



# **Trading Standards Licensing Training Booklet**

**(LT Booklet)**

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[www.staffordshire.gov.uk/business/tradingstandards/Alcohol-Licensing](http://www.staffordshire.gov.uk/business/tradingstandards/Alcohol-Licensing)

Other useful websites:

[www.nhs.uk/Livewell/alcohol/Pages/alcohol-units.aspx](http://www.nhs.uk/Livewell/alcohol/Pages/alcohol-units.aspx)

[www.drinkaware.co.uk](http://www.drinkaware.co.uk)

[www.crimestoppers-uk.org](http://www.crimestoppers-uk.org)

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# INTRODUCTION

This booklet has been produced by Staffordshire County Council

Trading Standards to help businesses implement regular, recorded training regarding the responsibilities around the sale of alcohol.

It is aimed at helping you to understand your legal and social responsibilities when in a position of selling/ supplying alcohol.

Selling alcohol is a responsibility that is often underestimated. As soon as you take on a job that requires you to sell/ supply alcohol you are agreeing to uphold these responsibilities and to accept the consequences of not doing so. For example if you sell alcohol to an underage person you are likely to end up with a criminal record and financial penalty as well as potentially lose your job; but the wider effects of a criminal record could inhibit your ability to travel to certain countries or pursue certain careers.

The booklet provides details of the social responsibilities and laws governing alcohol; the consequences of breaking the law and practical guidance on how to avoid doing so.

It is in everyone's interest to stop underage persons/ drunken people from buying/obtaining alcohol. Working with your colleagues, as a team, will help you to comply with legislation and your social responsibilities.

## Glossary of Terms

There are a number of abbreviations and terms used throughout this booklet and the accompanying tests of knowledge; as explained below. Please use this as a reference tool when using this booklet.

- Underage** – refers to persons under the age of 18 years.
- DPS** – Designated Premises Supervisor
- PLH** – Premises Licence Holder
- Licence** – The Premises Licence authorising the sale of alcohol or other licensable activities.
- Owner** – The owner and person responsible for the business.
- £90 PND** – £90 Penalty Notice for Disorder (fine)
- CR** – Community Resolution (see page 3)
- CC** – Conditional Caution (see page 3)
- Licence Review** – outcomes included: addition of conditions; removal of DPS; up to 3 months suspension; revocation of licence.
- RA** – Responsible Authority
- ABV** – Alcohol by Volume (percentage alcohol strength)

# IMPORTANT NOTICE

A common method of disposal for many licensing related offences is a £90 PND issued by Staffordshire Police. However, from November 2014 to November 2015 there is a pilot scheme that means alternative methods of disposal are being used in place of the PND, as listed below:

- Community Resolution (CR) – resolution of a less serious offence, through informal agreement between the parties involved.
- Conditional Caution (CC) – a caution given in respect of an offence which has conditions attached to it.

These disposal methods replace the normal criminal justice/ court process. If the CR is not accepted or the conditions of the CC are breached, the offenders will be dealt with via court proceedings.

Therefore, you should be aware that where this booklet refers to a £90 PND you may actually receive one of the above alternatives. Both are disclosed in an enhanced DBS (criminal record) check.

**Please note:** it is currently unknown whether the £90 PND will be re-instated at the end of the pilot scheme in November 2015; please check with your Police Licensing Unit for up to date information.

Where this currently applies it will be marked as follows – **£90\***.

## **SECTION ONE - Legislation**

### **The Licensing Act 2003**

This legislation sets out the provisions for the sale of alcohol; including the requirement to obtain a Licence, as well as stipulating whom it can be supplied by and to whom. The legislation defines alcohol as a product containing an ABV of 0.5% or greater.

The relevant offences you need to be aware of are as follows:

#### ***Underage sale / supply***

##### **Offences:**

- Serving alcohol to an underage person. (s.146)
- For an adult (person over 18) to buy alcohol on behalf of an underage person. (s.149) see page 6 for exception
- To persistently serve alcohol to an underage person. 'Persistently' is defined as a sale on two or more occasions within a three month period. (s.147a)

**Enforcement:** Staffordshire Police and Trading Standards enforce these offences by means of a compliance test operation. Underage volunteers enter a premise and attempt to purchase alcohol. Surveillance can also be used.

