



## **LICENSING ACT 2003**

# **Code of good practice for licensed premises**

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## **1.0 Introduction**

1.1 As the Licensing Authority, we wish to assist applicants and licence holders in operating safe and enjoyable premises. We fully appreciate the positive impact that your premises can have on residents and visitors to Mid Devon and we are committed to:

- Providing help and advice if you need it during the application process
- Providing help and advice once a licence has been granted
- Providing clear feedback to premises when issues have been identified (this may be following a complaint or an inspection) which sets out actions or processes that would be beneficial
- Taking appropriate and required action in order to promote the four licensing objectives

1.2 We licence a variety of premises in Mid Devon, including breweries, village halls, pubs, off-licences, restaurants, members clubs, takeaways and night-clubs. The potential risks associated with these premises are all different and it is important to remember that your business is specific to you. Because of this, not all of the suggestions and advice in this document will apply to you directly. However, by reading this document, you will have a better idea of the potential issues you need to be aware of.

## **2.0 The Licensing Act 2003**

2.1 The Licensing Act 2003 requires that all premises promote the four licensing objectives and although this code of good practice is not statutory, it does include practical information on how premises can demonstrate they are promoting the four licensing objectives. The four licensing objectives are:

- The prevention of crime and disorder
- Public Safety
- The prevention of public nuisance
- The protection of children from harm

### **3.0 Risks identified at your licensed premises**

3.1 This document identifies some of the potential risks that you should consider and offers suggestions of good practice methods. It is important to remember that all premises are different and we recommend that you risk assess your own premises to decide what specific measures are relevant to you.

3.2 Additionally, you should also consider any one off or less frequent events you may hold that require additional safeguards in place to promote the licensing objectives.

### **4.0 Conditions on a licence**

4.1 Since the introduction of the Licensing Act, knowledge on conditions has developed and it may be that some existing conditions on licences are no longer considered enforceable. However, it is important to remember that premises must still operate in a way that promotes the four licensing objectives, regardless of whether or not specific conditions are on the licence itself.

4.2 Conditions on a licence must be appropriate, precise, enforceable, proportionate and clear. Additionally, they must be tailored to the premises and cannot duplicate other statutory requirements.

4.3 The information in this document is not worded in such a way as to be applied directly on to a licence as conditions. The idea of this document is to promote good practice within premises regardless of conditions applied to a licence. However, you should be aware that if any of the best practice advice in this document is reflective of actual conditions on your licence then you need to comply with them.

### **5.0 How this code will be used and by who?**

5.1 The information in this code of good practice should not be considered as standard requirements for all premises. It is very important that each premises is considered on its own individual merits and only relevant and required actions are requested and / or expected of them.

5.2 The document is broken down in to sections that cover each of the four licensing objectives. It is hoped that this allows specific areas of interest to be identified quickly.

Within these sections areas of risk are identified within a table, next to which are measures you may wish to consider addressing or implementing. Each potential good practice measure is then numbered to enable users of the document to reference.

### **Applicants and licence holders**

- 5.3 It is important to take a proactive and preventative approach to managing a licensed premises as this will ensure problems either do not occur to begin with, or if they do, are dealt with quickly.
- 5.4 Applicants should therefore read this document before submitting an application. It is considered a good starting point in assessing the potential risks of your premises. The identification of a risk will not necessarily warrant a condition on a licence. Additionally, licence holders should be familiar with this document as it will highlight any additional operational measures they may need to put in place.

### **The Licensing Authority and Responsible Authorities**

- 5.5 This code is not a statutory document but it may be taken into consideration and used:
- When offering advice to applicants pre-application
  - When offering advice to licence holders in general
  - As a starting point to dealing with licensed premises encountering problems, in order to promote the licensing objectives and address issues
  - When enforcement action is required as a result of continued issues with premises not promoting the licensing objectives i.e. reviewing a premises licence

### **Dealing with premises not promoting the four licensing objectives**

- 5.6 Where problems or concerns are identified at a licensed premises this will be addressed as early as possible by the licensing authority. We aim to work in partnership with licence holders to address issues and we will offer guidance and advice where we can.
- 5.7 The Licensing Authority and Responsible Authorities will agree appropriate measures with licensed premises and this may include points within this code of good practice. This may be in the form of an 'action plan' and will provide a clear framework for actions to be

undertaken. The ultimate aim of this code and its application is to try and avoid the need for formal enforcement action such as a prosecution or review.

