

Guidance Sheet

Licensing Act Provisions/Offences

There are various requirements under the Licensing Act which you must comply with in order to sell alcohol. Below is a brief summary of **some** of the requirements which we will investigate and could take formal action upon, including prosecution or a Review of the licence in front of the Licensing Board.

1. You must have a licence in order to sell or supply alcohol
2. You must comply with all the conditions on your licence. These will include things like:
 - The times when alcohol can be sold
 - Correct details for the Premises Licence Holder
 - Correct details for the Designated Premises Supervisor (DPS)
 - Annex 1 Mandatory conditions (*see below*)
 - Annex 2 Operating Schedule conditions. *These are the conditions you submitted when you applied for the Licence and could include things such as having a fully functioning CCTV or Challenge 25 policy, etc. You may not have included any conditions under this section.*
 - Annex 3 Licensing Authority imposed conditions. *These are where the Licensing Board have seen fit to impose conditions on your premises and usually follow a Review of the Licence.*
 - Annex 4 Plan. *When you submitted your application, you will have submitted a plan of the premises indicating the area(s) in the shop where alcohol may be sold. A copy of this should have been returned to you when you received the Licence and must be kept with the Licence and made available for inspection on request.*
3. Mandatory Conditions on the Licence include:
 - There must always be a DPS and a Premises Licence Holder for alcohol to be sold.
 - You must have a policy in order to avoid the sale of alcohol to children under the age of 18 (coming in October 2010)
4. You must display an up to date Licence Summary or a certified copy in a prominent position within the premises.
5. You must keep the Premises Licence or a certified copy in a safe place on the premises and available for inspection on request. This must include a copy of the plan of the premises detailing where alcohol may be displayed for sale.
6. The DPS must also be a personal licence holder

7. All staff who sell/supply alcohol must be authorised by the DPS or a personal licence holder. Best practice is to have this authorisation in writing.
8. No person under the age of 18 can sell/supply alcohol. This means that if you have someone under the age of 18 on the till, an adult must authorise **each individual sale** of alcohol. Best practice is to avoid having children under the age of 18 on the till.
9. It is an offence to sell alcohol to someone who is drunk

For more information on licensing compliance, please contact:

- Nottinghamshire Trading Standards
- Local District Council Licensing Department
- Nottinghamshire Police