**Consequences:** The seller of alcohol to an underage person is liable for a £90\* PND or fine of up to £5,000, if it goes to court. The Owner is liable for a fine of up to £5,000. The Owner/ PLH may face a Licence Review (refer to the Glossary, on page 2, for outcomes). In the case of persistent selling the fine imposed can go up to £20,000 and/ or the premises can be issued with a closure notice (see page 7). The adult who buys alcohol on behalf of an underage person is also liable for the £90\* PND or a fine of up to £5,000 if it goes to court.

## ***Intoxication***

### **Offences:**

- To sell or attempt to sell alcohol to a person who is drunk, or to allow alcohol to be sold to such a person on relevant premises (s.141).
- To knowingly obtain or attempt to obtain alcohol on relevant premises by a person who is drunk (s.142).

**Enforcement:** Staffordshire Police can carry out inspections and assess the level of inebriation of the customers at the time.

**Consequences:** The seller/ supplier of alcohol to a drunken person is liable for a £90\* PND or a fine of up to £1,000 if it goes to court. The Owner/ DPS and PLH are also liable to a fine of up to £1,000. The Owner/ PLH may also have a Licence Review (see Glossary).

## ***Licensable Activity (sale of alcohol; provision of entertainment)***

### **Offences:**

- To carry on, attempt to carry on or knowingly allows to be carried on, a licensable activity on or from any premises otherwise than under and in accordance with a premises licence, club premises certificate or valid temporary event notice (s.136).
- To expose alcohol for sale by retail in circumstances where the sale would be an unauthorised licensable activity (s.137).
- To keep alcohol in one's possession or under one's control with the intention of selling it by retail or supplying it in circumstances where the sale or supply would be an unauthorised licensable activity (s.138).

**Enforcement:** Staffordshire Police and other authorised officers from RAs can carry out inspections to check that licensable activities are being carried out in accordance with the premise licence.

**Consequences:** Any person guilty of the s.136 and s.137 offences can face imprisonment up to 6 months and/ or a fine of up to £20,000. The s.138 offence has a fine up to £200 but no imprisonment. A Licence Review (see Glossary) could also result.

### ***Keeping of smuggled goods***

#### **Offences:**

- To knowingly keep or allow to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported (s.144)

**Consequences:** The Owner/ PLH/ DPS and any other person capable of preventing this offence can receive a fine of up to £1000 for allowing it to be committed. A Licence Review (see Glossary) would also be considered, with a strong risk of a revocation.

### ***Criminal Justice and Police Act 2001***

Section 19 gives Police the power to issue a closure notice for non-compliance with a Licence. This means the business has to stop selling alcohol otherwise they are committing an offence under s136 of Licensing Act 2003. Be aware, it's not just the Owner; PLH and DPS who commits an offence by allowing the continued service of alcohol but also the member of staff actually selling it. So, if a premise has been issued with a Closure Notice all staff should be informed as soon as possible in order to prevent the unwitting committal of an offence.

#### **Offences:**

- Obstructing an Officer issuing a Closure Notice – s.25 (3a)
- Not complying with a Closure Notice – s.25(5)

**Consequences:** Obstructing an Officer from issuing the Closure Notice could lead to a fine of up to £5000 and/ or a one month imprisonment. For not complying with a Closure Notice this imprisonment term can stretch to 3 months and the fine goes up to £20,000. Of course there is always the option of a Licence Review (see Glossary) for the premise as well.

### ***Other Relevant Legislation and Information***

#### ***Licensing Act 2003 – powers of entry/ underage supply***

You should be aware that the Police and Officers from RAs are granted powers of entry for inspection under section 179 of the Licensing Act 2003. This power is to allow relevant, authorised officers to enter premises to ensure that any licensable activities are being carried on under the appropriate authorisations. It is an offence for you to obstruct an officer who is exercising this power and you can face a fine of up to £1000.

Additionally section 180 of the Licensing Act 2003 provides that Police Officers may enter and search premises where there is reason to believe an offence has been, is being or is about to be committed and they may use reasonable force to gain entry.

Section 150 (4) of the Licensing Act 2003 allows alcohol to be supplied to a person aged 16 or 17 years. However, the alcohol must be physically purchased by a person over 18, who is accompanying the 16/ 17 year old person. The 16/ 17 year old must be eating a table (substantial) meal and the alcohol must only be beer, wine or cider. \*see page 16 for more info.

#### ***Misuse of Drugs Act 1971***

Nearly all drugs with misuse and/or dependence liability are covered by it. The Act makes the production, supply and possession of these controlled drugs unlawful except in certain specified circumstances (for example, when they have been prescribed by a doctor).

