



Industry perspective on conditions, online sales and deliveries

Hardish Purewal
Kelly Moss

RASG
Retail of Alcohol Standards Group

Promoting Excellence in Licensing for 25 Years

Institute of Licensing 2021
25th National Training Conference

@instoflicensing #NTC2021

Legislation and guidance around the sale of alcohol by retail in England and Wales

Licence holders training **Individual licensing conditions**

The Police Reform and Social Responsibility Act **The Licensing Objectives**

The Licensing Act 2003

Section 182 Guidance The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010, as amended by The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014

Challenge 25

#NTC2021 Promoting Excellence in Licensing for 25 years

3 main business types that retail alcohol

Multiple Retailers	Specialist Retailers	On-line, quick turn-around food delivery companies
		

#NTC2021 Promoting Excellence in Licensing for 25 years

Key points

- The UK has a mature and well-established online market that successfully achieves to remain compliant with some of the most stringent rules on alcohol sales in the world whilst offering consumers the flexibility that they demand.
- National schemes such as Challenge 25, together with retailers own policies and staff training programmes strengthen the legislative position and further minimise the risk of underage sales of alcohol in the UK.
- There has been no meaningful, representative evidence to show that children are obtaining alcohol via online sales and so any calls for changes to legislation would need to show an evidence-based evaluation to determine the harm being addressed and justify imposing any costly or burdensome measures on businesses.
- There would be no one size fits all or quick solution to address minor shortcomings in the legislation without significantly impacting both UK retailers and consumers.

The RASG online Sales Guidance can be found here: 210524_OnlineSalesGuide.pdf (rasg.org.uk)

#NTC2021

Promoting Excellence in Licensing for 25 years

Licensing Conditions

Appropriate and proportionate for the promotion of the licensing objectives

Weird and Wonderful

#NTC2021

Promoting Excellence in Licensing for 25 years

Not acceptable to simply **replicate** the wording from an applicant's operating schedule.

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-Keeping examination centre. We have written training policies and formal training programmes in place, which ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly. We have introduced our 'Think 25' policy to all of our stores in 2009, this policy is brought to customer's attention through point of sale material at the checkout and wherever alcohol is displayed for sale. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

#NTC2021

Promoting Excellence in Licensing for 25 years



No relevant representations the licence or certificate must be granted.

"Having considered the poor quality of the applications operating schedule I request that the Licensing Sub-Committee reject the application until an acceptable one is submitted."

#NTC2021

Promoting Excellence in Licensing for 25 years



Should not contain **unequivocal and unambiguous terms**

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- Promote the licensing objectives outlined in Section P of the operating schedule
- There should be methods devised to discourage drinking in public spaces in the vicinity of the premises
- Encourage the disposal of refuse in litter bins situated within the curtilage to minimise disturbance to nearby properties

#NTC2021

Promoting Excellence in Licensing for 25 years



Tailored to the size, type, location and **characteristics and activities** taking place at the premises concerned.

- Duty manager will take responsibility for any unaccompanied children under 12 in store between 11.00pm and 8am when store is open to customers.
- Instruction, training and supervision on the licensing act 2003, drug awareness and related best practice will be provided to all staff during induction and on an ongoing basis. Records of which will be maintained.
- The store shall not open at any time solely for the sale of alcohol
- No nudity or semi nudity permitted/No adult entertainment
- Be aware of drug related activities in the toilet

#NTC2021

Promoting Excellence in Licensing for 25 years

Determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided

A detailed bound numerical register of door supervisors to be maintained at all times at the premises. Such register to include the name, registration number, contact details of the member of door staff along with the date, time on duty and time off duty. Full details of the agency supplying the staff to be endorsed and the register to be available for inspection on request by an Authorised officer

Overburden som

- Two SIA guards to be employed at the premises when licensable activities are taking place.
- The additional camera shall be positioned to monitor the wall outside the premises, which is not covered by the current CCTV system
- A report must be made to the police when CCTV is not working

May not impose any conditionsunless is appropriate to impose conditions to promote one or more of the four licensing objectives.

- The licensee shall ensure that a supervisor is always on duty at the customer self service checkout and that employee cover is provided in the event of such supervisor having to provide assistance to a specific customer.
- Member of Management on site at all times open for licensable activities

Conditions covered by other regulations

1) A satisfactory NICEIC or ECA periodic electrical installation report must be provided. The inspection to be carried out annually or as deemed necessary by the competent person completing the report, & a copy of the report provided to the licensing authority after each inspection.

2) A NICEIC or ECA periodic emergency lighting report must be provided. The inspection to be carried out annually or as deemed necessary by the competent person completing the report, & a copy of the report provided to the licensing authority after each inspection.

3) A CORGI certificate of inspection in respect of any gas boiler, calorifier or appliance must be provided. The inspection to be carried out annually or as deemed necessary by the competent person completing the report, & a copy of the report provided to the licensing authority after each inspection.

4) A certificate from a suitably qualified professional in respect of any suspended ceilings at the premises must be provided & every 5 years thereafter.

- All fire equipment to be checked and serviced regularly
- The number of persons accommodated at any one time(excluding staff) shall not exceed 30

#NTC2021

Promoting Excellence in Licensing for 25 years

Noise conditions

- Only play Christmas music at a certain decibel level and between certain days of December.
- Deliveries only to take place between 8am-7pm
- Move children away from the front of the premises
- Encourage the disposal of refuse in litter bins situated within the curtilage to minimise disturbance to nearby properties

#NTC2021

Promoting Excellence in Licensing for 25 years

Litter conditions

- An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the licensing authority and it should be the responsibility of the premises supervisor or a nominated representative to empty and dispose of the collected refuse at a frequency to be agreed with the licensing authority
- Visible signs regarding the location of the litter bins and signs requesting customers not to drop litter shall be provided.
- The premises should clean up litter in a local park.

#NTC2021

Promoting Excellence in Licensing for 25 years

Planning conditions

- Deliveries not to take place at certain times
- Routes the deliveries have to take
- Responsible for locking gates that do not belong to the Premises
- Certain amount of parking spaces for disabled and parent/child
- Lighting

#NTC2021

Promoting Excellence in Licensing for 25 years

Hours of Trade

Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

#NTC2021

Promoting Excellence in Licensing for 25 years

It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives

#NTC2021

Promoting Excellence in Licensing for 25 years