

LICENSING

A personal licence lasts for 10 years although you need to make sure you sit your refresher training after 5 years or your licence will be revoked

2 HOUR STAFF LICENSING TRAINING

The requirement for the training of staff is that all staff must be aware that it is a condition of the licence from which they work that they must undergo this mandatory 2 hour training before commencing alcohol sales. This requirement applies to every single licensed premises in Scotland without exception.

- All staff that sell alcohol must be trained to be able to serve alcohol responsibly
- Training must be given by a personal licence holder (PLH)
- Trained staff must sign a Training Declaration and this is kept on file
- All Personal Licence Holders must sit refresher training every 5 years

In order to become a Personal Licence Holder or Premises Manager you must undertake a professional course called SCPLH Scottish Certificate for Personal Licence Holders.

Once you pass and gain your certificate for this course you then apply to your Local Council for a Personal Licence.

Once you complete and send back to them with payment, you will then be asked to an interview with the Police for them to ask you questions before granting permission for you to be awarded with a Personal Licence.



LICENSING OBJECTIVES

1. Preventing crime & disorder
2. Securing public safety
3. Preventing public nuisance
4. Protecting and improving public health
5. Protecting children from harm

It is useful to explore each of these in a little detail. Being able to list the licensing objectives is certainly useful, however, it is more important that you understand what the objectives are trying to achieve.



SALE OF ALCOHOL

Every sale of alcohol must be authorised by the premises manager or personal licence holder (PLH) alcohol cannot be sold when: there is no designated premises manager DPM, the premises manager does not hold a personal licence or the premises manager is not qualified.

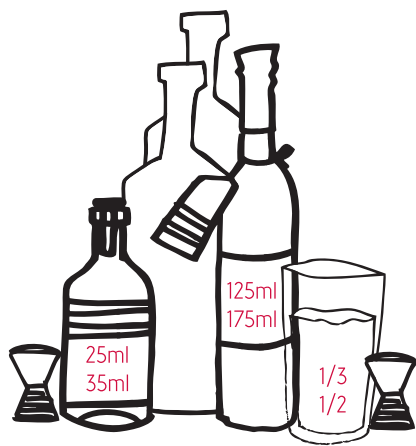
- ↘ **premises licence (venue)**
- ↘ **designated premises manager (dpm)**
- ↘ **personal licence holder (plh) & head trainer/supervisor**
- ↘ **personal licence holder (plh) & shift manager**
- ↘ **2 hour licensing training all staff**

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ALCOHOL

The definition of alcohol can be described as spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor, but does not include alcohol which is of a strength of 0.5%ABV or less at the time of its sale.

- For a drink to be classed as alcohol it must be above 0.5%ABV
- Alcohol free drinks must be below 0.05%ABV
- Low alcohol drinks must be below 1.2%ABV



OPERATING PLANS

THE OPERATING PLAN IS A CRUCIAL PART OF THE TERMS OF A LICENCE AND A BUSINESS CANNOT OPERATE UNLESS IN LINE WITH IT. THERE ARE EIGHT MAIN AREAS THAT AN OPERATING PLAN CONTAINS:

1. A description of the activities to be carried on in the premises.
2. A statement of the times during which it is proposed that alcohol be sold on the premises.
3. A statement as to whether the alcohol is to be sold for consumption on the premises, off the premises or both.
4. If there is a seasonal aspect to the business and how this impacts on the times when alcohol is sold.
5. A statement of the times at which any other activities in addition to the sale of alcohol are to be carried on in the premises.
6. Where alcohol is to be sold for consumption on the premises, a statement as to whether children or young persons are to be allowed entry to the premises and, if they are to be allowed entry, a statement of the terms on which they are allowed entry including, in particular - i. The ages of children or young persons to be allowed entry, ii. The times at which they are to be allowed entry, and iii. The parts of the premises to which they are to be allowed entry.
7. Information as to the proposed capacity of the premises.
8. Prescribed information about the individual who is to be the premises manager. The operating plan is written as part of the premises licence application process and licensing standards officers, the police and the licensing board assess the business against this information to ascertain if there are any areas of non-compliance. From a training perspective, your team need to know all of this information, so it might be useful to summarise your operating plan using the above 8 areas as headings.