## **6.0 Due diligence, working practices and records to keep**

6.1 In brief, due diligence is your ability to show that all reasonable steps to avoid committing an offence were taken. If you can demonstrate the positive action you have taken preventing the offence from occurring, you can site this as a defence should you need to.

6.2 One way to help demonstrate this can be through keeping (and maintaining) documents and records of certain safeguards that are in place. These include (but are not limited to):

- Designated Premises Supervisor (DPS) sale of alcohol authorisation (example attached to this document as **Annex 1**)
- Refusal / incident book (example attached to this document as **Annex 2**)
- Age verification policy (example attached to this document as **Annex 3**)
- Training log (example attached to this document as **Annex 4**)

## 7.0 General – all four licensing objectives

7.1 This section provides guidance on good practice for the general promotion of all four licensing objectives. Licensees and their staff have responsibility for the effective and safe management of their premises and training is a key element of this.

Risk	Good practice measure
<b>Lack of knowledge or understanding of the Licensing Act 2003</b>	<ol style="list-style-type: none"><li><b>1. Well trained staff</b> will contribute to well-run premises and ensure a responsible approach to the sale of alcohol, provision of entertainment and late night refreshment.</li><li><b>2. Formal qualifications</b> for your staff, either to a Personal licence level or to another appropriate standard recognised by bodies would be preferential.</li><li><b>3.</b> All staff should be advised of licensing law in writing before they are allowed to serve alcohol.</li><li><b>4.</b> Training should also be provided on premises specific policies relevant to the operation of the business.</li><li><b>5.</b> Staff should be briefed on licensing conditions that are attached to the premises licence and fully understand the terms of the licence.</li><li><b>6.</b> Records should be kept documenting the above training, including the names of people undertaking it and the date. These records should be made available for inspection by the Police and Licensing Authority.</li></ol>
<b>Sharing of information locally</b>	<ol style="list-style-type: none"><li><b>1. Participation in local Pubwatch</b> schemes enables licence holders to share best practice and information about individuals that they should consider refusing entry to.</li></ol>

## 8.0 Prevention of crime and disorder

- 8.1 This section provides guidance on good practice for the prevention of crime and disorder from licensed premises.
- 8.2 The main causes of crime and disorder in licensed premises arise from inadequate security provisions, poor design and layout, the type of event being promoted, overcrowding and customers being drunk or under the influence of drugs. This can result in theft, conflict, violence and anti-social behaviour.
- 8.3 Alcohol can be a significant contributory factor to levels of crime and disorder in an area. Good management and good practice along with adequate physical controls can make an important difference to the level of alcohol related crime at premises. Such measures should be reflected in the operating schedule.

Risk	Good practice measure
<b>Security in and around the premises</b>	<ol style="list-style-type: none"><li>1. <b>Emergency exits</b> should be alarmed when the premises are open to the public so that staff are immediately notified of unauthorised opening or tampering.</li><li>2. <b>CCTV</b> should be installed on the premises. The cameras should cover all public areas of the licensed premises, including entry and exit points. Additionally:<ol style="list-style-type: none"><li>a) The system should record the correct date and time of images</li><li>b) Images should be in real time and stored on hard drive with the ability to copy disks for other agencies, such as the police (in accordance with the Data Protection Act 1998 or any replacement legislation)</li><li>c) Images should be stored and accessible for a minimum period of 14 days</li><li>d) Relevant staff should be trained in the</li></ol></li></ol>



maintenance and operation of such systems with a record of kept of the date and name of the person trained. Records should be made available for inspection by the police or licensing authority

e) A trained member of staff should be on duty to operate the system whenever the premises are open

**3. External lighting** provides an obvious means of crime deterrence. Care should be taken so that lighting does not impact on neighbours.

**4. Door staff and / or stewards** should be employed at the venue to supervise admissions and customers inside the venue. Additionally:

**5.** Any person performing the role of door supervisor must be licensed with the Security Industry Authority (SIA) and SIA badges must be clearly displayed when they are working

**6.** Door staff should be easily identifiable by wearing a uniform, high visibility clothes or arm bands.

**7.** Door staff should sign in to a register detailing their full SIA licence number, their name, contact details and the time and date that their duty commenced and concluded.

**8.** Stewards and other staff at the premises should also be easily identifiable. Stewards should not be used for supervision of the door.