If you knowingly permit the production or supply of any controlled drugs, the smoking of cannabis or certain other activities to take place on your premises you could be committing an offence and on summary conviction could face a prison sentence of up to 12 months and/ or a fine up to £2500 depending on the class of drug involved.

## **IMPORTANT** *Consequences:*

If you commit an offence and get a criminal record it will affect your future.

A caution stays on your record for 6 years; a conviction (no custodial sentence) stays for 11 years; a conviction with a custodial sentence will always show on a Disclosure and Barring Service (DBS) certificate. This is a check that employers and other agencies will carry out to assess your suitability for employment, or using their service.

A **£90\*** PND is not a criminal conviction and but will be disclosed on an enhanced DBS check. However, failure to pay it will result in a recordable conviction due to subsequent attendance at court.

- A criminal record needs to be disclosed to insurers; landlords; mortgage providers; financial service providers; education institutions; visa agencies; adoption agencies.
- People with criminal records are highly unlikely to be able to get a job in the health sector; finance and banking; security; government agencies; legal and policing; and working with children or other vulnerable people.

Universities can refuse you a place on a course if you have a criminal record, particularly health, social care or education courses.

Trouble travelling to certain countries, such as the USA, Canada and Australia.

## SECTION TWO - Preventing Underage Sales

### Challenge 25 /No ID No Sale

Challenge 25 is widely used in Staffordshire and Nationally. Anyone who appears to be under 25 should be asked for ID, if they produce ID to prove they are 18 or older you can serve them. It reduces the likelihood of mistaking somebody who is under the age restriction as being old enough; as an underage person is less likely to appear 25 than they are 18. Once you have asked for ID you need to apply a 'No ID No Sale' policy. If they cannot provide reliable ID to verify their age, then under no circumstances should you serve them. Asking for ID is the best way to establish a person's age. Asking questions about age or date of birth is not good enough and would need to be followed up by asking for ID anyway.

Other considerations when deciding when to ask for ID:

- **DO NOT** rely on the fact the door staff have let them into the premise and are likely to have checked their ID; because they may not and it's **YOU** who gets the **£90\*** PND and criminal record for making the sale, not them!
- Do assess who they are with, but DO NOT assume that just because they are with older looking people they are old enough.
- You may ask a colleague for their opinion, but if you have already thought about asking for ID you should ask. If your colleague advises you to serve without asking for ID, it will still only be YOU who will get the **£90\*** PND!
- What drink are they buying? You may know what products tend to attract the underage clientele.
- Assess their body language as well as how they appear. Sometimes they may appear over confident but many will probably be nervous, avoiding eye contact and not making conversation because they wish to draw very little attention to themselves.

Judging age is a very difficult thing to do and everyone will assess it differently. Therefore using 25 as the age people have to look, makes it more likely you will be asking for ID from underage persons. Lots of people shy away from guessing peoples' ages because they claim they are a terrible judge of age. Working in alcohol retail means that you do not have the luxury of this excuse; you have to assess peoples' ages all the time and if you don't, then you are likely to serve an underage person; which means you are breaking the law and liable to a **£90\*** PND at least, as well as a criminal record.

If you do not feel confident in assessing ages, you need to get lots of practice. There are examples below and there are more in the Guess the Age Book. However, you can practice in your own time by trying to guess the age of people on TV shows and using the internet to discover the answer.



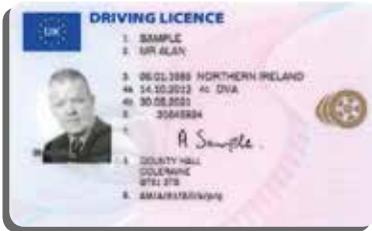
How old do you think they are?

Would you ask them for ID?

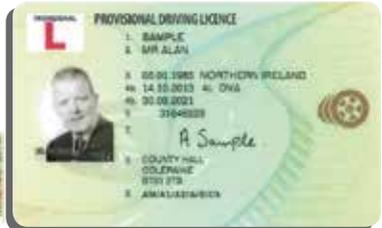
# Acceptable ID

- UK Photo Driving licence - full and provisional (1 - 5)
- Passport (6)
- PASS endorsed ID with a PASS hologram, e.g. Citizencard (8)

1



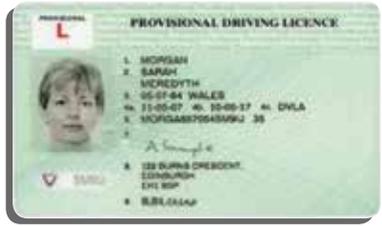
2



3



4

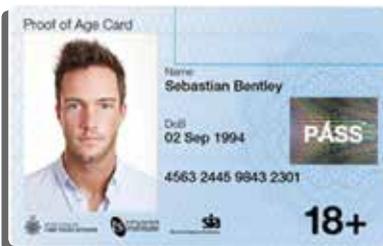


6

5



7



8



You should take the ID off the person so you can check if it is genuine or if it has been tampered with. For instance, check a driving licence by running your finger over the person's surname. However, then check to see if it has been tampered with by checking the date of birth, if this is raised it has been tampered with and should not be accepted.