LICENSING STANDARDS OFFICER (LSO)

DUTIES OF A LSO INCLUDE:

- Providing information & guidance on the Act
- Supervising compliance of individual licences
- Providing a mediation service between operators and complainers

POWERS OF LSO'S:

- They can enter a licensed premise at any reasonable time
- They can inspect the premises and seize any document, substance or article
- It is an offence to obstruct a LSO



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OPERATING PLANS CONT.

Remember, if your team don't meet the specifics of the operating plan everyday then it is quite possible that offences are being committed that could put the premises licence in jeopardy.

- A description of all activities that may take place
- Opening and closing times
- Whether children or young people will be allowed in, where they will be allowed to go and times of entry
- The capacity

LICENSED HOURS:

- On sale hours are called Core hours"
- Off sales 10.00am – 10.00pm
- "Activities" means activities which do not include the sale of alcohol

SALE, CONSUMPTION:

Taking Away of Alcohol Outside of licensed Hours:

- It is an offence to sell or drink alcohol outside of licensed hours

EXCEPT:

- Drinking up time, 15 minutes (non-food venues) or 30 minutes (food venues)
- Guests/ people living there
- Purpose of a person trade

24 HOUR LICENCES:

- These will only be granted in exceptional circumstances

BST: British Summer Time has no effect on closing times (that's when the clocks change)

UNLICENSED SALE OF ALCOHOL:

- Alcohol must only be sold in line with the licence
- Any person selling alcohol not in line with the licence commits an offence i.e. selling out with core hours

The penalties are:

- A fine up to £20,000
- Up to 6 months in prison
- Or both

MANDATORY CONDITIONS

- ✓ **Price of alcohol must start at the beginning of the trading day and cannot change price during the course of the day**
- ✓ **Alcohol can only be sold in line with the operating plan - check your venue's operating plan to make sure you know**
- ✓ **All price changes must last at least 72 hours**
- ✓ **Irresponsible promotions must not be run**
- ✓ **Notices displaying stating over 18's**
- ✓ **Baby changing facilities must be provided if children under 5 are allowed on the premises**
- ✓ **Cannot promote buy one, get one free**
- ✓ **Alcohol cannot be given as a prize to drink on site**
- ✓ **You cannot reward quick drinking/ drinking competitions**
- ✓ **Based on the strength of the product**
- ✓ **Free tap water for all**
- ✓ **Soft drinks at a reasonable price**

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OTHER CONDITIONS

There are some more Conditions if your venue is considered a Late Night venue. This can be defined if your venue:

- Is trading after 1am;
- Plays music is above 85 decibels;
- Has dancing or erotic activity (strip clubs etc.).
- Has more people standing than sitting with a capacity of 200

IF YOU ARE CONSIDERED A LATE NIGHT VENUE:

- Premises must have written drugs and evacuation policies
- CCTV throughout the premises
- Toilets are regularly checked
- There must be a Personal Licence Holder on shift between 1.00am & 5.00am
- There must be a 3 day 'First Aid at Work' qualified First Aider on shift
- SIA licensed person on site at all times

IRRESPONSIBLE PROMOTIONS

Your promotions can be deemed irresponsible if they appeal to young people in particular and are not permitted. These include:

ASSOCIATED LAW:

- Smoking: £50 fine for individuals & £200 for Managers & Club members
- Law is enforced by the EHO
- If you see anyone smoking in your venue report to your manager immediately

DRUNKENNESS:

- It is illegal to attempt to enter licensed premises whilst drunk
- It is illegal to be drunk on licensed premises
- It is illegal to permit drunkenness, riotous or disorderly conduct or breach of the peace on licensed premises



1

**B.O.G.O.F
BUY ONE, GET ONE FREE**

2

**WRIST BAND PERMITTING
FREE DRINKS/PROMOTIONS**

3

**BASED ON
STRENGTH**

4

**DOUBLES FOR THE
PRICE OF SINGLES**

5

**ALCOHOL
AS A PRIZE**

6

QUICK DRINKING

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CHILDREN & YOUNG PEOPLE

PURCHASE OF ALCOHOL BY A CHILD:

