

# Public Document Pack



Town Hall  
Trinity Road  
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L20 7AE

To Councillors O'Brien, Porter and Thompson

Date: 21 October 2024  
Our Ref: PGF  
Your Ref:

**Contact:** Paul Fraser  
**Contact Number:** 0151 934 2068  
**Fax No:**  
**e-mail:** paul.fraser@sefton.gov.uk

Dear Councillor,

## **LICENSING SUB-COMMITTEE - THURSDAY 24TH OCTOBER, 2024**

I refer to the agenda for the above meeting and now enclose the following information that was unavailable when the agenda was published.

<b>Agenda No.</b>	<b>Item</b>
3	<b>Licensing Act 2003 - Application for the Grant of a Premises Licence - Waddicar Convenience Store and Off Licence, 82-84 Waddicar Lane, Melling L31 1DY (Pages 25 - 60)</b> Information supplied by the applicant's agent

Yours faithfully,

PAUL FRASER

Senior Democratic Services Officer

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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19 October 2024

Dear [REDACTED]

## **APPLICATION FOR A PREMISES LICENCE NEW SHOP AT 82-84 WADDICAR LANE, MELLING, L31 1DY**

I hope you are well.

I am contacting you on behalf of my client, Mr Thevappody Nithiyanthan (known as Nithi), in respect of his application for a new premises licence at the above shop.

The Council have sent me a copy of your representation and I thought it would be useful if I contacted you to outline this application further, and to explain the steps that would be taken to promote the licensing objectives.

Firstly, Nithi is fully appreciative of the concerns of the lady that lives [REDACTED]. He will do everything that he can to ensure that there are no problems or disturbance caused.

The new shop, which as you know is currently empty and is being refurbished, will become a new general convenience store selling a wide range of goods including bread, milk, magazines, snacks, sweets, dairy goods, soft drinks, household goods etc.

Nithi would also like to include some alcohol for sale alongside all the other goods. The proposed alcohol sales would just be a part of the overall business. The focus of the shop will be as a general convenience store - this isn't a shop that would just focus on alcohol sales.

The application includes a document called an Operating Schedule – this is an important part of a licence application as it shows the steps that would be taken at the shop to promote the licensing objectives. Each of these steps become legally enforceable licence conditions should the application be approved.

I'm not sure if you've had sight of the proposed Operating Schedule for the shop – and so I attach a copy (see below) for your information. The proposed conditions include;

a CCTV camera system covering inside and outside the shop;

the adoption of the 'Challenge 25' under age policy to ensure that all measures are in place to ensure that no-one under 18 is able to buy alcohol and other age-restricted goods;

regular staff training, keeping an incident log and monitoring the area outside.

Every new application involves an extensive consultation exercise carried out with the various responsible authorities including the Police, the Councils Licensing Authority, Trading Standards, Environmental Health, Public Health, Child Protection, Planning, etc

**Please note that none of the Responsible Authorities have submitted any representations against this application.**

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In particular, the Police are important in respect of new licence applications as they are the Council's main source of information regarding local crime, disorder and ASB. The Police are satisfied that this application would not impact on local crime and disorder, and raise no issues.

Nithi is a responsible person and an experienced operator. He has a Personal Licence, plenty of retail experience and he knows the local area very well. He would run the shop well, with a licence, and will of course do everything that he can, within his control, to prevent any disturbance or problems.

Nithi is also the current premises licence holder at 88 Waddicar Lane (on the same parade). The site at 88 Waddicar Lane hasn't opened since the licence was approved last year and if this new application is approved, the licence for 88 Waddicar Lane will be surrendered.

Matters such as traffic and parking, whilst they are important matters, I have to advise that they are not matters which can be considered in terms of this licence application. The Licensing Authority will be able to confirm this. Any such issues are dealt with by Planning and/or Highways.

However, I can advise that Nithi will arrange his deliveries at appropriate times and will also put notices up telling customers to park sensibly and not cause an obstruction.

In terms of the area outside the shop, if anyone does start to congregate, he will take steps to disperse them. There will be CCTV cameras outside which can also act as a deterrent and prevent any problems.

Please note that this licence application is only about whether the shop can sell some alcohol – it isn't about whether the shop can open as a convenience store, or if a new shop is needed in the area.

Licensed premises are well-regulated - they must promote the licensing objectives and comply with all of their licence conditions. If they don't, then the Authorities can take action - this includes prosecution, a licence review, revocation of the licence, etc.

If there was evidence of problems at this shop in the future (if granted a licence) in connection with the licensing objectives, then the licence to be reviewed - the matter would then be considered by the Licensing Sub Committee.

Nithi will do everything that he can to make sure the shop runs well and doesn't cause any problems or disturbance.

I hope the above information is helpful - please contact me if you have any queries or if you would like to discuss the matter further.

Yours sincerely

***Ian Rushton***

***JL Licensing***

***Email -*** 

**See below for proposed operating schedule**

## **Operating schedule/proposed licence conditions**

This operating schedule has been put together having regard to the current information such as the Council's Statement of Licensing Policy and the Home Office Guidance.

This is a new business venture and the site, currently empty, will be completely refurbished to become a new general convenience store selling a wide range of goods including magazines, groceries, soft drinks, cigarettes, dairy goods, snacks, confectionery, household goods, etc.

