

RODE & DISTRICT MEMORIAL HALL

Alcohol in Village Halls information sheet

This gives Committee Members the information they need to fulfil their responsibilities as Designated Premises Supervisors under the Licensing Act 2003. To be read in conjunction with Conditions of Hire with Alcohol, Alcohol Application and Alcohol Authorisation.

Background

In January 2014 we (the Committee) varied our Premises Licence (previously permitting entertainment) to include the supply and sale of alcohol. This is a permanent licence for the whole Hall so hirers no longer have to apply for a temporary 'TENS' licence for their event.

The law governing Premises Licences is the Licensing Act 2003 and this stipulates that there be a Designated Premises Supervisor (DPS) present whenever alcohol is served or sold. In 2009, it's been recognised that this is difficult for village halls so now we can become exempt from this, so long as we (the Committee) have measures in place to keep to the law.

Responsibilities

The Management Committee is the Premises Licence holder and is collectively responsible for complying with the law. However, where the hirer is given a written summary of their responsibilities under the Act, the Committee is 'likely to be treated as having taken adequate steps to avoid liability to prosecution if a licensing offence is committed'.

The other role of the DPS is to act as a contact point for the authorities.

Main aims of the law

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

So, provision of entertainment and alcohol is only permitted under licence (Premises Licence) if these 4 aims are met. Hopefully enough measures are detailed on our Conditions of Hire and we now have a separate Conditions of Hire with Alcohol. You should read both documents carefully and become familiar with them.

Process for hirers

In addition to the general Conditions of Hire, a hirer wishing to sell alcohol must read the new Conditions of Hire with Alcohol then apply to us for permission using the Alcohol Application form. One of us, usually the Bookings Secretary or, if not, the Chairman, will consider the application and if it meets all our requirements we will sign and issue an Alcohol Authorisation form to the hirer.

Committee's extra responsibilities

As well as understanding the requirements of the law (see Conditions of Hire with Alcohol) which govern the management of the event itself, there are other things to be aware of:

- We and our hirers can't sell alcohol on a regular basis simply to raise funds. We are a charitable community organisation and the sale/supply of alcohol can only be ancillary to the event, not the primary function.
- People who are in the building but not at the authorised event may not use the bar.
- The authorities need to be able to call one of us out in case of trouble, particularly if they may close the Hall. We can decide who, in which order and which contact numbers we supply.
- If we feel that an event is large, to someone outside the village or in some way risky, we can still ask the hirer to apply for a TENS so that they take full responsibility for licensing issues.
- We need to satisfy the licensing authority that adequate processes and controls are in place for the sale of alcohol, ie. types of events, how the hall benefits the community, how we ensure supervision of alcohol sales, all our forms/agreements, committee structure, how we monitor and change procedures should issues arise.
- Hirers need to apply for, and we need to give, proper authorisation to sell alcohol.
- We need a 'clearly-documented process that is understood by the whole committee for handing responsibility for the sale of alcohol over to hirers'. This process needs to be clear and appropriate for different types of hirers.
- Committee members and hirers must have an understanding of their responsibilities regarding licensing objectives and must be aware of the possible penalties for failing to comply.
- We should notify the Licensing Authority and Chief Officer of Police of key changes in the Committee
- We don't have to supply a bar for an event if asked.
- The main disadvantage of holding this Premises Licence to sell alcohol is if the Hall gets used more and more for events with alcohol leading to nuisance or disruption.
- To reduce security risk, we should not allow alcohol to be kept in the Hall.
- In 2010, extra conditions to bolster the Licensing Act 2003 came into force. Measures to comply with these are in our Conditions of Hire with Alcohol. The extra conditions are:
 - Ban on irresponsible drink promotions
 - Ban on dispensing alcohol directly into customers' mouths
 - Mandatory provision of free tap water
 - Age verification policy
 - Smaller measures to be available

- And finally an odd one! Councils may not meet whilst alcohol is being sold at the Hall. So, even though the parish council is in the Committee Room and there is a party in the main hall, they can't hold their meeting. (By the way, the whole of the building is licensed, not just the main hall.)

If it goes wrong

We, the Hall Committee, holders of the Premises Licence, are ultimately responsible for any offences. However, careful management and due care is a defence, ie. reliance on information given to us, someone else's action, causes beyond our control, so long as we can say we took all reasonable precautions and exercised all due diligence to avoid offences. Hence all the forms and understanding the responsibilities. The Licensing Authority and Government guidance says "Where hirers are provided with a written summary of their responsibilities under the Act in relation to the sale of alcohol, the Committee is likely to be treated as having taken adequate steps to avoid liability to prosecution if an offence is committed.

Offences are:

- Selling alcohol without a licence, including after hours and keeping alcohol on the premises.
- Knowingly allowing disorderly conduct
- Selling alcohol to a person who is drunk, or allowing it
- Refusing to leave the premises if drunk and disorderly when asked to do so by an authorised person
- Attempting to obtain alcohol for someone who is drunk
- Selling alcohol to those under 18, or allowing the sale or the consumption of it (except 16+ wine, beer or cider at a table meal taken with an adult)

The Police can close the premises for up to 24 hours in cases of actual/possible disorder, public safety concerns or public nuisance caused by noise.

February 2018