**9. Daily staff briefing and debriefing** will enable licence holders to improve working practices in their premises. These briefings can be informal but any problems identified and remedial action taken should be recorded with records kept on the premises.

<p><b>Crime including conflict, violence or aggression in and around the premises</b></p>	<ol style="list-style-type: none"><li><b>1. Proper management of the door</b> will depend on the size and type of venue. The number of door supervisors should be determined by a risk assessment, taking into account the size of the premises and the type of crowd that the venue is likely to attract. If door staff are required, a minimum of two should be employed.</li><li><b>2. A door admissions policy</b> including any age restrictions and searches should be well publicised on any promotional material and at the entrance of the premises itself.</li><li><b>3. Ejecting or refusing entry to persons</b> from the premises if they do not meet your admissions standards or if they are known to be violent or aggressive. In such cases, an entry should be made in the incident log book.</li><li><b>4. Policy to manage capacity</b> should be adopted to prevent overcrowding and patrons possibly becoming aggressive through accidental jostling.</li><li><b>5. Alternatives to glass drinking vessels</b> should be considered to prevent glassware being used as an assault weapon. Where alternatives are not used, a robust glass collection policy should be in place. This should include regular collections by staff and the prevention of glassware being removed from the premises.</li><li><b>6. Staff training</b> in conflict management should be provided to give them the knowledge and confidence to deal with difficult situations. Training should also cover dealing with, logging and reporting incidents if they occur.</li></ol> <p>Records should be kept of the date and name of the person trained. Records should be made available for</p>
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	inspection by the police and licensing authority.
<b>Drugs and weapons being brought into the premises</b>	<ol style="list-style-type: none"> <li><b>1. A zero tolerance policy</b> to the use of drugs and carrying weapons in the premises should be adopted. Posters can be displayed throughout the premises to remind customers of the zero tolerance policy, especially in the toilet areas of the premises.</li> <li><b>2. Effective search policies</b> will minimise the opportunity for drugs and weapons to be brought into licensed premises.</li> <li><b>3. Calling the police</b> if customers are suspected of being in possession of drugs or weapons. All staff must be made aware of this requirement.</li> <li><b>4. Supervising toilet areas</b> can be effective in discouraging drug selling or use. This could be checks by security or staff every 30 to 60 minutes and may include swabbing of surfaces. Where checks are conducted the time, date and findings should be recorded.  Removal of flat surfaces in toilet areas can reduce the likeliness of drug misuse.</li> <li><b>5. Drug awareness training</b> should be provided to all staff. A record should be kept of the date and name of the person trained. Records should be made available for inspection by the police or licensing authority.</li> </ol>
<b>Disorder from customers queuing to enter the premises or when leaving</b>	<ol style="list-style-type: none"> <li><b>1. Reduce the potential for excessive queue lines</b> with a well-managed and efficient door policy. Long queuing times can cause people to become agitated or aggressive. If searches are required, they should be conducted as quickly and effectively as possible.</li> <li><b>2. A customer dispersal</b> policy can minimise the</li> </ol>

<p><b>the premises</b></p>	<p>potential for disorder from customers leaving the premises. The policy should clearly set out measures to avoid a mass exit at the end of the evening such as a gradual change in music style and increasing lighting levels.</p> <p><b>3. Sufficient numbers of staff</b> should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.</p> <p><b>4. Staff training</b> in preventing disorder should be provided to give them the knowledge and confidence to deal with difficult situations. Records should be kept of the date and name of person trained. Records should be made available for inspection by the police or licensing authority.</p>
<p><b>Customers getting drunk and drunken customers</b></p>	<p><b>1. Drinks promotions</b> should be socially responsible and not encourage excessive drinking. A documented policy on responsible drinks promotions should be in place at the premises and should adhere to industry codes (i.e. the British Beer and Pub Association (BBPA) and The Portman Group). This is in addition to adherence with the mandatory licensing condition regarding irresponsible promotions.</p> <p><b>2. Staff training</b> on the effects of alcohol and how to spot early signs of customers becoming drunk should be provided to give them the knowledge and confidence to deal with drunken patrons.</p> <p><b>3. Staff should be aware of their responsibilities under the Licensing Act 2003</b> and be able to recognise appropriate ‘cut off’ points for serving potentially drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.</p> <p><b>4. Duty of care policy</b> regarding persons suffering</p>

adversely from the effects of drink should be in place at the premises. The policy should clearly express that every effort will be made by staff to prevent patrons from deteriorating to an uncontrolled intoxicated extent. All staff must be briefed on the policy.