The applicant, an experienced retailer and a personal licence holder, would like to include some alcohol sales to allow the business to develop and offer the full all-round convenience service. The focus of the shop will be as a general convenience store with the proposed alcohol sales just being a part of the overall business.

The applicant is the premises licence holder at 88 Waddicar Lane (on the same parade). The site at 88 Waddicar Lane hasn't opened since the licence was approved last year and, if this new application is approved, the licence for 88 Waddicar Lane is to be surrendered.

The proposed licence conditions are shown below;

### **Prevention of crime and disorder**

A CCTV camera system capable of providing quality images shall be used. Cameras will cover the inside of the premises and the area immediately outside. Images will be retained for a period of at least 28 days and be made available to Police Officers on reasonable written request for evidential purposes, in accordance with the relevant data protection legislation (currently GDPR 2018).

The CCTV recording equipment shall be kept in a secure environment under the control of the premises licence holder (PLH) and/or another named responsible individual.

A staff training scheme shall be used for all staff authorised to sell alcohol. The training will cover the importance of preventing under age sales and complying with licence conditions. Refresher training will be provided every 12 months, records will be kept and be made available to responsible authorities

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The PLH and staff will be vigilant and monitor the area immediately outside the shop to check that youths are not causing annoyance by congregating.

Spirits will be kept behind the counter.

An incident book shall be maintained to record any activity of a violent, criminal or anti-social nature, witnessed by staff. The incident book shall be available for inspection at all reasonable times by an authorised officer of relevant responsible authority and/or Police Officer. The records will be retained for at least 12 months.

The premises shall operate an alcohol refusals policy - alcohol will not be sold to;

- (1) Any person recognised or identified as a street drinker (regardless of their level of inebriation at the time);
- (2) Any person found to be drinking alcohol in the street;
- (3) Any person who is drunk or appears to be drunk;
- (4) Any person suspected of trying to buy alcohol for another person who is drunk or appears to be drunk;
- (5) Any person unable to provide valid ID when requested by staff;
- (6) Any person who is verbally or physically abusive towards staff or customers.
- (7) To any person suspected of trying to buy alcohol for another person(s) who may be under age.

A notice advising customers of the refusals policy shall be on display.

An appropriate number of staff shall be on duty in the shop - the number of staff on duty will be assessed and determined on a regular basis by the PLH/DPS taking account of any peak periods in terms of sales, volume of customers, etc.



## **Public safety**

No specific risks have been identified under the Licensing Act 2003 (note - the applicant is aware of the need to comply with other legislative requirements to ensure that the shop is safe for customers and staff).

## **Prevention of public nuisance**

Deliveries to the premises will be arranged so as not to cause will not lead to any public nuisance.

Notice(s) shall be on display in the premises asking customers to leave the premises quietly, and to park their cars respectfully.

Staff will monitor the area immediately outside the premises on a regular basis to check for, and to properly dispose of, any litter from the premises.

## **Protection of children from harm**

The shop shall adopt the Challenge 25 Policy.

Anyone who appears to be under 25 years old who attempts to purchase alcohol will be asked to prove their age by producing an acceptable form of photographic ID such as a passport, photo driving licence, military ID and PASS accredited proof of age cards.

A refusals register (for the sale of alcohol) will be kept and be available for inspection by responsible authorities.

A notice shall be displayed in the premises where it can be seen clearly to advise customers that it is unlawful for persons under 18 to purchase alcohol or for any persons to purchase alcohol on behalf of a person under 18 years of age.

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## **PREMISES LICENCE** **DUE DILIGENCE CHECKLIST**

**Is the premises licence summary on display?**

**Is the full premises licence available in the shop?**

**Are the Challenge 25 posters displayed properly?**

**Are statutory notices on display? (cigarettes etc)?**

**Is the refusals register available? (paper or electronic)?**

**Is the premises licence file available for inspection?**

**Is the staff training up to date?**

**Are the staff training records available?**

**Are all the various notices (as required by licence conditions) on display? Check the conditions.**

**Have you checked the refusals register?**

**Have you checked the incident log?**

**Is the CCTV system working ok? Check images are being stored as required.**

**Are the fire extinguishers due for a check/service?**

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# Age Verification Scheme **Agenda Item 3**

## Challenge 25

### Sales of Alcohol at the premises

1: When a customer asks to buy alcohol, if the customer appears to look 25 or younger, the customer **MUST** be asked at the time of ordering if they are over 18 years of age. If the customer either refuses to answer, becomes verbally aggressive or replies no, then the sale **MUST** be refused and you **MUST** enter the refusal details in the Red Refusal Log book kept in the shop.

2: If the customer confirms that they are over 18, you must ask the customer for valid Identification.

#### **(VALID MEANS – NOT DAMAGED, TAMPERED WITH AND NOT OUT OF DATE)**

3: The only types of I.D. that can be accepted are:

- ✓ Valid passport (any nationality)
- ✓ Valid **BRITISH** Driving Licence (Full or Provisional)
- ✓ HM Services Warrant Card
- ✓ PASS Accredited Proof of Age Card
- ✓ Any other reliable photo ID that is approved for acceptance by the Police or other Authorised Officers.

