



Highfield

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Qualification Specification

HABC Level 2 Award for Personal Licence Holders (QCF)

Qualification Number: 500/9974/7

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HABC Level 2 Award for Personal Licence Holders (QCF)

Introduction

This Qualification Specification document is designed to outline all you need to know in order to offer this qualification in your Centre. If you have any further questions, please contact your account manager.

Qualification Details

The HABC Level 2 Award for Personal Licence Holders (QCF) has been accredited by the regulators of England, Wales and Northern Ireland (Ofqual, Welsh Government and CCEA) and is part of the Qualifications and Credit Framework (QCF).

It is supported by People1st, the Sector Skills Council for hospitality and catering.

Key facts

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| • QAN | 500/9974/7 |
| • Learning Aim Reference | 50099747 |
| • Guided learning hours (GLH) | 8 |
| • Credit Value | 1 |
| • Assessment Method | Multiple-choice examination |

Qualification Overview

The Level 2 Award for Personal Licence Holders is a qualification aimed at anyone working in or preparing to work in any industry that involves the retail sale of alcohol. It is a prerequisite for anyone who wishes to hold a personal licence.

Persons gaining this qualification will understand the main requirements of the Licensing Act 2003 and the legal responsibilities of a personal licence holder. Anyone wishing to sell or authorise the sale of alcohol by retail on licensed premises must hold a personal licence.

The qualification is based on the National Occupational Standards developed by People 1st the Sector Skills Council for the Hospitality Industry, and Skillsmart Retail the Sector Skills Council for the Retail Industry

Entry Guidance

There are no prerequisites for this qualification.

It is advised that learners have a minimum of Level 1 in literacy or numeracy or equivalent.

This qualification is approved for delivery to the age ranges 18+.

A Personal Licence may not be applied for until the age of 18

Geographical Coverage

The qualification is suitable for learners in England, Wales or Northern Ireland.

Special Needs

HABC have measures in place for learners with special needs. Please see the Reasonable Adjustments Policy, Annex 17 of the HABC Core Manual.

Qualification Structure

This qualification is made up of one mandatory unit, the details of which are included at the end of this document.

Learners must successfully complete the assessment for the unit to achieve the qualification.

How the qualification is assessed

This qualification is assessed through a 40-question multiple-choice question examination. The duration of the examination is 1 hour.

Successful learners must achieve a score of at least 28 out of 40.

Following the assessment, a list of results will be provided to the Centre Contacts stating whether learners have passed or failed. Certificates for successful learners will be dispatched for distribution by the Centre Contacts.

Progression

Progression and further learning routes include:

- Level 2/3 Award for Designated Premises Supervisors
- Food and Drink competency based qualifications (NVQs/Apprenticeships)

Nominated Tutor Requirements

HABC require that Nominated Tutors have teaching experience and hold a qualification in the relevant subject area.

Nominated Tutors should have a minimum of Level 2 qualification for Personal Licence Holders from a recognised Awarding Organisation, together with relevant work experience.

Suitable Subject Area Qualifications may include:

- Level 2 Award for Personal Licence Holders
- Level 2 National Certificate for Personal Licence Holders
- Level 3 Award for Designated Premises Supervisors

Suitable Teaching Qualifications include:

- Level 3 or 4 PTLLS or above
- Diploma or Certificate in Education
- Bachelors or Masters Degree in Education
- City and Guilds Teachers Certificate or equivalent
- Level 3 or 4 NVQ in Training and/or Development
- Professional Trainers Certificate
- Proof of at least 30 hours of training in any subject

Nominated Tutors should also be able to demonstrate relevant experience and knowledge in a work context and provide evidence of engagement with the subject field and continuing professional development.

ID Requirements

All learners must be instructed to bring photographic identification to the assessment to be checked by the invigilator/assessor. This instruction should be given ahead of the course/assessment when the learner registers and/or with any pre-course materials.