- 5. Drink-aware posters** can be displayed in the premises to remind customers of the unit content in alcoholic drinks and the safe alcohol consumption limits.

## 9.0 **Public safety**

9.1 This section provides guidance on good practice for the promotion of public safety at licensed premises.

9.2 The carrying on of licensable activities, in particular the sale of alcohol and certain forms of entertainment can increase the risks to the safety of the public (including performers) attending licensed premises.

Risk	Good practice measure
<b>General safety of staff and customers</b>	<ol style="list-style-type: none"><li><b>1. A Full risk assessment</b> taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards. Templates can be found on the Health and Safety Executive website and on the Communities and Local Government website. Furthermore:<ol style="list-style-type: none"><li>a) The risk assessment should be regularly reviewed, (at least every 12 months)</li><li>b) All staff should be made aware of the risk assessment and precautionary measures to take</li><li>c) A copy of the risk assessment should be kept at the premises and made available for inspection</li></ol></li><li><b>2. Trained first aider(s)</b> with a recognised qualification should be on duty when the premises licence is in use.</li><li><b>3. First aid room or quiet room</b> should be made available to anyone requiring medical attention.</li><li><b>4. Temperature levels</b> and humidity in venues should be controlled for the comfort and safety of customers. An environment that is too hot or too cold can make customers irritable. In larger venues where people are dancing air condition can be used.</li></ol>
<b>Overcrowding</b>	<ol style="list-style-type: none"><li><b>1. A policy to manage the capacity</b> should be adopted to</li></ol>

	<p>prevent overcrowding and localised overcrowding. Additionally:</p> <ul style="list-style-type: none"> <li>a) The use of electronic clocking systems, clickers, ticket sales or head counts may be appropriate</li> <li>b) Consideration should be given to deliberately running below capacity to afford a comfort factor to your patrons.</li> </ul>
<p><b>Accumulation and disposal of glasses / drinking vessels</b></p>	<ol style="list-style-type: none"> <li>1. <b>A glass collection policy</b> (if glass is used) should include provisions for regular collection of glassware by staff and the prevention of glassware from being taken into external areas. Glassware should not be allowed to accumulate or cause obstruction.</li> <li>2. <b>Perimeter checks</b> should be made outside the premises for any glasses or bottles. All staff must be made aware of the glass collection policy and their responsibility for the task.</li> <li>3. <b>Spillages and broken glass</b> should be cleaned up immediately to prevent floors from becoming slippery and unsafe.</li> <li>4. <b>The use of plastic or polycarbonate glasses</b> may be appropriate.</li> </ol>
<p><b>Drug use or drink spiking</b></p>	<ol style="list-style-type: none"> <li>1. <b>A zero tolerance policy</b> to the use of drugs in the premises should be adopted.</li> <li>2. <b>Posters</b> can be displayed throughout the premises to remind customers of the zero tolerance policy.</li> <li>3. <b>A duty of care policy</b> regarding persons suffering adversely from the effects of drugs should be in place at the premises. The policy should include drug awareness training for all staff so that they can recognise the effects of controlled drugs and provide medical attention where necessary. All staff must be</li> </ol>

	<p>briefed on the policy. A record should be kept of the date and name of person trained.</p> <ol style="list-style-type: none"> <li>4. <b>Prevent the possibility of drink spiking</b> by offering various anti drink spiking products to customers.</li> <li>5. If a customer suspects that their drink has been spiked, you should report it to the police immediately. A process for this should be clearly set out in your duty of care policy.</li> </ol>
<p><b>Safety of customers when leaving the premises</b></p>	<ol style="list-style-type: none"> <li>1. <b>'Chill out' area</b> should be provided. This should be cooler and quieter than the rest of the venue.</li> <li>2. <b>First Aid Room</b> may also be made available.</li> <li>3. A <b>'chill out' or wind down period</b> at the end of an evening can ensure a slow dispersal from the premises allowing door staff to gain a handle on problem individuals.</li> <li>4. <b>Provision of food and non-alcoholic drinks</b> during a chill out period can be effective in allowing customers to sober up before leaving the premises.</li> <li>5. <b>Increased lighting inside the premises</b> should be considered towards the end of an evening to affect the alertness of customers before they leave the premises.</li> <li>6. <b>Increased external lighting</b> particularly in car parks under the direct control of the licence holder will provide added safety for customers as they leave the premises. Care should be taken so that lighting does not impact on neighbours.</li> </ol>