***It is our policy that we are unable to accept any other type of I.D.***

You must check that the I.D. is VALID (within date), has not been tampered with and belongs to that person. You can then check by following this procedure.

- ✓ Check the date of birth to make sure the person is over 18.
- ✓ Check the photograph for a match.
- ✓ Check the personal details with the person – ask for their postcode or date of birth, address etc.
- ✓ **The easiest and best way to check is to take the I.D. from the person and ask the person to sign the ID Signature Book. Then check that both signatures match. You can ask the person to sign the ID Signature book again for your records if you are not sure.**

4: If you **100%** believe that the I.D. belongs to that person and they are over 18, then you can sell the alcohol.

5: If you have any doubts, you must refuse to sell the alcohol and immediately complete the refusals register.

6: If you believe or think that another person is attempting to buy alcohol for another person who may be underage, you must tell the customer that it is illegal and if they are you will report them to the police and inform them that they can be prosecuted and fined up to a £5000.

**If you have any doubts, you must refuse to sell the alcohol unless the person can produce additional valid acceptable I.D.**

7: If the customer becomes verbally abusive or aggressive, then refuse to sell and report this to your Manager

8: If the customer produces I.D. which you in your opinion does not belong to them, then this must be logged into the refusals book and reported to the police.

9: **DO NOT BECOME PERSONALLY INVOLVED IN ANY ARGUMENT OR DISCUSSION WITH THE PERSON.**  
If the person becomes physically aggressive, then call the Police for assistance.

**REMEMBER: IF IN DOUBT - DO NOT SELL**

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## **Premises Age Verification Policy** (This premises operates the Challenge 25 scheme)

Name of Premises Licence Holder

.....

This policy applies in relation to the sale or supply of alcohol on this premise.

For this policy the responsible person is one of the following:

- a] The holder of the premises licence - .....
- b] The designated premises supervisor - .....
- c] A person aged 18 or over who is authorised to allow the sale or supply of alcohol by a person. No persons under the age of 18 are allowed to work behind the till.

The Age Verification Scheme this premises will be Challenge 25. The premises will train all staff prior to commencement of employment and re-training of all staff at regular intervals using the documented system.

Staff selling alcohol to customers must require any individuals who appear to the responsible person to be under the age of 25 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark.

**Examples** of appropriate identification include:

A photo card driving licence

A passport

A proof of age card bearing the PASS hologram (Citizencard)

The premises licence holder will ensure that all staff are made aware of the existence and content of this policy.

This business fully supports our Police and Trading Standards in the prevention and detection of crime and disorder using our CCTV system

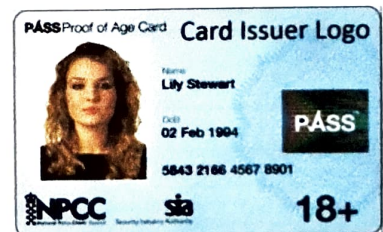
# CHALLENGE 25

You might think you look over 18 but we don't – and it's 'MY' licence

## No ID - No Serve

Don't try to buy alcohol for kids

We will report you



All ID presented must contain the following as outlined by the Home Office.

Photograph, date of birth, signature, holographic mark and issued by a government department.



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## Staff Induction Log book

I (name).....confirm

That I have read and fully understand the following

	Document Name	Date of completion
1	The 4 Licensing Objectives	
2	Premises Licence and Conditions	
3	Age Verification Policy	
4	Age Verification Scheme and signage	
5	Refusals Policy Sale and Service of Alcohol to under 18's	
6.	Section 57 & Business Names Notice	
7.	Alcohol Authorisation Log book	
8	Customer Refusals Log Book	
9	Incident Report Log Book	
10	-	
11	-	
12	Age Restricted Products, Cigarettes & Tobacco Training & Age Verification Questions and Answers	
13	Staff Induction log sheets	
	Any Further Training received ie: PSPO's etc/ Imposed conditions etc ( list details)	

I have read & understand how this business can be affected and damaged by not adhering to them. I agree to abide by them at all times.

I also agree that whilst employed at these premises, I agree to abide by the policies that have been implemented by the management and will not deliberately carry out any actions that may cause concern for the business and Premises Licence.

Signed.....

Date.....



# Age Verification Training Agenda Item 3

Questions with Multiple choice answers ( the answers are on the back )

