

**Guidance Notes For
Licensed Use of
HALE VILLAGE HALL**

HALE VILLAGE HALL MANAGEMENT COMMITTEE
OCTOBER 2013

Licensable Activities

All businesses and organisations that undertake licensable activities on a permanent basis must have a premises licence from their local authority.

Sale or supply of alcohol

The sale by retail of alcohol and the supply of alcohol by or on behalf of a club or committee are both licensable activities.

Regulated entertainment

Regulated entertainment is broadly defined as any entertainment that takes place in the presence of an audience (whether members of the public or a club), or otherwise for profit, and the premises have the purpose of providing the entertaining concerned. It may include:

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- playing of recorded music
- a performance of dance

Hale Village Hall Management Committee has a Premises Licence that covers the above regulated entertainment for all hirers of Hale Village Hall.

For hirers of the hall who would like to sell or provide alcohol, they may do so under the Hale Village Hall Premises Licence on the following conditions:

- 1) Payment of an administration fee of £10
- 2) Completion of a Licensed Hire Agreement designating a Responsible Person.
- 3) The Responsible Person and appointed bar staff to read these Guidance Notes and answer a short questionnaire to ensure they have the required knowledge of the Law.

Selling or providing alcohol in Hale Village Hall

It is against the law to sell or provide alcohol to persons under the age of 18.

We operate a Challenge 25 policy.

Be Cautious – it is very hard to tell a young person's age, so ensure that you check even those that look older than 18. We call this 'challenge 25'. If they look 25 or under then check for proof.

Be Consistent – always check, even if you think you've served the young person before or you are pretty certain they are of the right age.

Be Clear – use signage to inform people that they will be checked. Signs are provided by the Hall Committee.

Be Courteous – if you have to refuse a sale explain that you are complying with the Law and advise the young person that they can obtain a proof of age card.

Be Conscientious – ensure that you record all refusals including date, time, appearance of the young person, items refused and your name for every refusal. A refusals book is provided by the Hall Committee and must be kept behind the bar at all times.

Be Careful – there is evidence that bar staff can often fail to challenge underage purchasers if they feel afraid of the consequences. Make sure alcohol is only sold from inside the kitchen and served through one of the serving hatches.

The Portman Group offers a free booklet, "Saying no to underage drinkers", which gives helpful advice on how to refuse service in a non-confrontational way.

Proof of Age Point of Sale

There are a number of sources for point of sale signage. Most premises display legal notices such as:

IT IS AN OFFENCE TO
PURCHASE OR ATTEMPT TO
PURCHASE ALCOHOL IF YOU
ARE UNDER THE AGE OF 18
(section 147 Licensing Act 2003)

However there are a number of other and different point of sale campaigns available.

Citizencard has rolled out a national 'No ID No Sale' point of sale marketing campaign. Point of sale material is available from Citizencard.



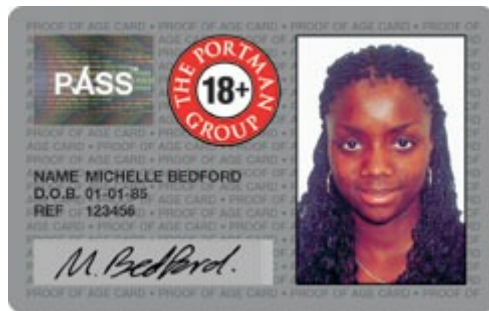
These are some of the valid identification cards you may encounter.

Proof of Age Cards

A great deal of debate centres on the availability of proof of age to young people. Today there are a number of legitimate sources of ID that young people can get to prove their age.

ONLY ACCEPT CREDIBLE PHOTO PROOF OF AGE – this includes:

- A photo driving licence
- A passport
- Proof of age card schemes carrying a PASS logo.



The Proof of Age Standards Scheme (PASS)

There are a several legitimate proof of age schemes across the country, some local and some national. It is also very easy to obtain fake proof of age cards on the internet. However, with the new PASS scheme being rolled out, it is easy to spot a genuine card – it will carry the PASS hologram. Nearly all legitimate schemes are adopting this logo and by the end of the year about one million such cards will have been issued. The schemes involved include:

- Citizencard
- Connexions
- Portman Group
- Young Scot
- Validate (to join shortly)
- a number of local authority schemes

The PASS scheme, which is a voluntary industry initiative supported by the retail and hospitality industries, is endorsed by the UK Government since the Home Office only recognises schemes accredited to PASS. The Trading Standards Institute advises retailers only to accept cards from the issuers who are signed up to PASS – or a passport or photo driving licence – so staff should be trained to look out for the PASS hologram.