## 10.0 Prevention of public nuisance

- 10.1 This section provides guidance on good practice for the prevention and management of public nuisance from licensed premises.
- 10.2 Where entertainment or other potentially noisy activity is planned, a noise assessment should be carried out. For some premises, the assessment will need to be carried out by a suitably qualified consultant.
- 10.3 Consideration should be given to the structure and layout of the premises and equipment both internally and externally, to ensure that the premises are fit for purpose. Sound attenuation measures can include wall linings, acoustic curtains and acoustic treatment to mechanical ventilation or air conditioning systems. Consideration should also be given to historical noise problems at the premises with measures put in place to prevent them from recurring.
- 10.4 Licence holders should have clear documented policies and procedures in place which identify all public nuisance risks associated with their premises and measures implemented to prevent, manage and respond to those risks. Licence holders should also engage with local residents and businesses on a regular basis to ensure that they are being good neighbours and dealing with problems as they arise.

Risk	Good practice measure
<b>Entertainment and crowd noise</b>	<ol style="list-style-type: none"><li data-bbox="544 1357 1433 1547">1. <b>A noise management policy</b> should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.</li><li data-bbox="544 1592 1433 1731">2. It may be necessary to have an <b>assessment undertaken by an acoustic consultant</b> and base the policy on this.</li><li data-bbox="544 1776 1433 1968">3. <b>All staff should be trained</b> on the content of the policy to ensure a commitment to good noise management. A record should be kept of the date and name of person trained and made available for inspection by</li></ol>

the licensing authority or environmental health responsible authority.

4. DJs, event promoters or other entertainment providers should be made aware of the policy in advance of any performance.
5. **Windows and doors should be kept closed** whilst the premises licence is in use to prevent noise breakout. Ventilation should be provided by mechanical means.
6. **Windows should be sound insulated.** Emergency exits should be sealed acoustic doors. A lobbied area should be provided at the entrance and exit to the premises. Doors should be fitted with self-closing devices.
7. **Sound limiting device** should be installed, set and sealed at a level approved by an acoustic consultant. The sound limiting device should be used at all times that relevant regulated entertainment is taking place, including all externally promoted events. Only the premises licence holder or a nominated deputy and the designated premises supervisor should have access to the sound limiting device.
8. **Locate entertainment facilities** such as DJ booth, stage and loud speakers away from doors and windows. Rubber speaker mounts can be used to minimise structure borne noise.
9. **Methods for monitoring noise** should be included in a noise policy. Methods could range from simple perimeter checks and listening tests by the licence holder/staff to a detailed measurement taken by a qualified consultant using sound measuring equipment. Noise monitoring should actively be carried out on a regular basis and in particular when a

	<p>new form of entertainment is introduced at the premises, when alterations are made to the premises or when a complaint is made about the venue.</p> <p><b>10. A log book</b> should be kept of any noise monitoring carried out, the findings and any action taken. The log should indicate whether it was routine noise monitoring or the result of a complaint. The log book should be made available for inspection by the licensing authority or environmental health as a responsible authority.</p> <p><b>11. A contact telephone number</b> should be made available to local residents and businesses which they can use to report noise disturbances to a responsible person at the venue. The phone line should be available at all times the premises are open.</p> <p><b>12. Reduce the potential for excessive queue lines</b> with a well-managed and efficient door policy.</p> <p><b>13. Long queues</b> should be avoided and any queues should be directed away from residential properties.</p> <p><b>14. Queues should be actively managed by door staff</b>, especially later in the evening, to keep noise to a minimum. Rowdy behaviour from people outside should not be tolerated. Door staff should refuse entry to anyone behaving in an anti-social way.</p>
<p><b>Noise in external areas such as beer gardens or smoking areas</b></p>	<p><b>1. Customer dispersal policy</b> can minimise noise disturbance to local residents from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening.</p> <p><b>2. A gradual change in music style and reduction in volume</b>, for example quiet or mellow music towards</p>

the end of an evening and increasing lighting levels can help to reduce the potential for rowdy behaviour.