- The person selling alcohol commits an offence
- A person who knowingly allows the sale commits an offence
- There is a defence! If you believed that the person was over 25 & had seen I.D.
- It is an offence to sell liqueur chocolate to somebody under the age of 16 (Child).
- A person under 18 who attempts to purchase alcohol commits an offence, Unless authorised by a Chief Constable for test purchasing
- A person buying alcohol for somebody under 18 commits an offence

THERE IS ONE EXCEPTION:

- When an adult buys beer, wine, cider or perry for a young person when they are eating a meal. (A young person is anyone aged 16-17 years old)

TEST PURCHASING:

- Is when a Customer is sent to attempt to buy alcohol who is under the age of 18
- This is organised and authorised by police and LSO's
- It looks to catch poor practices where staff do not ask for ID when they should
- Can result in licence intervention and police action

UNSUPERVISED SALE OF ALCOHOL BY A CHILD OR YOUNG PERSON:

- Alcohol must not be supplied or served by somebody under 18 on licensed premises
- This does not apply to Off Sales or for consumption with a meal
- In off-Sales under 18's must be authorised by an adult

YOU NEED TO BE THE FOLLOWING AGES TO LEGALLY PURCHASE THE FOLLOWING:

- Fireworks **18**
- Party Poppers **16**
- Lighter Refills **18**
- Solvents **18**
- Knives **18**
- Cigarettes **18**
- You need to ask for proof of age!
- You should REFUSE THE SALE if you have doubts about the validity of any document and where the person might reasonably be under the age of 18.

- The 'Challenge 25' test is: that no reasonable person would assume from the customer's appearance that they were under 25.

If you fail in your duty to check for proof of age or fail to use the reasonableness test you could face a £5000 fine or 3 months in prison or both, and more than likely, lose your job.

Acceptable forms of ID are:

- Passport
- Photographic Driving License



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SIGNAGE

- All bars/service points must display a sign basically stating that you need to be over 18 to purchase or consume alcohol
- Weights and Measures Act – stipulates the volume that alcohol is sold in e.g. 25ml or multiples thereafter

IONA OPERATES 'CHALLENGE 25'

- Anyone who appears to be younger than 25 must be asked for proof of age
- This must take place at point of sale
- Do not presume that security/ door stewards at front door have asked customer for ID
- Only accept driving licence or passport



BEERS & CIDERS:

- Draught can be sold in 1/3 or 1/2 pints and multiples thereof
- 95 percent must be liquid
- Shandy does not need to be 1/3 or 1/2 pints
- Must use Lined glasses or meter pumps

WHISKY, GIN, VODKA & RUM:

- 25ml or 35ml or multiples thereof
- There can only be 1 size of measure per outlet
- Does not apply to cocktails
- All other spirits must be sold in metric measures

WINE:

- 125ml or 175ml or multiples
- 25cl, 50cl, 75cl or 1 litre Carafes
- Bottle

GAMBLING:

Some forms of gambling are permitted in licensed premises as long as it is documented in your Operating Plan.

ALCOHOL & THE BRAIN

How does alcohol affect the brain?



1. EMOTIONS, JUDGEMENTS & INHIBITION / 2. AUTOMATIC FUNCTIONS: BREATHING, CIRCULATION & BALANCE / 3. SPEECH / 4. HEARING / 5. OTHER SENSES / 6. MOVEMENT / 7. SIGHT / 8. READING



THE PROCESS

95% OF ALCOHOL GOES THROUGH THE LIVER. 5% OF ALCOHOL IS LOST THROUGH SWEAT BREATH & URINE

STEP 1 --- IN THE MOUTH

STEP 2 --- TO THE STOMACH

STEP 3 --- THROUGH TO THE SMALL INTESTINE

STEP 4 --- LIVER CONVERTS ALCOHOL INTO WATER WASTE

STEP 5 --- KIDNEYS TURN WATER INTO URINE

STEP 6 --- PASSES OUT OF THE BODY IN URINE

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UNITS

WHAT IS A UNIT?

