No alcohol can be sold to any person under 18 years of age. Beer wine or cider may be consumed by a person 16 or 17 years of age if purchased by an accompanying adult if having a meal (not bar snacks) in an area normally used for serving meals. Under 16's must be accompanied on any Licensed Premises where alcohol is being sold between midnight & 05.00am.
Under 18's serving alcohol	It is now legal to allow under 18's to sell alcohol if the sale is supervised and authorised at the time of sale by a Designated Premises Supervisor or Personal Licence Holder or a person who is over 18 years of age, given the authority to authorise and supervise each sale
Proof of Age	All premises should have a written Proof of Age Policy All proof of age must contain a photograph. A) Passport B) Driving Licence C) Proof of Age card with the PASS logo as a hologram
Test Purchases	Conducted by the police or Weights & Measures inspectors. Under age person selected to attempt to make a purchase. Evidence of sale and the person's age is all that is needed to proceed with a prosecution.
Closure orders	Magistrates & the Police may issue Closure Orders. It is considered a criminal offence not conforming to a Closure Order.
Rights Of Entry	Police, Authorised Officers of the Licensing Authority, Revenue & Customs Officers. Police and Revenue & Customs can enter at any time without a warrant. The police can enter if they suspect a Licensing Offence has been or is being committed. Revenue & Customs may remove any items they consider may be part of a

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	Duty Offence.
Temporary Event Notices	Notification of intention to do a Licensable Activity in a Premises that is not Licensed or outside of the terms of the Premises Licence. e.g. extra hours for the sale of alcohol, different kind of entertainment, In a Marquee Personal Licence Holder may have 50 per year 12 from any individual premises Maximum 499 attending at any one time Non-licence holder may have 5 per year
Responsible Retailing	You as a Licence Holder are expected to be responsible in you retailing of alcohol. Alcohol is classed as a drug as it changes anyone consuming it, emotionally, physically or mentally
Low Alcohol	Any drink with an ABV of no more than 1.2%
Alcohol Free	Any drink with an ABV of no more than 0.05%
Alcohol	Any drink with an ABV of above 0.5%
Units of alcohol	Any drink containing 10ml of pure alcohol is said to contain 1 unit of alcohol Safe daily limits: Females, 2-3 units per day Males, 3-4 units per day Examples: ½ pint of beer/lager of average strength 25ml of spirit @ 40% abv. 125ml of standard strength wine
Serving alcohol to a drunk	It is illegal for anyone to sell alcohol to anybody who is or appears to be drunk at all times. It is illegal to buy alcohol for a person who is drunk
Pub-Watch Schemes	Local schemes in place to tackle violence or un-social behaviour in Licensed Premises. Puts in place consistent approach to barring customers, warning others of problem customers etc.
Smoking regulations	It is illegal to smoke or allow smoking to take place in any substantially enclosed public areas