Tip

Spotting Fakes

There are a number of people willing to make, supply and use fake proof of age. The most likely form of fake ID will be a card with which you are not familiar.

Falsifying official documents is a serious offence and is extremely difficult to do. Therefore passports and driving licences are reliable forms of ID. However be aware that they can be doctored.

It is also possible, although rare, that accepted proof of age cards have been falsified. These schemes invest heavily in security and fakes should be identifiable.

Photos on these cards are thermally-imaged, not laminated onto the card. Run your thumb and forefinger over the photo. If the photo is raised from the face of the card then it is far less likely to be genuine.

The PASS hologram is already appearing on proof of age cards. Any card with the PASS logo is acceptable. This hologram is a security measure and a quality control for commercial proof of age schemes. However, there may still be other legitimate proof of age cards available although you should not accept these unless you are absolutely sure about their genuineness and reliability.



**IF YOU ARE IN ANY DOUBT, REMEMBER THAT YOU
ARE PERFECTLY WITHIN YOUR RIGHTS TO REFUSE
A SALE EVEN IF SOMEONE HAS SHOWN ID.**

Sensible Drinking Levels

The Government has issued advice on sensible drinking for UK adults:

Men

Most men can drink up to three to four units of alcohol a day without significant risks to their health.

Women

Most women can drink up to two to three units of alcohol a day without significant risk to their health. Women who are trying to conceive or who are pregnant should avoid getting drunk and are advised to consume no more than one to two units of alcohol once or twice a week.

The number of units in any quantity of drink can be worked out as follows: *Amount of liquid in millilitres x % abv x .001 = number of units.*

One unit contains 8mg of ethanol and is found in:

- **Half a pint of ordinary strength lager/beer/cider (3.5% abv)**
- **A 25ml pub measure of spirits (40% abv)**
- **A small glass of table wine (9% abv)**

Legal Requirements

You must be aware of the following legal requirements.

The legislation to which this section refers, unless otherwise stated, is the Licensing Act 2003. This Act applies to England and Wales:

The law states: "A person commits an offence if he sells alcohol to an individual aged under 18" (Section 144(1)). This is quite clear under no circumstances can the licence holder permit alcohol be sold to a person under 18. Breaking this law renders the individual liable to an on the spot police fine of £80 plus a visit by Trading Standards. If there is any doubt about a person being over 18 the sale or provision of alcohol should be refused.

If an individual is charged with this offence the only defence is that he believed that the young person was aged 18 or over, and, either (s)he had taken all reasonable steps to establish the individual's age, or nobody could reasonably have suspected from the young person's appearance that he or she was under age.

It is important to note the experience of recent prosecutions against licensees and individual retail employees who have made sales to under 18s. The only way to ensure that an individual has a strong defence against prosecution is if the purchaser concerned was challenged to produce proof of age. If the challenge was not made there is little chance of a reasonable defence.

The law also states: “A person commits an offence if he buys or attempts to buy alcohol on behalf of an individual aged under 18” (Section 147(3)). Not only, therefore, is it illegal for a person under 18 to purchase alcohol, it is also illegal for a person to buy alcohol on behalf of a person aged under 18.

- Sales by staff under 18

The law states: "A responsible person commits an offence if on any relevant premises he knowingly allows an individual aged under 18 to make on the premises ... any sale of alcohol, or unless the sale or supply has been specifically approved by that or another responsible person" (Section 152(1)). This means that no person under 18 may sell alcohol without being authorised at the time of sale by a person over 18 and approved to do so by the licence holder.

A "responsible person" means the holder of a Premises Licence, or the Designated Premises Supervisor, or any individual aged 18 or over who is authorised by either the Premises Licence Holder or Supervisor.

Other persons not to be served with alcohol

A person suffering from the effects of alcohol. It is prohibited to sell alcohol to any person who is drunk.

Refusal to serve alcohol to someone who is drunk should be recorded in the Refusal Book. If the person is behaving in a disorderly way then he or she should be escorted off the premises and the incident should be recorded in the Incident Book provided by Hale Village Hall Management Committee.

The rules for selling alcohol

To stay within the law and avoid prosecution, stick to the rules:

- Do not sell to young people under 18
- Do not allow anyone under 18 to sell alcohol unless authorised by an approved person at the time of sale
- Do not sell to anyone who is drunk
- Do not sell alcohol outside of the hours stipulated in your hire contract i.e. the terms of the Hall Premises Licence