It is the responsibility of the Centre to have systems in place to ensure that the person taking an examination/assessment is indeed the person they are purporting to be. All Centres are therefore required to ensure that each learner's photographic identification is checked before they are allowed to undertake the examination/assessment and write the type of photo identification provided by each learner on the Candidate List under "Identification Provided". HABC will accept the following as proof of a learner's identity:

- Valid Passport (any nationality)
- Signed UK Photo card Driving Licence
- Valid Warrant Card issued by HM Forces, Police
- Other photographic ID card, e.g. Employee ID Card (must be current employer), Student ID Card, Travel card.

For more information on learner ID requirements, please refer to Annex 26: Invigilation Instructions.

Key Skills

This qualification provides the opportunity for learners to develop competence in key skills and produce evidence towards attaining key skills. The qualification does not ensure key skills are met as this would depend upon learners producing a portfolio of evidence and the mode of study adopted.

Useful Websites

<http://www.people1st.co.uk/>

Recommended Training Materials

Baylis Nicola (2011) Licensing Course Book (new) Highfield.co.uk Ltd

Unit 1: Legal and Social Responsibilities of a Personal Licence Holder

Unit no: H/601/7631
 Level: 2
 Credit: 1
 GLH: 8

| Learning Outcomes | Assessment Criteria |
|--|---|
| <i>The learner will:</i> | <i>The learner can:</i> |
| 1. Understand the nature, purpose and period of validity of a personal licence | 1.1 State what a personal licence is 1.2 State what a personal licence entitles the holder to do 1.3 State the period of validity of a personal licence |
| 2. Understand the application process and legal duties when applying for a personal licence | 2.1 State the procedures for applying for a personal licence including eligibility criteria for a new personal licence 2.2 Outline the licensing authorities process for the grant or rejection of new personal licences and renewals 2.3 Identify who may object to the grant or renewal of a personal licence 2.4 Define the terms ‘relevant offences’ and ‘foreign offences’ 2.5 State the duty of an applicant to declare if they are convicted of any relevant or foreign criminal offences during the application process 2.6 State the penalty for failing to declare conviction of relevant or foreign offences during the application process |
| 3. Understand the legal duties of a personal licence holder | 3.1 State the duties of a Personal Licence Holder if charged with a relevant or foreign offence 3.2 State the duties of a Personal Licence Holder if convicted with a relevant or foreign offence after the licence is granted 3.3 State the duties of a Personal Licence Holder if a personal licence is renewed, surrendered or revoked 3.4 State the duties of a Personal Licence Holder if a change of name and/or address occurs 3.5 State the duties of a Personal Licence |

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| | Holder if asked to produce the licence by an authorised person |
| | 3.6 State the penalties for breaching any of the legal duties of a Personal Licence |
| | 3.7 State the consequences for a personal licence holder if convicted of a drink driving offence. |
| 4. Understand the roles, responsibilities and functions of licensing authorities | 4.1 State what licensing authorities are |
| | 4.2 Outline the roles and responsibilities of licensing authorities |
| | 4.3 Outline what a licensing policy is |
| | 4.4 Outline the purpose of a licensing hearing including appeals |
| 5. Understand the licensing objectives and the importance of partnerships in promoting these objectives | 5.1 Identify the Licensing Objectives and their importance to the licensing system |
| | 5.2 State what an operating schedule is |
| | 5.3 State what an operating schedule should include in order to promote the licensing objectives |
| | 5.4 Identify the importance of partnerships in supporting the licensing objectives |
| | 5.5 Identify the role of Crime and Disorder Reduction Partnerships |
| 6. Understand the nature and strength of alcohol and the effect on the body | 6.1 State the legal definition of alcohol in the Licensing Act 2003 |
| | 6.2 State what 'supply of alcohol' means |
| | 6.3 State how the strength of an alcoholic drink is measured |
| | 6.4 Define the terms 'alcohol-free' and 'low alcohol' |
| | 6.5 State the UK Government's sensible drinking advice |
| | 6.6 State the intoxicating nature of alcohol |
| | 6.7 Identify the effects of alcohol on the body |
| 7. Understand the law in relation to premises licences | 7.1 Explain what a premises licence is |
| | 7.2 State the procedures for a premises licence application |
| | 7.3 State the grounds for a hearing and an appeal in respect of a premises licence application |
| | 7.4 Explain the purposes of a premises |