- Units of alcohol are a measure of the volume of pure alcohol in an alcoholic beverage.
- They are used in UK as a guideline for alcohol consumption.
- One unit of alcohol is defined as 10 millilitres in the United Kingdom
- Pint of strong lager (e.g., 568 ml at 5.2%ABV) contains almost 3 units of alcohol
- Large glass of 12%ABV wine contains 3 units
- Spirits sold in the United Kingdom have 40%ABV or slightly less
- A single pub measure (25 ml) of a spirit contains approx.. 1 unit.

HOW ALCOHOL AFFECTS YOU!

- You get drunk because you consume alcohol quicker than your body can get rid of it!
- Alcohol affects different people in different ways; sex, size, age and tolerance

HOW ALCOHOL AFFECTS THE BODY:

- Dehydration
- Low blood sugar levels
- Vomiting
- Bad headaches
- Bad sleep
- Body temperature

BINGE DRINKING CAN LEAD TO:

- Accidents
- Acute alcohol poisoning
- Becoming a victim of violence
- Committing violent offences
- Anti-social behaviour
- Birth defects
- Loss of inhibitions

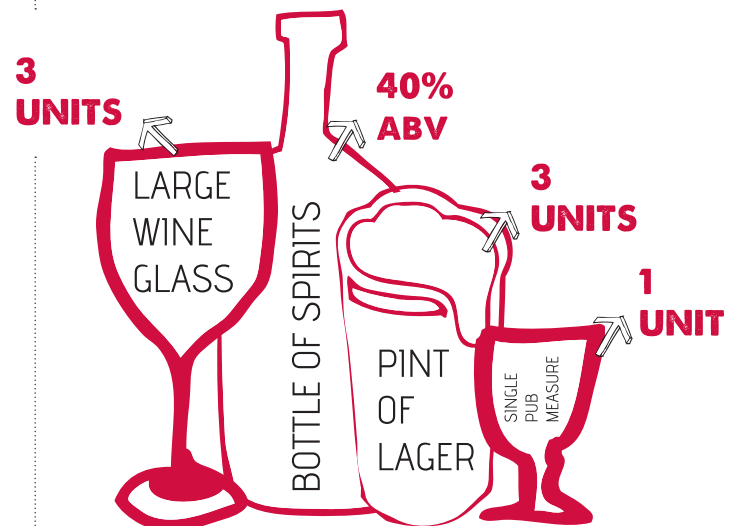
LIMITS

THE STRENGTH OF ALCOHOL IS SHOWN BY ABV.
ABV= ALCOHOL BY VOLUME

- Alcohol free 0.05%ABV
- Alcohol 0.5%ABV
- Low alcohol 1.2%ABV

SAFE DRINKING LIMITS:

- WOMEN:**
- 2 to 3 units per day
 - 14 units per week
- MEN:**
- 3 to 4 units per day
 - 21 units per week
 - 2 days free of alcohol



CHRONIC DRINKING CAN CAUSE THE FOLLOWING:

- Cirrhosis of the liver
- Diabetes
- Cancer
- Alcohol dependence
- Strokes
- Heart disease
- Social exclusion
- Death
- Brain damage

RECOGNISING DRUNKENNESS:

- Speech
- Movement
- Glazed eyes
- Nausea & vomiting
- Passing out



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CRIME:

- Violence
- Vandalism
- Fraud
- Spiking
- Theft
- Anti-social behaviour

LICENSED PREMISES WITH CRIME PROBLEMS MAY:

- Lose business
- Attract problem customers
- Risk violence
- Face heavy penalties
- Lose their licence

METHODS OF AVOIDING CONFLICT:

- Giving efficient friendly service
- Developing good relationships with customers
- Trying to understand people's points of view
- Walking the floor

ALCOHOL & DRUG ACTION TEAMS:

- Used for a strategic drive against drugs & alcohol problems
- There are 22 ADAT'S in Scotland

COUNTER TERRORISM:

- Potential signs
- Suspect packages
- Telephone bomb threats
- Suspect vehicles
- Suspect individuals

INDICATORS OF DRUG RELATED ACTIVITIES:

- Someone getting regular visitors who don't stay to buy a drink
- Frequent trips to the toilet/car park/beer garden
- People exchanging packages & money
- Suspicious behaviour



THE LAW & DRUGS:

- Regrettably, there can be a connection between places that sell and serve alcohol and the sale and /or consumption of illegal drugs.
- As a responsible seller and/or server of alcohol you should have a working knowledge of how to recognize and deal with drug issues, should they ever arise.