## **Handling and Recording Challenges and Refusals**

Asking for ID is a difficult thing to do because you don't want to offend the customer in any way. Try to do it as casually as you can, make the customer believe that it's a normal part of the transaction. For those who are over 18, but look under 25, this is unlikely to be the first time that they have been asked and they will not be offended. Those over 18 who have forgotten their ID may initially be angry but it is likely they will come back with it later. Underage persons will either walk away sheepishly or try to make a scene.

It is important when refusing to serve somebody that it is done in a **polite** and **professional** manner.

You need to remain calm and apologise, then **transfer the blame** by explaining the business operates a Challenge 25 Policy; so you are saying they don't look over 25 (not 18). It is useful to point to a poster or badge that advertises the operation of a Challenge 25 Policy to emphasise the point and **de-personalise** it. Explain that now you have asked for ID the law says you are not allowed to serve them if they cannot prove they are over 18, and that you can be prosecuted resulting in a fine and criminal record.

Offer a solution such as stating you are happy to serve them when they return with their ID (therefore you are not accusing them of being underage and acknowledging they may have ID they have simply forgotten). If they say they don't have a Driving Licence or Passport you can suggest they apply for a Citizencard which they can do on the Citizencard website. Try not to antagonise or humiliate the person as this may create further problems.

You need to be firm in making the refusal, there is no negotiation even if they are claiming that the colleague next to you has previously served them or indeed that you have. Apologise again and explain that you, and any colleague they have identified, serve lots of people and unfortunately cannot remember everyone, so you would be grateful if they could always bring their ID with them as it would help you to serve them.

If a person is getting aggressive you need to avoid prolonged eye contact and use relaxed body language (such as open handed gestures). Always keep a barrier between you and them to avoid physical violence. If problems persist seek the assistance of another member of staff/ management/ door staff. If the person becomes violent or threatening you should telephone the Police.

Once you have challenged someone for ID you will need to record it, regardless of whether or not they provided ID and you served them, or they didn't have ID and you refused them. Trading Standards have created a Refusal/ Challenge Register to enable you to record this information easily. It also allows other staff to be aware of any potential problem people by looking at the entries, before starting a shift, to identify any customers who may attempt to get served again when a new staff member is working. In the Register you should record: your name; the date and time of the challenge; the product; the reason for refusal and a brief description of the person refused. If you have been provided with ID and make the sale, you record: your name; the date and time, and tick what ID is provided. Ideally you will complete this record straight away but in really busy periods it may mean you are filling it out when you have time, but you need to do it as soon as you can before you forget.

The **Refusals/ Challenge Register** should be kept by the till(s) within easy reach of the staff completing it. You need to familiarise yourself with where it is kept and if there is more than one on site.

Some businesses operate an electronic register that is simply linked to a till prompt. If this is the case where you work you may not have to complete the hand written register.

If you feel uncomfortable asking for ID you must speak to your Manager/ Business Owner. Ask them to provide you with further training, such as shadowing a more experienced member of staff to see how they do it; or doing role play scenarios around refusals.

It is important to have a united front against underage sales so it is a good idea to tell your colleagues at the time when you are making a refusal. So, if you are working a busy bar where there are a few staff, they can immediately look at the person refused and therefore not serve them if they move down the bar and try again.

Where under 18s are not allowed in the premises, you must ask the person refused to leave the premises or ask door staff to eject them.

Some premises will be required to operate an Incident Log so check with your employer. This can be used to record when a person has been ejected and for what reason. You should record whether the Police have been informed and attended. For example, if you have refused a sale and the customer has become aggressive and therefore asked to leave but refuses, you can detail this in the Incident Book as well as the Refusals/ Challenge Register. Before you ask for ID you need to assess whether or not the person is drunk (see pages 18-21 for more information). If they are drunk you will need to refuse the sale straightaway.