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| | <p>licence review</p> <p>7.5 State the mandatory conditions attached to all premises licences that authorises the sale of alcohol</p> <p>7.6 Identify the four licensable activities defined by the Licensing Act 2003</p> <p>7.7 State the law in relation to variations to premises licences</p> <p>7.8 State the law in relation to what constitutes unauthorised licensable activities</p> <p>7.9 Identify what a due diligence defence is and when it may be used</p> <p>7.10 State penalties for breaching conditions on a premises licence</p> |
| 8. Understand the role and responsibilities of the Designated Premises Supervisor (DPS) | <p>8.1 Outline the job role of the DPS</p> <p>8.2 State the responsibility of the DPS to carry out a risk assessment in order to promote the licensing objectives</p> |
| 9. Understand the law in relation to Temporary Event Notices | <p>9.1 State what is meant by the term 'permitted temporary activities'</p> <p>9.2 State what a Temporary Event Notice (TEN) is</p> <p>9.3 State the law in relation to the frequency of permitted temporary activities</p> <p>9.4 State the circumstances under which the police and environmental health officers can object to a TEN</p> |
| 10. Understand the rights and legal duties of the responsible persons in relation to operation of licensed premises | <p>10.1. State the duty to refuse the sale of alcohol to a drunken person</p> <p>10.2. State the law and industry guidelines on irresponsible drinks promotions</p> <p>10.3. Identify anti-violence strategies that can be adopted on licensed premises</p> <p>10.4. Identify the consequences of allowing illegal drug use and dealing on licensed premises</p> <p>10.5. Identify who is legally responsible for preventing disorderly conduct on licensed premises</p> <p>10.6. State penalties for allowing drunk and disorderly conduct on licensed premises</p> |

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| <p>11. Understand the law in relation to the protection of children on licensed premises</p> | <p>11.1 State the law in relation to the sale of alcohol to children</p> <p>11.2 State the law in relation to the purchase or attempted purchase of alcohol by or for children</p> <p>11.3 State the law in relation to the unsupervised sale of alcohol by a child</p> <p>11.4 Identify the types and features of acceptable proof of age documents</p> <p>11.5 Outline the importance of other legislation related to the protection of children</p> <p>11.6 State the law in relation to the presence of children in licensed premises</p> <p>11.7 State the law in relation to the consumption of alcohol by children</p> <p>11.8 State penalties for breaching the law in relation to the protection of children on licensed premises</p> |
| <p>12 Understand the powers of the police and other authorities in relation to licensed premises</p> | <p>12.1 State the powers of the police to close identified licensed premises in respect of disorder or nuisance</p> <p>12.2 State the powers of police to apply for a closure order covering a particular geographical area</p> <p>12.3 State the powers of an Environmental Health Officer to close identified licensed premises in relation to noise nuisance</p> <p>12.4 Identify which authorities have a right of entry to licensed premises and when they can exercise these rights</p> |
| <p>13 Understand prohibitions and exemptions in relation to licensable activities</p> | <p>13.1 Identify the difference between retail sale and wholesale of alcohol</p> <p>13.2 Identify which forms of entertainment are regulated and which are exempt</p> <p>13.3 Identify which types of premises are prohibited from selling alcohol</p> <p>13.4 State the law in relation to the sale of alcohol on moving vehicles</p> |

Indicative Content

LO1: Understand the nature, purpose and period of validity of a Personal Licence

- A Personal Licence is a licence issued to an individual by the relevant licensing authority
- A Personal Licence entitles the holder to authorise the sale of alcohol in accordance with an appropriate premises licence
- a Personal Licence is issued for a period of 10 years and will remain valid unless surrendered or forfeited

LO2: Understand the application process and legal duties when applying for a Personal Licence