TARGETS:

Licensed Premises can be TARGETS for stolen Credit cards & Forged Bank notes.

- What should you check for?

HERE IS SOME MORE INFORMATION ON DRUGS AND THE CONSEQUENCES FOR DEALING AND POSSESSION:

CLASS A:

- Ecstasy, LSD, heroin, cocaine, crack, magic mushrooms, amphetamines (if prepared for injection)
- Up to seven years in prison or an unlimited fine or both (possession)
- Up to life in prison or an unlimited fine or both (Dealing)

CLASS B:

- Amphetamines, methylphenidate (Ritalin), pholcodine, cannabis
- Up to five years in prison or an unlimited fine or both (Possession)
- Up to 14 years in prison or an unlimited fine or both (dealing)

CLASS C:

- Tranquilizers, some painkillers, gamma
- Hydroxybutyrate (GHB), ketamine
- Up to two years in prison or an unlimited fine or both (possession)
- Up to 14 years in prison or an unlimited fine or both (dealing)



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GOLDEN RULES

CONFLICT ARISES IN EVERYDAY LIFE AND INEVITABLY YOU WILL FACE SOME FORM OF SITUATION IN YOUR BUSINESS. THERE ARE THINGS YOU CAN DO TO MINIMIZE CONFLICT:



1. NEVER PLACE YOURSELF IN DANGER
2. IF YOU FEEL YOU ARE IN DANGER - GET HELP!
3. NEVER FORGET RULES 1 & 2
4. KEEP CALM AND ALWAYS BE POLITE
5. DON'T RAISE YOUR VOICE - IT WILL ONLY MAKE THINGS WORSE
6. TRY TO EXPLAIN YOUR VIEWS AS CLEARLY AND CALMLY AS POSSIBLE
7. LISTEN, NOD AND KEEP EYE CONTACT
8. IF THERE IS A QUEUE, ASK THE CUSTOMER TO STEP ASIDE WITH YOU WHILE YOUR COLLEAGUES DEAL WITH OTHER CUSTOMERS
9. IF YOU CANNOT DEAL WITH THE PROBLEM, ASK YOUR MANAGER TO BECOME INVOLVED AND CAREFULLY EXPLAIN THE PROBLEM IN FRONT OF THE CUSTOMER
10. EMPHASISE YOUR POSITION
11. IF A CUSTOMER IS AGGRESSIVE TOWARDS YOU, THEN CLEARLY AND CALMLY TELL THEM THEIR BEHAVIOR IS UNACCEPTABLE AND THAT YOU WILL CALL THE POLICE

REFUSING SERVICE

REMEMBER YOU ARE NOT REQUIRED TO SELL ALCOHOL TO EVERYONE

1. GIVE A REASON FOR DECLINING A SALE. REASONS COULD INCLUDE: THE PERSON IS UNDER 18, THE PERSON IS DRUNK, YOU THINK THE ALCOHOL IS LIKELY TO BE CONSUMED BY YOUNG PEOPLE, IT IS OUTSIDE LICENSED HOURS, THE YOUNG PERSON IS NOT DRINKING ALCOHOL WITH FOOD
2. WHEN REFUSING A CUSTOMER BE POLITE AND CLEARLY STATE YOU ARE UNABLE TO SERVE THEM ANY MORE ALCOHOL
3. IF A PERSON IS DRUNK AND AGGRESSIVE, TELLING THEM THAT YOU ARE NOT SELLING THEM MORE ALCOHOL BECAUSE THEY ARE DRUNK MIGHT MAKE THEM MORE AGGRESSIVE



4. REFUSALS BOOK
5. RECORD WHEN AND WHY YOU REFUSE TO SERVE SOMEONE
6. INFORM YOUR MANAGER
7. A RECORD OF ALL DECLINED SALES HELPS IF THERE ARE PROBLEMS WITH A 'FAILED' TEST PURCHASE OR IF YOU RECEIVE COMPLAINTS ABOUT SELLING ALCOHOL TO THOSE UNDER THE AGE OF 18.