Remember, when refusing the sale:

- Be Polite & Professional
- Stay Calm
- Apologise
- De-personalise

- Transfer the Blame
- Offer a Solution
- Be Firm/ Stand Your Ground

If they get aggressive:

- Use relaxed Body Language
- Avoid Prolonged Eye Contact
- Keep a Barrier Between you
- Ask for Management Support
- Call the Police

## **Proxy Sales**

A proxy sale is where an adult (person over 18) purchases alcohol on behalf of an underage person. This is an offence and the adult is liable for a **£90\*** fine with a potential of prosecution which can result in an up to £5000 fine. If you serve the adult when you know they are going to pass it on to an underage person you could also face prosecution or be at risk of losing your job because the business may have their licence reviewed as a result.

When it comes to identifying and preventing proxy sales you have to consider a number of things and use your discretion.

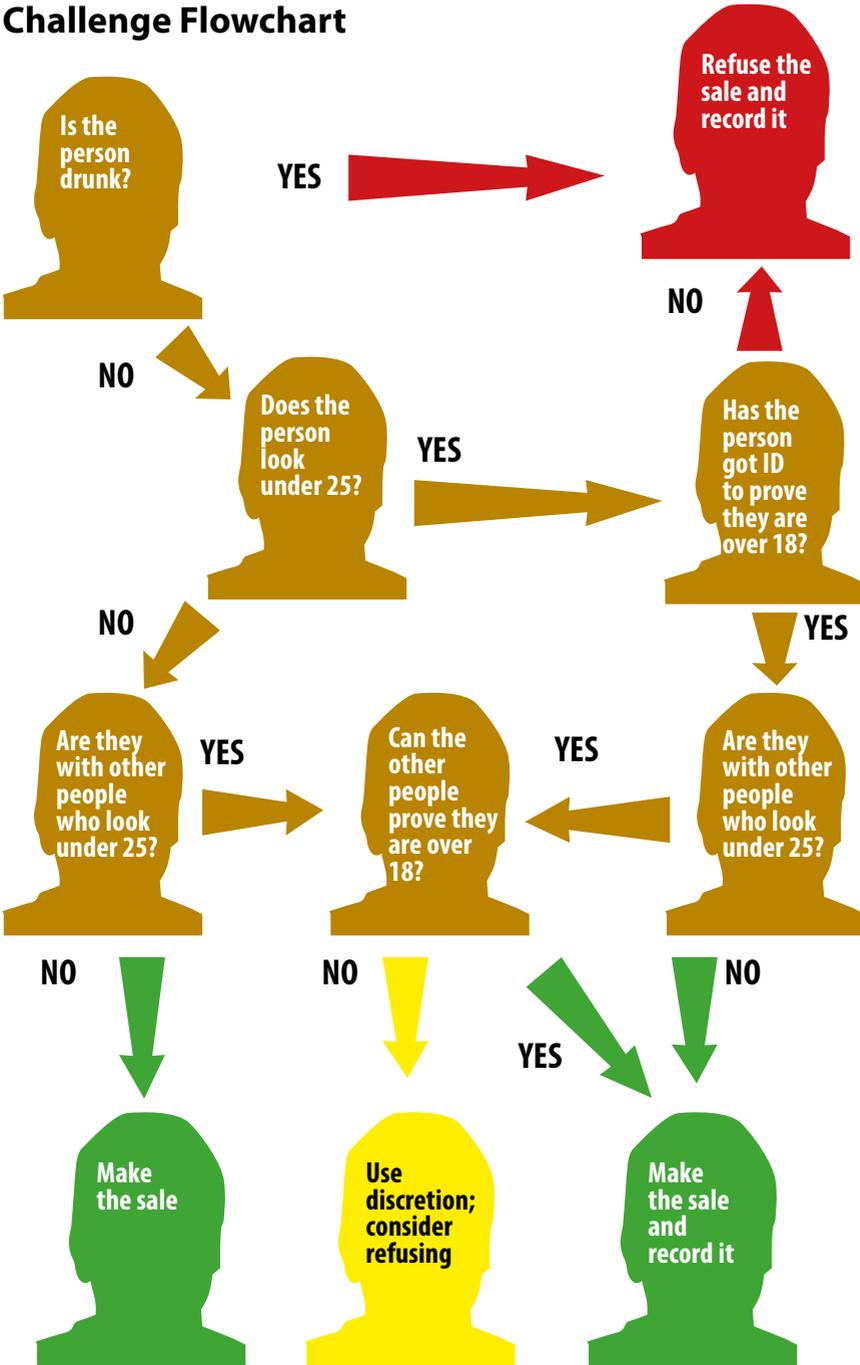
Indications of proxy sales could be that when a group of customers enters the premises only a couple of them come to the bar to order. You need to be aware of these so that you can assess the age of those who don't approach the bar. If this is common behaviour by the nature of the business (such as a family/ food orientated establishment) you need to check if there are any underage persons in the group. Once this is established and you believe the ones at the bar look over 25 you need to see how many are in the group and how many are underage; then you need to ensure the order contains enough soft drinks and alcoholic drinks to cover the group (obviously there may be more soft drinks but there shouldn't be more than one alcoholic drink per person over 18).