- Where to apply for a Personal Licence – the licensing authority where applicant normally lives
- What to include in a Personal Licence application
 - Certificate of qualification
 - Two photographs (one signed)
 - Recent basic disclosure
 - Application fee
- Eligibility criteria for a new Personal Licence
 - Aged at least 18
 - Hold an APLH qualification
 - No licence forfeited within the last 5 years
 - No unspent relevant convictions
- Licensing authorities processes for the granting or rejection of a new personal licence e.g.
 - Checking eligibility criteria are met
 - Informing Chief Officer of Police when unspent relevant convictions are identified
 - Granting and issuing licences
 - Holding hearings (following police objection)
 - Rejecting applications
 - Right of appeal to magistrates – within 21 days
- Police objection to the granting of a Personal Licence where convictions for relevant or foreign offences are identified - on crime and disorder grounds
 - Spent convictions
 - Unspent convictions
- Relevant offences:
 - Definition of 'relevant'
 - Definition of foreign offence – similar to a relevant offence but committed outside England and Wales
 - Types of offences listed in the Licensing Act 2003 (there is no requirement for candidates to know specific offences) e.g.
 - any licensing offence since 1964
 - drink-driving or driving whilst under the influence of drink or drugs

- trading standards offences
 - food hygiene offences
 - drugs offences
 - theft, robbery, deception, forgery or evasion of duty
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- Duty of the personal licence applicant to declare convictions for relevant or foreign offences to the licensing authority during the application process
 - Penalty for failing to declare convictions – maximum level 4 on the standard scale (£2,500)
 - Process for the renewal of a personal licence e.g.
 - renewal period – within 3 months but no later than one month before expiry
 - where to renew – licensing authority which originally granted their licence
 - documents required for renewal – original licence (both parts)
 - police objection where relevant offences are identified
 - failure to renew in time, resulting in new application

LO 3: Understand the legal duties of a Personal Licence Holder

- Duties of a Personal Licence Holder when charged with a relevant offence:
 - duty to inform the court by first court appearance that they hold a licence, or
 - produce the personal licence to the court

- Duties when a Personal Licence Holder is convicted with a relevant offence:
 - court to inform licensing authority of conviction
 - court to order suspension of personal licence (maximum 6 months)
 - court to revoke personal licence
 - if the court is unaware of their personal licence or conviction for foreign offence – the personal licence holder to inform licensing authority as soon as reasonably practicable
 - licensing authority request for personal licence within 14 days for endorsement
 - maximum penalty for failure to produce licence within 14 days – level 2 on the standard scale (£500)

- Duties of a Personal Licence Holder if a personal licence is:
 - surrendered – if no longer required, then surrender to licensing authority
 - suspended – no authorisation of the sale of alcohol during period of suspension
 - revoked – no personal licence application for 5 years, no authorisation of the sale of alcohol

- Duty to inform relevant licensing authority of:
 - a change of name
 - a change of home address
 - offence if failure to do either of the above - maximum level 2 penalty (£500)

- Duty to produce personal licence when selling or authorising the sale of alcohol to:
 - Police
 - Officer of the licensing authority
 - It is an offence if failure to produce licence - maximum level 2 penalty (£500)

- Consequences for a personal licence holder convicted of a drink driving offence, e.g.
 - suspension of personal licence – up to 6 months
 - forfeiture of personal licence

LO 4: Understand the roles, responsibilities and functions of licensing authorities

- A licensing authority is:
 - responsible for the operation and administration of licensing
 - part of a District, Metropolitan, County or Borough council in England and Wales
- The roles and responsibilities of licensing authorities include:
 - Establishing a licensing committee
 - Publishing statements of licensing policy
 - Dealing with administration of the system
 - Issuing personal and premises licences, club premises certificates and temporary event notices
 - Keeping a register of applications, licenses issued and notices served
- A licensing policy is a statement which:
 - shows how licensing objectives are promoted
 - has regard to guidance issued
 - is published at least every three years
- The purpose of a licensing hearing is to allow the licensing committee to make a decision following:
 - relevant representations to a new premises licence application, club premises certificate application or variation
 - objections to a temporary event notice
 - objections to the granting or renewal of a personal licence
 - a call for the review of a premises licence
 - a closure order
- An appeal may be made to the magistrate's court within 21 days by those involved in or affected by a licensing committee decision.