<b>1</b>	<p><b>What is an Age Verification Policy?</b></p> <p>A: It's a new entrance scheme for getting young people into night clubs quicker</p> <p>B: It's the name of a new European National identity card</p> <p>C: It's a mandatory written policy adopted by all licensed premises (that sell alcohol), to identify how the premises preventing alcohol being illegally sold or supplied to under 18's</p> <p>D: It's a policy to stop all under 18's from claiming family tax credits' and child benefits</p>
<b>2</b>	<p><b>Who is responsible for making sure an Age Verification policy is being carried out on the premises?</b></p> <p>A: The Home Office</p> <p>B: The Premises Licence Holder</p> <p>C: Any nominated member of staff that works on the premises</p> <p>D: The Designated Premises Supervisor</p>
<b>3</b>	<p><b>What does the owner of a licensed premise need to do to operate this Age Verification Policy?</b></p> <p>A: Complete the relevant registration form and submit it to their local Licensing Authority and wait for further instructions</p> <p>B: Send a weekly report to the police on <a href="http://www.nowtellingeverythingyouknow.gov.uk">www.nowtellingeverythingyouknow.gov.uk</a></p> <p>C: Put a system in place to make sure all sellers of alcohol ask, view and record all ID challenges of any person whom they suspect to be under 18 years old</p> <p>D: Wait for the local Trading Standards Officer to visit you, who will fully explain what you must do to comply</p>
<b>4</b>	<p><b>What types of Identification am I allowed to accept?</b></p> <p>A: Any document that bears the holders full name</p> <p>B: Passport or driving licence in any condition</p> <p>C: Any type of ID card bearing their full name and passport sized photograph</p> <p>D: Any type of ID but it must contain their photograph, date of birth and a holographic mark</p>

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**Can I accept ID that has been bought off the internet?**

A: No

B: Yes

C: Yes, as long as it bears their name and photograph

D: Sometimes, it depends on which one is shown to you and how attractive the card is

6

**How do I decide if I need to ask someone for ID?**

A: Appearances can be deceiving, just ask everyone

B: Look for poor fashion sense and cheap smelling perfumes or deodorants

C: It is very difficult, but basically if you need to think about their age when you look at them, then you must ask for ID

D: Check to see if you can recognize their school uniform and look for sweet wrappers in their Pockets

7

**How do I ask someone for ID without upsetting them?**

A: By being very polite, confident and professional. Inform the customer that it is not personal, and it is part of your job

B: Just ask, because it doesn't matter if you upset them as they are only customers and they should be used to it by now

C: By saying loudly "show me your ID or your not getting served".

D: Ask them for their parent's telephone number and call them to check their age

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**What are the best methods for checking a persons ID?**

A: Follow the procedure shown to you by your Manager, be very thorough and if in doubt do not serve.

B: Flick it against the counter to see if it bends without breaking

C: Dip it into a glass of gin or cider to see if the ink runs

D: There is no best method, young people are very clever and can easily deceive you

**9** **What is a good method to be really sure if the ID shown to me is genuine and really does belong to that person?**

A: Stare at the young person to see if they start fidgeting

B: It is impossible to be 100% sure, so you must assume that the customer is telling the truth

C: Ring the police and ask them to come and check the ID as you are not sure

D: Ask the customer for their signature using the customer refusal book. Most people are unable to copy another person's signature without looking at the original one at the same time

**10** **How can I check if a persons ID is fake, has been forged or tampered with?**

A: Search on Google to see if anything has been reported on Crime Watch

B: Ask the customer if he/she has tampered with it

C: Place under a UV light and check for genuine watermarks. Look for water stains, frayed edges, the plastic developing air bubbles or becoming detached from the paper on the document. Raised edges on the card can also be signs of tampering

D: Official documents like passports or driving licenses are virtually impossible to forge, so there is no need to check

**11** **Who must I by law, refuse the sale of alcohol to?**

A: Anyone who you don't like

B: Police and authorised officers, either on or off duty

C: Any person who is drunk, appears to be drunk or a person who you believe to be is buying alcohol for a drunk. Any young person whom you suspect of being underage and are unable to produce valid ID, or any person whom you believe is attempting to purchase alcohol for underage persons. You must refuse the sale of alcohol to 'everyone' if it is outside the hours stated on the Premises Licence

D: Any person who is wearing a fancy dress costume

**12** **What is the best way to refuse the sale of alcohol to someone with no ID?**

A: Tell them you are not serving them with no explanation and ask them to leave

B: Ask them to find a friend to buy the alcohol for them

C: Take their photograph and upload it to Facebook

D: Take the item from the customer (if in a shop), then politely inform the customer that you are unable to sell them the alcohol as they cannot produce valid ID.

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What is a proxy sale?

- A: The latest sale at the Pound shop
- B: A promotion offering 10% off all alcohol drinks purchased before 6pm
- C: The purchase of alcohol by an adult on behalf of an under 18 year old
- D: Buying alcohol with no ID

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How can I tell if an adult is buying or attempting to buy alcohol for an under 18 ? (called a proxy sale)

- A: By following all customers out of the shop to see where they are going
- B: By paying for the alcohol with lots of small change
- C: Be vigilant and look for signs for example, young people hanging around outside the premises or a customer buying unusual alcoholic drinks or quantities of drinks. Paying for the drinks separately to their own purchases and sometimes other customers will tell you
- D: It is difficult, because there is no way of ever knowing

15

Are there any other products I cannot sell to underage persons without producing valid ID?

- A: Yes, just cigarettes and tobacco products only
- B: Yes, you must not sell them eggs due to salmonella contamination
- C: Yes, there are several other products you cannot sell to a suspected underage persons without valid ID
- D: No, because of the Human Rights Act, there are no restrictions to what an underage person is allowed to purchase

16

What is the best way to deal with angry, aggressive or violent customers?

- A: By being polite, remaining calm and assertive
- B: Learn self defence techniques so you can defend yourself more effectively
- C: Argue with them, then ask other customers to help you escort them out
- D: Just give them what they want and ask no questions because the customer is always right

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What is a customer refusal register?