You still need to make an effort to see the table and the occupants sat at it as soon as you can afterwards, to check that they have not passed alcohol to the underage members. However, your employer may impose a policy where each, over 18, group member has to approach the bar themselves to order alcohol.

Other dynamics may be a group, of a similar age range, where you have asked the ones at the bar for their ID. They may provide you with ID but then go on to order alcohol for the group members who are not at the bar. At this point you should ask for ID from all of the group members who look under 25, and if they can't provide it you have a decision to make. You have to decide if you have the capacity to monitor the group once they've been served. If you have capacity you could decide to take all their orders separately, restricting the order to only one drink per person, so you can ensure those without ID are only served with soft drinks. However, you will need to listen to the group's discussions to ensure that one of them with ID doesn't agree to buy alcohol on behalf of one who doesn't have ID. You then have to monitor the group to ensure those who purchased the alcohol do not pass it onto one of those without. If you cannot monitor the group it is safer to refuse the sale to the whole group in order to prevent proxy sales.

There is always an exception to the rule, for example underage persons are not allowed to buy alcohol unless they are acting under authorisation of the Police or Trading Standards. There is an exception to allow a proxy sale. An adult can purchase beer, wine or cider for a 16/17 year old if they are accompanying them and the 16/17 year old is eating a substantial meal at the time. The underage person cannot purchase the alcohol directly. The law doesn't specify a limit on the number of drinks they can have so it is **not a recommended practice**. You need to **check with your employer** to see what policy they operate. Best practice would be to not allow this supply or only allow one drink to be served directly with food. If you refuse a sale due to it being a suspected proxy sale you must record it in the Refusals/ Challenge Register.

# Challenge Flowchart



## **SECTION THREE - Social Responsibilities**

There are certain social responsibilities that you have to be aware of and abide by in order to serve alcohol. Here are the ones that are applicable to you as the person serving the alcohol.

- Promote responsible drinking and sensible drinking practices.
- Avoid encouraging or condoning illegal; irresponsible or immoderate drinking (i.e. drunkenness, drink driving, drinking inappropriately).
- Take all precautions against underage sales.
- Avoid any association with violent, aggressive, dangerous, illegal or anti-social behaviour.
- Avoid suggesting that alcohol may enhance social, sexual, physical, mental, financial or sporting performance, or suggesting that not drinking will decrease such performance.

When you are serving alcohol you must always consider these responsibilities and ensure that you are implementing them.

### **Identify a Drunk Person**

Different people have different alcohol tolerance levels, so do not assume that just because a person has only had 2 drinks that they cannot be drunk. There is also no way of knowing how many drinks that person has had prior to entering your premise, so look for signs of intoxication from the first time they come to the bar.

A drunk person may not show all of these signs so it is a good idea to look for any one of these signs:

- Being unsteady on their feet
- Slurred speech

- Glazed or red eyes
- Flushed cheeks
- Loudness
- Rowdy behaviour
- Dropping things (keys, money)
- Smell of alcohol on their breath and clothes
- Overly emotional (crying, shouting, aggression, anger)

Your employer should have a policy regarding the procedure for dealing with drunken persons so you need to familiarise yourself with this. The policy should cover who needs to deal with these customers and when medical help should be sought.

### **How much is too much alcohol? What are the dangers?**

Many people won't see themselves as hazardous drinkers and will believe they only drink what 'everyone else' does. This social norm for alcohol use only encourages hazardous and harmful drinking.

By choosing to work in the sale of alcohol you have accepted the responsibility to help tackle this social norm; to help people to control their drinking, so that they don't put themselves at risk. You are expected to encourage responsible drinking but in order to do that you need to know what is responsible drinking.