LO 5: Understand the Licensing Objectives and the importance of partnerships in promoting these objectives

- The Licensing Objectives are:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- The licensing objectives are important to the licensing system because:
 - they are the fundamental principles
 - they must be promoted by licensing authorities, licence holders and staff selling alcohol
 - they form the basis of all licensing decisions

- An operating schedule is a key part of a premises licence describing how the premises must be operated and how it will promote the licensing objectives.
- An operating schedule should include:
 - a description of the premises
 - the licensable activities and times when these are offered
 - times when premises are open
 - steps/measures which promote the licensing objectives
- Partnership working helps to support and promote the Licensing Objectives. Partners may include:
 - police
 - local authorities
 - residents
 - other businesses – pub watch or retail watch
 - town centre managers
 - fire authorities
- Community Safety Partnerships (previously Crime and Disorder Reduction Partnerships) establish strategies for the reduction of crime in a local area and support the licensing objectives. They may be referred to as 'Safer (an area)', such as 'Safer Lancashire'.

LO 6: Understand the nature and strength of alcohol and the effect on the body

- The legal definition of alcohol in the Licensing Act 2003 – alcohol content above 0.5% of the total volume
- The 'supply of alcohol' means:
 - the sale or service of alcohol by retail and/or
 - providing alcohol to club members and their guests
- The strength of an alcoholic drink is measured as a percentage (%) of alcohol by volume or abv
- Alcohol-free – must contain no more than 0.05% abv
- Low alcohol – must contain no more than 1.2% abv
- The UK Chief Medical Officers' lower risk drinking guidelines are:
 - Men – 3 – 4 units per day to a maximum of 21 units per week
 - Women – 2 – 3 units per day to a maximum 14 units per week
- The intoxicating nature of alcohol may result in:
 - Changes in emotional, physical and mental state
 - Addiction (a drug)
 - Loss of concentration and self-control
- The effects on the body include :
 - Liver damage
 - High blood pressure
 - Cancers

- Accidents and injury
- Effects depends upon factors such as:
 - Quantity and strength consumed
 - Rate of consumption
 - Size and gender of the person
 - Food eaten
 - Type of drinking – binge drinking, chronic drinking

LO 7: Understand the law in relation to premises licences

- A premises licence:
 - Is granted by the licensing authority (the one for the area where premises are situated)
 - Is unique to the premises
 - Allows one or more licensable activity to take place
 - Must be followed at all times
- The procedures for a premises licence application:
 - Submit completed application to licensing authority – include operating schedule, premises plan, DPS details, fee
 - Advertise application – publish and display summary
 - Send copies of the application to responsible authorities – electronic and hard-copy procedures
 - Receive representations – responsible authorities and interested parties
 - Assess application – relevant representations
 - Hold a hearing following relevant representations
 - Refuse application or grant licence – make changes or add conditions
 - Appeal to magistrates (within 21 days)
- Grounds for a hearing – following relevant representations to a new premises licence or the variation of an existing licence
- An appeal to the magistrates may be made within 21 days by a party involved, e.g. police or applicant
- The purpose of a premises licence review hearing is to re-appraise a licence following:
 - A review request by a responsible authority or interested party
 - A closure order
- Premises licence review may result in:
 - licence being suspended for up to 3 months
 - changing or adding new conditions
 - removing certain licensable activities
 - revoking the licence
 - removing the DPS
- The mandatory conditions attached to premises licences
 - There must be a DPS appointed who must hold a personal licence
 - Each and every sale of alcohol must be authorised

- There must be an age verification policy in place
- No irresponsible alcohol promotions
- No dispensing alcohol directly into the mouth
- Free tap water for customers
- Availability of small measure

- The 4 licensable activities:
 - Sale of alcohol by retail
 - Supply of alcohol on club premises
 - Provision of regulated entertainment
 - Provision of late-night refreshments