- A: It's a book for keeping a list of customer's names in who won't be invited to the staff Christmas party
- B: It's a police database for storing all names of known local criminal and drunks
- C: It's a register for recording all refusals of sales of alcohol and other products in
- D: It's a register for recording all the customers' names in that have been barred for fighting

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**18** Can a person under 18 'sell' alcohol on a licensed premise?

A: Never

B: Yes, with the verbal or written approval of trading standards and the police

C: Yes, but they must be a member of Facebook and have a minimum of 8,000 friends

D: Yes, but only under certain conditions

**19** Can a 16/17 year old 'drink' alcohol on a licensed premise? (on sales only)

A: Yes; but only under certain conditions

B: Only if they buy alcohol during a 'Happy Hour'

C: No

D: Yes: if the Manager believes them to be a responsible person who won't start fighting

**20** What is a test purchase?

A: It's a drinking game between friends

B: It's an under-cover operation carried out by Weights & Measures Officers (trading standards) and the police to test if a premise will sell to an underage person

C: It's a way of promoting new products that come onto the market to see if they sell

D: It's a new method for checking if drinks have been spiked

**21** When is it legal for a person under the age of 18 to purchase or attempt to purchase alcohol?

A: When the underage person is working as part of a team with Weights & Measures Officers and the police during a test purchase operation

B: When the under age person is accompanied by an adult

C: When the young person is having a table meal in a restaurant

D: When purchasing alcohol for parties or a special occasion

22	<p><b>What are the penalties for a failed a test purchase?</b></p> <p>A: The premise is immediately closed, everyone is arrested, handcuffed, taken to the police station and possibly kept in the cells overnight for questioning</p> <p>B: On the spot fines, possible prosecution for the DPS and the Premises Licence Holder. In addition, following a conviction, the Premises Licence may also be forfeited.</p> <p>C: Loose the right to attend the weights &amp; measures annual Christmas dinner dance</p> <p>D: The owner of the business and all the staff must attend a 1 week alcohol rehabilitation training course</p>
23	<p><b>What can happen to a person if they are caught selling alcohol to an underage person?</b></p> <p>A: Their name and photograph will appear in the local newspaper</p> <p>B: A person must take an eye test and send the results off within 21 days to police web site, <a href="http://www.tellmeallyouknow.gov.uk">www.tellmeallyouknow.gov.uk</a></p> <p>C: Verbal warning from the manager for getting caught.</p> <p>D: First offence is usually a caution or fixed penalty of £80. The second offence could be prosecution. A review of the Premises Licence may also be held.</p>
24	<p><b>What is Due Diligence?</b></p> <p>A: The name of the horse that won the Grand National in 1985</p> <p>B: Doing everything you can to prevent an offence against the Licensing Act 2003 from taking place</p> <p>C: A tracking device for catching local drug dealers</p> <p>D: A system of how to identify plain clothes Police Officers on your premises.</p>
25	<p><b>Is it a legal requirement for the Premises Licence Holder to train staff in the Age Verification Policy?</b></p> <p>A: Yes, it is part of the Age Verification Policy of the premises that all staff receives adequate training on the contents of the policy</p> <p>B: No, the only legal requirement is that the owner of the Premises Licence must make the staff aware of the policy and it's contents</p> <p>C: Yes, but only for new staff</p> <p>D: Yes, but only if the owners of the business have a criminal record for smuggling</p>

## Age Verification Training

### Answers to multiple choice questions

<b>1</b>	<p><b>What is an Age Verification Policy?</b></p> <p><b>Answer: C</b></p> <p><b>Summary</b></p> <p>In October 2010, an additional mandatory condition was automatically added on all Premises Licenses making it a legal requirement that all premises that sell or supply alcohol in England and Wales, must by law, adopt and operate a written Age Verification Policy.</p>
<b>2</b>	<p><b>Who is responsible for making sure an Age Verification policy is being carried out on the premises?</b></p> <p><b>Answer: B</b></p> <p><b>Summary</b></p> <p>The Age Verification policy is one of the mandatory conditions of the Premises Licence, it must be signed by the Premises Licence Holder, kept securely on the premises and produced on demand to a Police Constable or an officer authorised by the Licensing Authority.</p> <p>Failure of the owner of a licensed premise to operate an Age Verification Policy would be viewed as breach of conditions of the Premises Licence and is a punishable offence, which can eventually lead to the closure of the premises.</p>
<b>3</b>	<p><b>What does the owner of a licensed premise need to do to operate this Age Verification Policy?</b></p> <p><b>Answer: C</b></p> <p><b>Summary</b></p> <p>It is the responsibility of the owner of the business to put in place a checking system whereby all sellers of alcohol must be asked to request valid identification from individuals whom they suspect to be under the age of 18. Premises can adopt different schemes and the ones most widely used are Challenge 21 or Challenge 25.</p> <p>The scheme that is chosen by your premise, depends on the risk assessment that has been completed by the owner of the business. Posters or signage must be displayed in a prominent position on the premises and all refusals of the sale of alcohol must be documented in the customer refusal register.</p>
<b>4</b>	<p><b>What types of Identification am I allowed to accept?</b></p> <p><b>Answer: D</b></p> <p><b>Summary</b></p> <p>The most accepted forms of ID are passport, driving licence (provisional or full) and card issued by local schemes such as Citizencard or Validate UK bearing the official PASS hologram. It must not have been damaged or show signs of tampering or alterations.</p> <p>However, some Licensing Authorities have agreed to accept additional forms of ID such as the UK Forces ID card. Some premises will refuse to accept any form of ID that has been issued outside the UK. A 'driving permit' or a 'motorcycle driving licence' are not legal forms of ID. To be sure premises must check with your local authority to verify exactly what you can accept. The penalties for accepting the invalid ID are severe.</p>