The [drinkaware.co.uk](http://drinkaware.co.uk) website has a tool for assessing your drinking levels as well as other helpful information.

You need to understand that how much alcohol we consume is counted by units, not by drink. It is a measurement of the pure alcohol in the drink and a unit is the equivalent of 10 millilitres (8 grams) in the UK. Examples below:

Pint of Beer/ Lager/ Cider (3.6% ABV) = 2 Units

Pint of Beer/ Lager/ Cider (5.2% ABV) = 3 Units

125ml glass of Wine (12% ABV) = 1.5 Units

175ml glass of Wine (12% ABV) = 2.1 Units

25ml shot of spirit (40%) = 1 Unit

35ml shot of spirit (40%) = 1.4 Units

There is a recommended daily allowance of units, to enable you to judge how much you should drink and it differs on gender.

Men should only drink 3-4 Units per day.

Women should only drink 2-3 Units per day.

Please note these allowances are for persons over the age of 18. There is no recommended allowance for underage persons and the official guidance is that persons under 15 years shouldn't be drinking alcohol at all.

If you drink twice the recommended daily allowance you are a binge drinker; you cannot 'save up' your daily allowance to drink over two nights at a weekend for example. It is also recommended that you have at least two alcohol free days a week. The dangers of binge drinking are often underestimated because people believe 'alcoholics' are the only ones doing any long term damage. Yet binge drinking is probably the biggest cause of alcohol poisoning.

These are some interesting, local, facts around alcohol use:

- In Staffordshire there are 131,000 hazardous drinkers, 32,000 harmful drinkers and 21,000 alcohol dependent drinkers.
- The districts of Cannock and Newcastle-under-Lyme tend to record the highest levels of alcohol related harm for under 18s.
- Binge drinking estimates are highest in Tamworth and Stafford.
- All Districts in Staffordshire have a higher estimate of binge drinking than for the West Midlands as a whole and the estimate for Tamworth is also higher than the estimate for England.
- The number of months of life lost attributable to alcohol are highest in Newcastle-under-Lyme where the figure reaches over a year (12.1 months).
- The number of young people in treatment for alcohol has increased by 17% over the last 12 months.
- During 2010/11 there were 51,100 accident and emergency admissions, it is estimated that 28,000 of these were alcohol related with estimated costs of £2,375,700

*(Information correct at time of publication).*

Alcohol dehydrates you, which is dangerous for all your organs but particularly for your brain. Dehydration can cause brain damage and this damage can have a long term impact on your mental health. So drinking plenty of water during and after drinking alcohol is important. Coffee also dehydrates you so even though the caffeine may make you feel more alert you must still drink water!

Alongside the impact on your mental health, alcohol affects every part of the body. If you regularly drink above your recommended daily allowance you put yourself at increased risk of throat and mouth cancer. You can also raise your blood pressure which puts undue strain on your heart.

Most people are already aware of the impact of long term drinking on the liver – cirrhosis (scarring) and hepatitis (inflammation). Drunken people are more likely to engage in risky sexual behaviour and put themselves at risk of sexually transmitted infections.

Alcohol can also impact on your appearance because it dehydrates you and this makes your skin wrinkle and sag as well as looking a little dull/ greyish. Alcohol interferes with your REM sleep and this makes you wake up tired, often with the associated ‘bags’ under your eyes. Regularly drinking over the recommended allowance is associated with the skin condition known as Rosacea; symptoms of which can cause persistent redness, visible blood vessels, red bumps and pus-filled spots.

Alcohol contains 7 calories per gram and they have no nutritional value. It slows down the amount of calories you are able to burn during exercise and it makes you crave fattening snacks!

As well as the associated health implications of alcohol there are also the more immediate effects; such as adverse risk taking behaviour due to the fact your inhibitions have been lowered and you are not able to think ahead to assess the consequences. Lack of co-ordination also adds to this and contributes to alcohol related injuries such as falling over or having traffic related accidents.

Alcohol lowers the body temperature but people often refer to a ‘beer jacket’ and don’t wear appropriate clothing for the weather which can lead to hypothermia.

## **Preventing Drug Use**

Where there is a gathering of people there is likely to be those who feel the need to use drugs, to help them have what they might term a ‘good’ night’. Lots of these users are likely to have already abused alcohol and have turned to drugs as an alternative to get the high they crave. A mix of alcohol and cocaine puts them at higher risk of alcohol poisoning due to cocaine hiding the effects of alcohol which alert you to being drunk.