- Variations to premises licences:
 - Minor variations - change of DPS
 - Full variations

- Unauthorised licensable activities:
 - Operating outside of premises licence
 - Operating licensable activities without a premises licence
 - Selling alcohol outside permitted hours
 - Using unlicensed door supervisors
 - Not operating in accordance with mandatory or specific licence conditions
 - Maximum penalty £20,000 and /or 6 months in prison

- Due diligence defence if all reasonable steps were taken to avoid offence. In addition, may claim:
 - Due to a mistake
 - Relying on someone else
 - An event out of their control

- When due diligence defence may be used:
 - Prosecution for unauthorised licensable activities
 - Prosecution for offences relating to the sale of alcohol to under 18's (not persistent sales)

- Penalties for breaching conditions on a premises licence – maximum £20,000 and / or 6 months

- The role and responsibilities of the Designated Premises Supervisor (DPS):
 - Named on the premises licence
 - Day to day responsibility for licenced premises
 - Main point of accountability
 - Must hold a valid personal licence
 - Authorizing the sale of alcohol
 - Staff training
 - Carrying out risk assessment against the licensing objectives

LO 8: Understand the role and responsibilities of the Designated Premises Supervisor (DPS)

- The DPS is a personal licence holder appointed by the premises licence holder and named on the premises licence

- Only one DPS may be appointed, per premise at any one time
- The job role of the DPS includes:
 - day-to-day control of the premises
 - being the main point of accountability and contact for police and other authorities
 - ensuring premises operate legally and in accordance with mandatory and specific conditions on the premises licence
 - authorising the sale of alcohol
 - carrying out a premises risk assessment against the licensing objectives and implementing measures to ensure compliance

LO 9: Understand the law in relation to Temporary Event Notices

- A 'permitted temporary activity' is:
 - A one-off event involving one or more licensable activities
 - Operated within certain limitations
 - An activity not otherwise covered by a premises licence taking place on un-licensed premises or licensed premises
- A Temporary Event Notice (TEN) is:
 - Given to the licensing authority at least 10 working days prior to the event
 - Is either an electronic or paper notice (if paper 2 copies to the licensing authority and one to police)
 - Submitted by the premises user
 - Displayed or available for inspection at the event
- The frequency of permitted temporary activities:
 - Maximum 12 per calendar year
 - Maximum 15 hours duration per calendar year
 - Each event limited to 96 hours
 - Less than 500 people attending at any one time
 - 24 hours between events by the same premises user
 - a personal licence holder - 50 per calendar year
 - a non-personal licence holder (aged 18 or over) – 5 per calendar year
- The police may object to a TEN on the grounds of crime and disorder

LO 10: Understand the rights and legal duties of the responsible persons in relation to operation of licensed premises

- Legal duty of everyone to refuse the sale of alcohol to a drunken person
- No irresponsible alcohol promotions e.g.
 - Drinking games
 - Unlimited or unspecified free alcohol
 - Alcohol for a fixed or discounted fee such as all you can drink for £10
 - Offers or incentives for specific groups – women, students
 - Free or discounted alcohol when things happen at sporting events
 - Promotional signs or posters encouraging drunkenness or anti-social behaviour

- Anti-violence strategies on licensed premises:
 - Vigilance, monitoring and regular checks in all areas
 - Developing good customer relationships
 - Depersonalise refusals
 - Encouraging a social mix and providing soft drinks and beverages
 - Providing efficient service
- Consequences of allowing illegal drug use and dealing on licensed premises:
 - Criminal offence to allow drug activity and to turn a 'blind eye'
 - Increase in drug activity and loss of custom
 - Increase in thefts and other criminal behaviour
- Those legally responsible for preventing disorderly conduct on licensed premises:
 - Premises licence holder
 - DPS
 - Personal licence holders
 - Premises user
 - All responsible persons working on licensed premises, whether paid or unpaid
- Maximum penalty for allowing drunk and disorderly conduct on licensed premises – level 3 fine on the standard scale ((£1,000)

