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Responsible Licensee Newsletter

A Newsletter for the licensed trade in the borough

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Issue 01

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Welcome to the first edition of a new licensing newsletter aimed at the licensed premises in the borough of Haringey.

We are aiming to use this as a regular means of communication with licensees to provide information about future developments within the licensing field.



We wish to use this newsletter as a way of keeping you the license holder and local businesses informed of forthcoming changes that will affect your

business and also to ensure that we are encouraging and promoting best practice and guidance and your social responsibility at your premises.

Are you a responsible licensee?

We are taking the opportunity to let you know about our responsible retailer scheme. As an authority we want to do the best we can to help you to be compliant. We will be piloting the scheme in a few areas initially to engage with licensees. We will be looking to offer training opportunities for your staff and also share best practices with you. This will cover alcohol sales and any other age related sales that you have responsibility for as well as ensuring you are able to be a good neighbour and care for

the immediate vicinity to your business.

- Do you ask for ID or proof of age on products that carry age restrictions?
- Do you advise and train all staff of the law before they start working?
- Do you advise and train all staff of the law before they are allowed to serve alcohol? Do you check their understanding of this?
- Do you keep records of your company's training /reference manuals on the retailing of alcohol? Do you keep records on staff training up to date?

- Are you ensuring that the outside of your premises is swept clear of cigarette butts at the end of each day?

Staff Responsibilities

- To prevent the sale of alcohol to those under 18.
- if the cashier is under 18, not to sell alcohol without authorization
- To NOT sell to a person suffering the effects of alcohol (drunk)
- To know your hours for the sale of alcohol.
- Do not allow drinking on your premise unless stipulated in your license.

Supermarket and Off-Licences on Spurs Match Days

It is important that all business premises in the Tottenham area work together and with the Police and Local Authority especially on Tottenham Hotspur match days. This is to ensure that the area remains safe, clean and attractive to both the local community and others who attend the area for the football.

A concern for the Police and Local Authority is around the misuse of alcohol and the effect it can have. As you will be aware, much of the area is within a Controlled Drinking Zone. This has been designated as such to rid the streets of drunkenness, litter from alcohol containers, and general anti-social behaviour from persons drinking in the street. Whilst the many licensed public houses comply

with our guidelines in the control of the sale of alcohol it is becoming ever more apparent that premises licensed for off-sales are selling alcohol to supporters irrespective of the fact that they cannot drink it outside on the street. In legal terms, by making the sale and not warning the supporters, they are almost aiding and abetting an offence. Some premises are also complicit in committing



an offence by providing a bag to hide the alcohol in!

Can I please ask you all to take your responsibilities more seriously. Will it be you who has to sweep up the litter from the alcohol containers? Or be struck by a glass bottle thrown in anger?

We, the Police, will take very seriously any examples found where premises are clearly encouraging such sales and, where evidence exists of an offence, will seek an immediate review of that premises' licence.

Pubs on Spurs Match Days

It remains important for all licensed premises, on Spurs match days, to continue to follow the 'best practice' which has worked well so far. That is, that all drinks should be consumed in plastic containers; no glass is passed across the bar; door staff are employed to monitor the behaviour of customers; and only known and trusted

customers or those with match day tickets should be allowed in.

It has also been brought to our attention that an increasing number of licensed premises are illegally showing football matches on their TV screens.

Everyone should be aware that if any disorder occurs inside a premise that does

not follow the 'best practice' above or there are incidents of drunkenness from the premises or was illegally showing matches and disorder occurred then we, the Police, will seek an immediate review of the licence for that premise.

We are aware that many of the current license holders, and their predecessors,

work hard and comply with our guidance. This has enabled a much safer environment for all concerned. It also makes the High Road and local streets a much safer, cleaner and attractive area to walk in. We would like to 'thank you' for your assistance but please remember that complacency can come back and bite us!

Mandatory Conditions – Affects YOU!

The Policing and Crime Act became law in April 2010. It introduces a new set of mandatory Code of Practice for all alcohol retailers.

The first part of a new mandatory code for alcohol retailers has been introduced and includes measures to ban "all you can drink for £10" offers, speed drinking competitions and it has also banned "dentist's chairs" where

drink is poured directly into the mouths of customers, making it impossible for them to control the amount of alcohol they have.

Tap water is also to be offered free to all customers to reduce the risk of becoming dangerously drunk, this condition applies to all premises with on-sales ability.

The second stage of the code is to be introduced on October 1 when all those who sell alcohol

must have an age-verification policy in place and small measures of beers, wines and spirits must be made available to customers.