Obviously drugs are illegal and their use in any business is to be discouraged at all times. Your employer will have some or all of the following policies in place around the prevention of drugs use in their premises. You must familiarise yourself with the Drugs Policy that your employer operates.

- Regular checks of the toilets (3 per hour), including checking cisterns for discarded bags. Don't include the checks in any hygiene checks detailed on a rota published in the toilets.
- Signage stating a strict no drug use policy.
- Increased searches of customers, and/ or requesting Police support with a mobile drugs machine, as a condition of entry.
- A procedure for reporting suspected drugs use and the subsequent confiscation of drugs.

It is important to note that your personal feelings are irrelevant when it comes to the drugs policy operated by your employer. It will be a strict policy of zero tolerance to drugs use and if it is not then you should report it to your local Police or via Crimestoppers. Illegal drugs are illegal for a reason and it is usually health related. If you consider recreational drugs use as acceptable and are willing to turn a blind eye to any drug use you see, in the premises, you are risking the safety of yourself, your colleagues and your employer. If your employer is found to tolerate drug use and the Police review their licence this could mean they lose it, which would effectively close the business and everyone would lose their jobs.

You need to consider that customers who are using drugs are likely to be unpredictable and violent putting you at an increased risk of violence. Cocaine makes people feel strong and overly confident which often leads to them getting aggressive and fighting with everyone. Also, a premise that tolerates a culture of drug use puts staff at increased risk of cross contamination. If you are swabbed and have drugs detected it could affect your job or even travel plans.

There are signs you can look out for when trying to decide if someone is using or has been using drugs. Signs vary depending on whether the drugs taken are stimulants or depressants. The nature of the premises in which you work may make it difficult for you to identify all of these behaviours but you need to familiarise yourself with those you are likely to be able to identify. General signs of drug use are:

- Rapid and loud speech
- Erratic behaviour and hyperactivity
- Sweating
- Inability to focus
- Incredibly large or small pupils
- Sweaty palms and shaking hands
- Poor co-ordination
- Vomiting and nausea
- Sudden change in personality - aggressive or unusually calm
- Paranoia
- Grinding teeth
- Rashes around the nose and mouth
- Drinking large amounts of water – unquenchable thirst

Alongside drug use you need to be aware of people who may be dealing drugs within your premises. As with detecting signs of drug use it may be difficult to spot some of the signs of drug dealing in certain premises, so you have to decide which signs you are going to be able to identify.

Signs that may indicate that a customer is also dealing drugs are:

- Frequently going to the car park, garden or toilet.
- Short, muffled conversations with several different individuals.
- Trying to stay in the corner to avoid drawing attention to themselves.
- More than one person going into a toilet cubicle at a time
- Keeping hands in pockets.

## SECTION FOUR – Licensing Requirements

### Licensing Act 2003

A Licence is required for businesses that: sell/supply alcohol; play live or recorded music (time dependent); show televised films/sports events; serve hot food between 11pm and 5am; hold indoor sporting events or theatrical performances and/ or have facilities for dancing.

Any person selling alcohol must either be a Personal Licence Holder or have authorisation to sell alcohol from the DPS. Best practice is to have a written authorisation, by the DPS, for staff to be selling alcohol in their absence. You need to know where this authorisation is kept so that in the event of a Licensing Check, by an RA (such as the Police), you can prove you are authorised to sell alcohol.

Location of DPS Written Authorisation (kept in staff area)

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The Licence (or copy) **MUST** be kept on the premises and be accessible to all staff, but not in the public areas of the premises. You need to know where this is kept in order to produce it in the event of a Licensing Check.

Location of Full Licence (This should be on the premises)

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As well as a full copy of the Licence there should also be a Summary of the Licence on the premises. The Summary MUST be displayed in the premises. Again, it would be useful for you to know where it is displayed so you can guide any relevant Officer to it in the event of a Licensing Check.

The Licence may carry conditions which have to be complied with in order to allow the business to continue selling alcohol legally.

**Remember** you commit an offence by not abiding with these conditions.

If you hold a Personal Licence you must have it on you, always!

You must know who your DPS is and how to contact them at all times.

### **Licensing Objectives**

The Licensing Act requires any business that holds a Premise Licence upholds the Licensing Objectives. The information that you have read in this training booklet will help you and the business to ensure that the business can uphold these objectives and trade legally and successfully.

1. The Prevention of Crime & Disorder
2. Public Safety
3. The Prevention of Public Nuisance
4. The Protection of Children from Harm



Working in Partnership with Public Health and the following agencies;

