

**IBBERTON, BELCHALWELL & WOOLLAND VILLAGE HALL**  
**Reg. Charity No. 1095817**  
**[www.ibbertonvillagehall.co.uk](http://www.ibbertonvillagehall.co.uk)**

**Guidance Notes for Licensed Use of**  
**Ibberton, Belchalwell & Woolland Village Hall**

The licensing law requires that there is a licence for the sale of alcohol at all events.

**You are selling alcohol if: -**

- You are charging for alcoholic drinks at any event
- If the event is ticketed and you are providing a free drink. (This is seen as selling as the cost is included in the ticket price and or the organisation providing the alcohol is providing the free drink.
- If the event has an entrance charge and you are providing a free drink.

**A licence is not required when: -**

- The event is free, and drink is provided for free. (For example, a family wedding or party where alcohol is not charged for).
- If people bring their own drink with them to consume on the premises.
- If alcohol is donated by an individual (not an organisation charging for entrance).

These regulations have always been in place and are not new.

**Sale or supply of alcohol**

For hirers of the hall who would like to sell alcohol and require a licence, they may do so under the Ibberton, Belchalwell & Woolland Village Hall Premises Licence on the following conditions:

- Payment of an administration fee of £15.
- Completion of a Licensed Hire Agreement designating a Responsible Person.
- The Responsible Person and appointed bar staff to read these Guidance.

**Selling or providing alcohol in Ibberton, Belchalwell & Woolland Village Hall**

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

- Do not allow anyone under 18 to sell alcohol unless authorised by an approved person at the time of sale.
- Do not sell to anyone who is drunk.
- Do not sell alcohol outside of the hours stipulated in your hire contract i.e. the terms of the Hall Premises Licence.
- Do not sell to young people under 18. We ask hirers to operate the Challenge 25 policy and apply the following principles: -
  - **Be Cautious** - it is very hard to tell a young person's age, so ensure that you check even those that look older than 18. We call this 'challenge 25'. If they look 25 or under then check for proof.
  - **Be Consistent** - always check, even if you think you've served the young person before or you are pretty certain they are of the right age.
  - **Be Clear** - use signage to inform people that they will be checked.
  - **Be Courteous** - if you have to refuse a sale explain that you are complying with the Law and advise the young person that they can obtain a proof of age card.
  - **Be Careful** - there is evidence that bar staff can often fail to challenge underage purchasers if they feel afraid of the consequences. Make sure alcohol is only sold from inside the kitchen, which must be kept locked, and served through one of the serving hatches.

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

### **Proof of Age Cards**

Today there are a number of legitimate sources of ID that young people can get to prove their age.

However,

**ONLY ACCEPT CREDIBLE PHOTO PROOF OF AGE** - this includes:

- A Proof of age card schemes carrying a PASS logo. The PASS scheme, which is a voluntary industry initiative supported by the retail and hospitality industries, is endorsed by the UK Government since the Home Office only recognises schemes

accredited to PASS. The Trading Standards Institute advises retailers only to accept cards from the issuers who are signed up to

PASS

- A Passport
- A Photo driving licence

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

Any refusal to serve will be recorded in a Refusal Register and a copy provided too the Management Committee on completion of the event

### **Alcohol-a summary**

The hirer must inform us at the time of booking if alcohol is to be consumed at the hall, whether alcohol is for sale or not. If alcohol is consumed, the hirer must take responsibility to prevent:

Underage drinking. No alcohol can be served to or consumed by under 18s on or around the premises.

Any person present at the event, who attempts to purchase alcohol for anyone under the age of 18, will be asked to leave the premises and not permitted to return to the event.

### **Public nuisance and dangers to health from over-consumption.**

If alcohol is to be sold at an event, the hirer must apply for and obtain from us a bar license. The license will state specific conditions which the hirer must adhere to. Ask for more details if you have not held an event license before or see our statement on Alcohol Licensing and Consumption which we will send if you ask for a bar license.

The Management Committee reserve the right to make spot checks to ensure that these conditions are being observed and will end events if they are breached.

### **Use of premises**

The Hirer shall not use the premises (including the car park) for any purpose other than that described in the Hiring Agreement and shall not sub-hire or use the premises or allow the premises to be used for any unlawful or unsuitable purpose or in any unlawful way nor do anything or bring onto the premises anything which may endanger

the same or render invalid any insurance policies in respect thereof nor allow the consumption of alcohol thereon without written permission.

### **Sensible Drinking Levels**

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

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

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

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

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

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

### **Legal Requirements**

You must be aware of the following legal requirements.

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

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

If an individual is charged with this offence the only defence is that he believed that the young person was aged 18 or over, and, either (s)he had taken all reasonable steps

to establish the individual's age, or nobody could reasonably have suspected from the young person's appearance that he or she was under age.

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

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

### **Sales by staff under 18**

The law states: "A responsible person commits an offence if on any relevant premises he knowingly allows an individual aged under 18 to make on the premises ... any sale of alcohol, or .....

unless the sale or supply has been specifically approved by that or another responsible person" (Section 152(1)). This means that no person under 18 may sell alcohol without being authorised at the time of sale by a person over 18 and approved to do so by the licence holder.

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

### **Other persons not to be served with alcohol**

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

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

### **The rules for selling alcohol**

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

Do not sell to young people under 18

Do not allow anyone under 18 to sell alcohol unless authorised by an approved person at the time of sale

Do not sell to anyone who is drunk

Do not sell alcohol outside of the hours stipulated in your hire contract i.e. the terms of the Hall Premises Licence

## **Licensable Activities**

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

### **Sale or supply of alcohol**

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

### **Regulated entertainment**

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

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