LO 11: Understand the law in relation to the protection of children on licensed premises

- Offence for an adult to:
 - Sell or allow the sale of alcohol to children under 18
 - Allow the consumption of alcohol on licensed premises by under 18's – unless beer, wine or cider consumed with a table meal when accompanied by an adult
 - Deliver or allow the delivery of alcohol to an under-18 – unless part of work duties or delivered to the home
 - Send an under 18 to obtain alcohol
 - Purchase or attempt to purchase alcohol on behalf of an under 18 year old
 - Allow the sale of alcohol by an unsupervised under-18 – unless each and every sale authorised or for consumption with a table meal
- Offence for an under-18 to purchase or attempt to purchase of alcohol
- Types and features of acceptable proof of age documents:
 - Passport
 - Photograph driving licence
 - Proof of Age Standards Scheme (PASS) card with hologram
 - Valid and in date
 - No sign of tampering or alterations
 - No evidence of forgery
 - Photograph is a good likeness of the person
 - Date of birth shows them to be 18 or over
- Other legislation related to the protection of children:
 - Age restricted products such as:

- Cigarettes (18)
 - Liqueur chocolates (16)
 - Videos/DVD's/computer games (12,15,18)
 - Knives/blades (18)
 - Fireworks (18)
 - Lighter refills (18)
 - Solvents (18)
 - Party poppers (16)
- The law in relation to the presence of children in licensed premises
 - No unaccompanied under 16's on premises used mostly or solely for the sale of alcohol (on-licensed)
 - No unaccompanied under 16's on licensed premises between midnight and 5am
 - Penalties for breaching the law in relation to the protection of children:
 - Fixed penalty notice of £80 issued by police to persona making sale for a failed test purchase
 - Maximum fine of £5,000 if prosecuted for offence of allowing the sale of alcohol to under 18's
 - Offence of persistently selling alcohol to under 18's (twice in a 3 month period) - maximum fine of £10,000, suspension of premises licence or voluntary closure for 48 hours (no due diligence defence)

LO 12: Understand the powers of the police and other authorities in relation to licensed premises

- Powers of police to:
 - close individual licensed premises for up to 24 hours if risk to public safety from disorder or due to nuisance
 - apply to magistrates for a closure order (up to 24 hours) covering a particular area if necessary due to disorder or nuisance
 - use reasonable force to close premises
 - apply to extend closure orders
- Powers of an Environmental Health Officer:
 - to investigate noise complaints
 - close licensed premises in relation to noise nuisance under Anti-Social Behaviour Act 2003
- Police, licensing authority and responsible authorities have right to enter premises at any reasonable time to assess a:
 - premises licence application
 - temporary event notice
- Authorities having a right of entry to licensed premises, include:
 - police – enter and search without a warrant
 - authorized officer of the licensing authority – investigate licensable activities
 - fire safety inspector
 - health and safety inspector
 - environmental health officer

- HM revenue and customs – enter, search and seize smuggled goods (entry at night with a police officer)

LO 13: Understand prohibitions and exemptions in relation to licensable activities

- The difference between retail sale and wholesale of alcohol:
 - Trade or 'business to business' sales
 - Sales to the premises user
 - 'Cash and carry' sales to retail
- Forms of entertainment which are exempt e.g.:
 - video advertising
 - educational films in schools
 - pub games
 - church or religious services
 - private parties
 - TV broadcasts
 - garden fetes
 - spontaneous events
 - incidental music
 - Morris dancing
- Premises prohibited from selling alcohol e.g.:
 - Motorway services
 - Garages used primarily for sale or repair of vehicles
 - Petrol stations used primarily for sale of fuel
 - On a train a train when subject to a prohibition order
- The law in relation to the sale of alcohol on moving vehicles:
 - Trains on a journey exempt from needing a premises licence
 - No alcohol sales on a moving vehicle (road)
 - Licensed vehicle must be parked
 - Penalty for selling alcohol whilst a vehicle is moving – maximum £20,000 and /or 3 months