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5	<b>Can I accept ID that has been bought off the internet?</b>
	<b>Answer: A</b>
	<b><u>Summary</u></b>
	There are thousands of different types of ID that can be bought over the internet. These cards are illegal to use and are sold as novelty cards.
	The police and trading standards office will prosecute you if you accept them.
	Learn to recognize what you can and cannot accept.
6	<b>How do I decide if I need to ask someone for ID?</b>
	<b>Answer: C</b>
	<b><u>Summary</u></b>
	Don't try to guess their age, that's not your job!
	Young people sometimes look much older than they really are especially if they are dressed for a night out on the town. Look for any signs of nervousness or maybe their friends are hanging around outside. Young people will try anything, use any methods to obtain alcohol or gain entry into a club. The rule of thumb is if you thought about their age when you first looked at them, then you need to check. This must be done before you sell them alcohol. Even after checking their ID, if they still cannot convince you they are 18 or over, then you must refuse to sell and log the refusal into your customer refusal book.
7	<b>How do I ask someone for ID without upsetting them?</b>
	<b>Answer: A</b>
	<b><u>Summary</u></b>
	Most people will normally always carry ID as they will be used to being asked and will not become upset. However, others some will be offended and make nasty comments or even become aggressive.
	Never ask a customer their age or apologise for asking for ID. By staying calm and not becoming involved in the argument will help to de-escalate the situation.
	You must always follow the code of practice that your company has in place for dealing with conflict situations.
8	<b>What are the best methods for checking a persons ID?</b>
	<b>Answer: A</b>
	<b><u>Summary</u></b>
	The Licensing Act 2003 does not say in detail of how you must check a persons ID. Premises must adopt their own methods as what they believe to be 'best practice'. Hold the card and look at it carefully. Does it feel genuine? Check the photograph against the person. Look for any damage or evidence of tampering. Check their date of birth, ask the person to confirm their personal details. If the ID shown to you contains an unusual name, ask them spell it. Most mis-users tend to forget the postcode. A good method is to obtain their signature in the customer refusal register.



9	<p><b>What is a good method to be really sure if the ID shown to me is genuine and really does belong to that person?</b></p> <p><b>Answer: D</b></p> <p><b>Summary</b></p> <p>Premises that have adopted this method of obtaining signatures witnessed a huge reduction in mis-users as it appeared to frighten people off. Some people do not write their signature exactly the same, so you can give them an opportunity to repeat just to make sure.</p> <p>If it happens that you are accused or charged with selling alcohol to a young person by mistake, the signature obtained can be used as your evidence in court in your defence as the 'evidence produced would have convinced a reasonable person'.</p> <p>This is called due diligence.</p>
10	<p><b>How can I check if a persons ID is fake, has been forged or tampered with?</b></p> <p><b>Answer: C</b></p> <p><b>Summary</b></p> <p>Fake ID's are widely available for anyone to purchase over the internet and can appear to be quite realistic. Some people even have equipment that can 'clone' ID's.</p> <p>Driving licenses and passports are easy to verify. The hologram will show if you hold the driving licence or the covers of a passport under a UV money detector machine. Learn to recognize the different types of acceptable ID that you can and can't accept. Have a list of acceptable ID's (with photos) next to the point of sale on the premises. It is not illegal to use a damaged passport, but not recommended to accept it as valid ID.</p>
11	<p><b>Who must I by law, refuse the sale of alcohol to?</b></p> <p><b>Answer: C</b></p> <p><b>Summary</b></p> <p>The law is very strict as to who you must refuse the sale of alcohol to and the penalties are severe for not just you but possibly your colleagues (if they were in a position to prevent the sale taking place). The Designated Premises Supervisor and even the Premises Licence Holder may also be prosecuted if you are caught selling in these circumstances.</p>
12	<p><b>What is the best way to refuse the sale of alcohol to someone with no ID?</b></p> <p><b>Answer: D</b></p> <p><b>Summary</b></p> <p>By law you have the right to refuse to sell to any customer and you do not have to give a reason. However, this can create a conflict situation as customers need to have an understanding of why you will not sell to them. Do not apologise or enter into an argument with the customer, remain polite, calm and professional at all times. Call a colleague or a line Manager for assistance if necessary. Always follow your company's code of practice for these situations. Remember no ID, no sale every time.</p>

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Answer: C

## Summary

As it is becoming increasingly difficult for under 18's to purchase alcohol, adults are now being pressurised outside shops to buy alcohol for young persons. Most young people hide in back rooms or corners of pubs hoping not to be seen as their friends buy their drinks. This is a dangerous practice for the owner of the business even if the young person appears to be nice and nearly old enough.