- 3. Sufficient staff** should be available at the end of the evening to manage a controlled shut down of the premises and maintain good order as customers leave.
- 4. Display prominent notices** close to the exit doors, requesting patrons to leave the premises quickly and quietly.
- 5. Display notices** in car parks reminding patrons that they are in a residential area and to leave quickly and quietly and not to slam doors, rev engines, sound horns or play loud music.
- 6. Make announcements** at the end of an evening, requesting patrons to leave the premises and area quickly and quietly.
- 7.** Steps should be taken to ensure that any taxi operators used and all their drivers are aware that they should arrive and depart as quietly as possible and should not sound their horns or leave engines idling unnecessarily.
- 8. Display prominent signs** in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum.
- 9. Restrict the use of external areas** after a certain time if premises are in a residential area.
- 10. Door supervisors or staff** should regularly monitor and manage external areas to ensure that customers are not causing a disturbance to local residents.
- 11. Limit the number of smokers** permitted outside at any one time after a certain time.

	<p><b>12. Discourage smokers</b> from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time.</p> <p><b>13.</b> Locate smoking areas away from residential premises.</p> <p><b>14.</b> Do not permit customers to congregate on and block the public highway to passers-by.</p>
<p><b>Noise and disturbance caused by deliveries, collections and waste disposal</b></p>	<p><b>1. Commercial deliveries, collections and storage/ disposal of waste</b>, including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted to normal working hours between 8am and 7pm Monday to Friday.</p>
<p><b>Litter and waste around the premises</b></p>	<p><b>1. Flyers should not be distributed outside the premises</b> by the licence holder or any staff employed by the licence holder.</p> <p><b>2. If flyers are distributed</b> they should be littered picked at the end of trading.</p> <p><b>3. Procedures should be in place</b> for the prompt collection of street litter generated by the premises for example flyers, cigarette butts or food wrappers.</p> <p><b>4. Regular patrols</b> of the area outside the premises should be undertaken by staff to clear any litter attributable to the premises.</p> <p><b>5.</b> Use wall or floor mounted cigarette bins in designated smoking areas for customers.</p>

## 11.0 Protection of children from harm

- 11.1 This section provides guidance on good practice for the protection of children from harm at licensed premises.
- 11.2 The carrying on of licensable activities in particular the provision of alcohol and some types of entertainment can increase risks of harm to children attending licensed premises or in the local vicinity.
- 11.3 Licence holders should have clear documented policies and procedures in place which identify all age restricted risks at their premises and measures implemented to prevent, manage and respond to those risks.

Risk	Good practice measure
<b>Children accessing licensed premises</b>	<ol style="list-style-type: none"><li data-bbox="544 853 1434 1256"><b>1. A documented policy</b> setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premises including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises. All staff including door staff and bar staff should be trained on the policy.</li><li data-bbox="544 1312 1434 1559"><b>2. Restrict access to children</b> depending on the nature of the business and / or circumstances. The admission of children can be restricted up until a specified time in the evening. The admittance of children can only be permitted if they are accompanied by an adult.</li></ol>
<b>Underage sales of alcohol</b>	<ol style="list-style-type: none"><li data-bbox="544 1632 1434 1879"><b>1. Operate a strict ‘No ID – No Sale’ policy. A ‘Challenge XX’ scheme</b> serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.</li></ol>

2. **'Challenge 25'** scheme gives staff additional support and encouragement to ask for ID from any person appearing to be under 25 years of age to prove that they are over 18.
3. **Only accept photographic** driving licences, passports or PASS (Proof of Age Standards Scheme) cards approved as means of ID.
4. **Use till prompts** to remind staff to ask for proof of age.
5. **Prominently advertise the scheme** in your premises so that customers are aware, in particular, display proof of age signs at the point of sale.
6. **Display posters at the premises** stating that it is an offence to purchase alcohol on behalf of an underage person (proxy sales).
7. **Keep a refusals book** (or refusal button on EPOS – Electronic Point of Sale) on the premises and ensure it is completed whenever a sale is refused to a person who cannot prove they are over the age of 18.
8. The book should contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. The book should be made available to Police and Licensing Authority on request. The book should be reviewed on a regular basis to see if any patterns emerge.
9. **Staff training** in the age related sections of the Licensing Act 2003 should be provided to all door, bar and till staff. This includes the ability to competently check customers' identification where necessary. A

	record should be kept of the date and name of person trained.
<b>Access to age restricted films.</b>	<b>1. Adequate provisions for restricting children</b> from viewing age restricted films should be in place at the premises. Staff should be trained to check ages at point of sale and prior to entry to a screening room to ensure that admission of children to films is in accordance with the recommendations of the British Board of Film Classifications (BBFC) or the Local Authorities classification.