Any premises found to be breaching the code will face a range of sanctions including losing their licence, or having additional tough conditions. The penalty for breaking a condition of an alcohol license is £20,000 fine and up to six months in prison

The Act also introduces a set of four new offences to deal with street drinking including increased fines, new confiscation powers and removing the need to prove intent to drink when dealing with underage drinkers in possession of alcohol.

It will also amend the Violent Crime Reduction Act 2005 to reduce the number of underage sales for the persistently selling alcohol to children from three strikes to two strikes.

Minor Variations

The holder of a Premises License or Club Premises Certificate can apply to make minor variations to their license/certificate.

An application for a minor variation could be used, for example, to make minor changes to the layout of the premises or to add some activities to a license e.g. regulated entertainment, provided that the variation does not have an adverse effect on any of the licensing objectives.

However, this procedure **may not** be used to:

- Extend the period for which the license has effect
- Vary substantially the premises to which it relates
- Change the Designated Premises Supervisor
- Add the sale or supply of alcohol
- Authorise the supply of alcohol at any time between 11pm and 7am;
- Authorise an increase in the amount of time on any day during which alcohol may be sold or supplied

It will be necessary to advertise the application by displaying a notice on the premises for a

period of 10 working days.

If no objections are received, within the 10 working day consultation period, we shall grant the variation.

If, however, we receive objections that show that the application may have an adverse effect on any of the licensing objectives we are obliged to reject the application and it would then be necessary to make an application for a full variation of the license or certificate. Objections can also be made by local residents who would be affected by the variation

Authorised to Sell Alcohol?

There will be times when the Designated Premises Supervisor (DPS) will not be on the premises when alcohol is sold.

As you will be aware any person selling alcohol must always be authorised by the DPS.

It is considered good practice to have the authorisation drawn up in writing and kept on the premises so that it may be produced to an authorised officer on request.

Keeping and displaying your Licence – avoid a £500 fine

Officers from the Licensing Authority and the Police routinely carry out planned visits and random visits to licensed premises across the borough. These visits can be made at any time whilst the premises is open to ensure that the licence is being complied with, and officers will normally ask to see the Premises Licence.

Under the Licensing Act 2003 there are several statutory requirements with which a licence holder must comply with in relation to keeping and displaying the licence.

Failure to comply with these requirements is an offence for which you are liable on conviction to a fine of up to £500.

These requirements are:

- The licence, or a certified copy must be kept at the premises to which it relates
- The licence must be kept under the control of the licence holder, or by a person who works at the premises and has been nominated in writing by the licence holder
- If a person is nominated to keep control of the licence, a notice specifying the position held by this person must be prominently displayed at the premises.
- The licence holder or nominated person must produce the licence or a certified copy on request to a Police Officer or an Authorised Officer of the Licensing Authority.
- The licence holder or nominated person must produce the licence or a certified copy on request to a Police Officer or an Authorised Officer of the Licensing Authority.
- The summary, or a certified copy, must be prominently displayed at the premises. If you have lost your Premises Licence, or for any reason not yet received your Premises Licence you should contact the Licensing Authority as soon as possible to avoid a potential fine.

Moving... remember to tell us!

No doubt you will recall the need to let us know if you change your address or your name. You should write to us enclosing a cheque for £10.50 (the statutory fee) together with both your paper licence and your badge. A new licence and badge will be returned to your new address as soon as possible, but usually within a couple of days.

In addition, if you are ever in Court, you must inform the Court that you hold a personal licence. If you are convicted you must also notify the Council which originally issued your licence of any 'relevant' offence and return your licence to the Authority for endorsement. The term relevant offence is defined in the Licensing Act 2003.

Failure to comply with any of the requirements described in this section is an offence and a person is liable on summary conviction to a fine of up to £500.

Off Watch Scheme to be launched

Haringey has a very active Pub Watch operating in the borough.

We feel that the Off License trade would benefit from a similar scheme and will aim to launch a scheme based on the same principles and bring together off-licences, Haringey Police, Trading Standards

Officers and Licensing Officers together to identify alcohol related problems and draw up strategies to tackle them.

We do not have a huge problem with underage sales in this Borough, but the need to ensure awareness and educate is a necessity.

Off-licences and grocers will be able to

sign up to the Off Watch scheme. We encourage you to share information with each other about crime that affects your business, we will offer training and support to you and your staff.

You can register your interest by contacting us on 020 8489 8232 or online at licensing@Haringey.gov.uk