The penalty for purchasing alcohol for an underage person is up to £1,000. The seller and other staff may also be prosecuted if it can be proved they knew at the time who the alcohol was purchased for and turned a blind eye to the sale.

## 14 How can I tell if an adult is buying or attempting to buy alcohol for an under 18 ? (called a proxy sale)

Answer: C

## Summary

Staff must learn to be more vigilant about who is on the premises and who is hanging around outside. At busy times it is difficult, however, you can always ask your customers questions about outside the premises. Displaying posters in prominent positions near the point of sale, warning customers of the penalties can also help.

By law, the premises must do everything they can to prevent all illegal sales from taking place.

## 15 Are there any other products I cannot sell to underage persons without producing valid ID?

Answer: C

## Summary

By law, the age restrictions are as follows:

**Restricted age - 18** Cigarettes, tobacco products, knives and other offensive weapons, fireworks or sparklers, solvents or volatile substances, lighter refills containing butane, crossbows, airguns and pellets.

**Restricted age - 16** Lottery tickets, scratch cards, aerosol paints, caps, party poppers, cracker snaps, novelty matches and throw downs.

There are severe penalties for those who are caught selling these items to underage persons without valid ID, with fines of up to £5,000 and 6 months imprisonment. Lottery tickets can be up to 2 years imprisonment. Video games are sold as shown on the age of certificate identified on the box.

## 16 What is the best way to deal with angry, aggressive or violent customers?

Answer: A

## Summary

The majority of people who become angry when asked for ID do so because they are usually under 18. They become frustrated which can easily escalate to anger and aggression, sometimes even violence. It can be very frightening and intimidating to be confronted by an angry or aggressive customer. For your own personal safety, all staff must develop the skills they need to deal with these volatile situations.

By becoming verbally engaged with the customer in what is really 'their' argument only feeds the situation. Once you know the customer is becoming increasingly angry then call for assistance. If assistance is not available, then find an excuse to leave the area (called an exit strategy). 'I'll get the Manager to help you' is always a good excuse, or using 'inhibitors' e.g. informing the customer that he is being taped on CCTV can sometimes help to prevent the situation from escalating. Always follow your company's code of practice for these situations. Always refuse service and record the incident in the customer refusal register.

## 17 What is a customer refusal register?

Answer: C

## Summary

Part of all Age Verification Policy schemes operated on a premise, means that the owner of a business must keep written records of all refused sales on the premises for a minimum period agreed by the owner. This is usually around 12 months.

The customer refusal register must record the date, item refused, description of person, reason for refusal, name of member of staff who refused the sale together with the staff's signature.

By keeping these records, it allows the owner to demonstrate 'due diligence' to Trading Standards Officers, police and in addition it also provides evidence in that the policy is being operated, which can be produced in court following a prosecution.

**18** Can a person under 18 'sell' alcohol on a licensed premise?

**Answer: D**

**Summary**

Under the Licensing Act 2003, if permission is obtained from the Premises Licence Holder and DPS, an under 18 year old can legally sell alcohol on a licensed premises as long as they are supervised at all times by a nominated responsible person. They must never be left to work on their own and each individual sale must be authorised by the nominated responsible person.

The law is different for under 18's that are serving alcohol to tables' ancillary to a meal; under these circumstances no supervision is necessary.

**19** Can a 16/17 year old 'drink' alcohol on a licensed premise? (on sales only)

**Answer: A**

**Summary**

Under the Licensing Act 2003, it is illegal for an under 18 to consume alcohol on a licensed premises, except under the following conditions.

A 16/17 can legally 'order and consume' beer, wine or cider if they are having a table meal and accompanied by an adult. The adult must pay for the drink. However, they may still need to produce ID to prove that they are 16 or 17.

The penalties for allowing an underage persons to consume alcohol on a licensed premises is a maximum fine up to £1,000 for the seller and £500 for the young person.

**20** What is a test purchase?

**Answer: B**

**Summary**

It is the legal duty of every local Weights and Measures Authority to make checks that all licensed premises are staying within the law and are not selling alcohol or allowing them to consume alcohol on licensed premises.

This involves a joint exercise between Weights & Measures Officer and the police who visit premises with an underage person who then tries to purchase the alcohol.

All types of licensed premises are tested from shops to restaurants, no premises are exempt.

**21** When is it is legal for a person under the age of 18 to purchase or attempt to purchase alcohol?

**Answer: A**

**Summary**

These young people are volunteers and must be between 15 and 16 ½ years of age. They must work in close supervision with Officers and in accordance with best practice procedures set down in clear guidelines.

They will visit always premises in a different town to where they live, so they will not be recognized. Parental permission is also required.