**ANNEX 1: Designated Premises Supervisor (DPS)**

**Sale of alcohol - staff authorisation form (example)**

I, ....., DPS of .....  
hereby authorise the following person(s) to sell alcohol under the Licensing Act 2003 on these premises at any time during the permitted hours and in accordance with the premises licence. This authority applies whether or not I, or any other Personal Licence holder, are present on the premises at the time of the sale or supply of alcohol. I can confirm these persons have been made aware of his/her legal responsibilities under the Act.

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

We sign below in the knowledge that it is an offence to:

- Knowingly sell, attempt to sell or allow the sale of alcohol to a person who is drunk.
- Sell alcohol to a person under 18 years of age.
- Allow licensable activities to be conducted otherwise than in accordance with the premises licence and the conditions it contains.

I also understand that I require individuals who appear to me to be under *18 years of age (or any older age as may be specified in the premises licence holders age verification policy)* to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

## **ANNEX 2: Refusal / Incident Book (example)**

<b>Date</b>	<b>Time</b>	<b>Product</b>	<b>Reason for Refusal / Description of incident</b>	<b>Description of Person / Action taken</b>	<b>Name and Signature</b>	<b>Date record checked and signed by DPS</b>
<i>Example</i> 01.01.2018	19:32	<i>Pint of Carlsberg</i>	<i>Refused sale: Customer unable to supply proof of age on request.</i>	<i>Female, blonde approx. 16 years of age, red jacket.</i>	<i>John Smith (Signature)</i>	<i>05.01.2018 (signature)</i>
<i>Example</i> 13.02.2018	16:52	<i>Double Whiskey</i>	<i>Refused sale to customer who was drunk. Customer reacted to refusal by shouting at staff members. Was asked to leave store and police called.</i>	<i>Male, early 40's, Grey t-shirt, jeans and beard.</i>	<i>Sarah Jones (signature)</i>	<i>15.02.2018 (signature)</i>

**ANNEX 3: Premises Age Verification Policy (example)**

Name and address of premises: .....  
.....  
.....

Name of premises licence holder: .....

Name of designated premises supervisor: .....

**1.** The premises licence holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person to be under the age of 18 years of age (or under the age specified in any applicable Challenge 21 / 25 policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark. This can include, for example:

- A photo card driving licence
- A passport
- A proof of age card bearing the PASS hologram

**2.** For the purposes of this policy the following are considered to be responsible persons:

- the holder of the premises licence;
- the designated premises supervisor;
- a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18; or
- a member or officer of a club present on the club premises in a capacity which enables him or her to prevent the supply in question.

**3.** The premises licence holder must ensure that staff (in particular staff who are involved in the supply of alcohol) are made aware of the existence and content of this age verification policy.

Signed ..... (Premises licence holder)

Date .....

**ANNEX 4: Training log (example)**

<b>NAME:</b>		
<b>SUBJECT:</b>	<ul style="list-style-type: none"> <li>• The Licensing Act 2003</li> <li>• The promotion of the licensing objectives</li> <li>• The premises licence activities</li> <li>• The premises licence conditions</li> <li>• DPS Authorisations</li> <li>• The premises age verification policy</li> <li>• The refusals/incident book</li> <li>• Offences under the Licensing Act 2003</li> </ul>	<ul style="list-style-type: none"> <li>• How to deal with difficult customers</li> <li>• Noise Impact Assessment</li> <li>• Drugs Policy</li> <li>• Dispersal Policy</li> <li>• Health and Safety in the workplace</li> <li>• First Aid</li> <li>• Emergency Evacuation Procedures</li> </ul>
<b>Relevant training material:</b>	<i>List any documents or policies that have been included in the training. Examples may include:</i>	
	<ul style="list-style-type: none"> <li>• <i>Any internal policies / documents</i></li> <li>• <i>Section 182 Licensing Act Guidance</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>The Licensing Act (relevant parts)</i></li> <li>• <i>Best practice advice</i></li> </ul>

I, ..... have read and fully understand the attached documents.

Date ..... Managers signature .....

Training review information:

<b>Review 1 Notes:</b>		
<b>Date:</b>	<b>Staff signature:</b>	<b>Managers signature:</b>
<b>Review 2 Notes:</b>		
<b>Date:</b>	<b>Staff signature:</b>	<b>Managers signature:</b>