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**What are the penalties for a failed a test purchase?**

**Answer: B**

## **Summary**

The seller, Designated Premises Supervisor, Premises Licence Holder and any member of staff who was in a position to prevent the offence from happening (called turning a blind eye) may all be held liable for this offence and upon conviction may lead up to a fine of £5,000. Under the Policing and Crime Act 2009, there is an offence called 'persistent selling to under 18's' whereby the offence will be committed if a named premise is caught selling alcohol to an under 18 twice within a period of three consecutive months. If this happens, the Premises Licence can be brought under 'review' by the Licensing Authority who then have the powers to either impose additional conditions, remove the Designated Premises Supervisor, suspend the licence for a period of up to 3 months or revoke the Premises Licence in addition to substantial fines or even imprisonment. In addition to this the holder of the Premises Licence could be fined up to £20,000 for breach of condition of their Premises Licence. Staff could also loose their jobs for not following the correct procedure of the Age Verification Policy scheme operated at their premises.

23

**What can happen to a person if they are caught selling alcohol to an underage person?**

**Answer: D**

## **Summary**

It is an offence to 'knowingly' sell alcohol to a person under 18. Where a person is charged with this offence, your defence in court is that: 'you believed the person was 18 or over and either a) you took all reasonable steps to establish their age or: b) nobody would reasonably have suspected from the person's appearance that he/she was under 18. Under a), reasonable steps would be the steps you took to convince yourself that the person was under 18. Checking the ID, photograph, asking questions about their date of birth are methods of good practice, but it will not provide the evidence that you need when defending yourself in court. Obtaining their signature in the customer refusal book is the best method you can use as this can then be used as evidence in your defence. If a person is found guilty then they are liable to a fine of up to £5,000. (Go back and review question 21)

24

**What is Due Diligence?**

**Answer: B**

Due diligence is the systems that are in place to prevent offences from happening. When a person is charged with an offence, they will be prosecuted if it can be proved that they showed an intention of doing something wrong. It doesn't necessarily mean a person deliberately did something wrong, the fact that you broke the law is enough to prosecute. However, a person can defend themselves by proving they followed due diligence procedures that have been put in at their workplace. To prove this you must produce evidence to the courts. The types of evidence that can be used is the system for checking ID that is used at the premises, CCTV, customer refusal registers, training records and any other written evidence that is relevant. If the evidence produced to the courts is poor or inadequate a conviction will follow.

25

**Is it a legal requirement for the Premises Licence Holder to train staff in the Age Verification Policy?**

**Answer: B**

## **Summary**

Under the Licensing Act 2003, there is no legal requirement to train the staff in the Age Verification Policy. The only requirement is that the owners of Premises Licenses must make all their staff aware of the existence and the contents of the policy. However, many Premises Licenses now have special conditions on their licence that does make it a legal requirement to train all staff not only in age verification systems but also licensing law. It is best practice that all training that happens on licensed premises to be well documented as this can be used as evidence in your defence following a prosecution. Failure to carry out the training would be seen as breach of condition of the Premises Licence followed by severe penalties.

LICENSING ACT 2003  
**Refusals Policy**

## The Management & Staff

Welcomes all our customers, however please note

### **WE WILL NOT SELL ALCOHOL TO:**

- 1: Persons who are drunk (or appear to be drunk)
- 2: Persons who are attempting to purchase alcohol for another person who is drunk or appears to be drunk
- 3: Persons who are either verbally or physically abusive to the staff or other customers
- 4: Persons who are unable to produce valid ID when asked
- 5: Persons who behave in an anti-social manner towards any customer, staff or the premises.

This Premises fully supports the local Police and Council in the prevention and detection of crime and disorder using our CCTV system.

Any person who is in breach of this policy on these premises may be reported to the police and your details given including an image from the CCTV

# Agenda Item 3

## Staff Induction Log book

I (name).....confirm

That I have read and fully understand the following

	Document Name	Date of completion
1	The 4 Licensing Objectives	
2	Premises Licence and Conditions	
3	Age Verification Policy	
4	Age Verification Scheme and signage	
5	Refusals Policy Sale and Service of Alcohol to under 18's	
6.	Section 57 & Business Names Notice	
7.	Alcohol Authorisation Log book	
8	Customer Refusals Log Book	
9	Incident Report Log Book	
10	-	
11	-	
12	Age Restricted Products, Cigarettes & Tobacco Training & Age Verification Questions and Answers	
13	Staff Induction log sheets	
	Any Further Training received ie: PSPO's etc/ Imposed conditions etc ( list details)	

I have read & understand how this business can be affected and damaged by not adhering to them. I agree to abide by them at all times.

I also agree that whilst employed at these premises, I agree to abide by the policies that have been implemented by the management and will not deliberately carry out any actions that may cause concern for the business and Premises Licence.

Signed..... Date.....

In the UK it is illegal to buy alcohol on behalf of anyone under the age of 18. Purchases of this type are called 'Proxy' purchases.

Retailers found to be supplying alcohol to minors, including via proxy purchases, could face a fine and/or have their license removed.

- This is an example of a Proxy sign. You will see these around the Point of Sale and near any Alcohol on display.

## **WARNING PROXY SIGN FOR ADULTS**

If you are buying alcohol for underage people

**THEN DON'T!**

**because it's an criminal offence**

We **WILL** report you and give the police a copy of your photograph taken by our CCTV cameras

**The penalty is £5000 fine**

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# UNDER 25?

Please be prepared to show  
proof of age when buying  
alcohol

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## Acceptable forms of ID



- Photographic driving licence
- Cards showing Pass hologram
- Passport



Agenda Item 3

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