



Licensing of Events & Sale of Alcohol

Background

The Licensing Act 2003 (the Act), which came into effect in November 2005, has been substantially amended with the objective of removing unnecessary regulations and burdens. These changes came into force from 6 April 2015.

A licence is now only required for:

- any entertainment between 11pm and 8am;
- **any exhibition of a film, where the intention is to make a profit**, including raising money for charity (i.e. it is not a film club, film society, or local social group screening);
- any boxing or wrestling entertainment, other than Greco-Roman or Freestyle wrestling;
- **the sale of alcohol**, i.e. sale by retail of alcohol to any person;
- the provision of late night refreshment, i.e. sale of hot food or drink between 11pm and 5am

The licence can be in the form of a **Premises Licence** or a **Temporary Entertainment Notice (TEN)**

Hurstbourne Tarrant Community Centre has a Premises Licence, including:

- the sale of alcohol (to end by 11.30 pm in all cases)
- showing a film for profit
- the performance of regulated entertainment (dance, plays, live music, recorded music, films, indoor sports events and the like) after 11.00 pm.

A copy of HTCC's Premises Licence is on display on the internal and external notice boards at the Community Centre.

Details of HTCC's charges for licenced events are included in our Hire Tariff.

HTCC reserves the right to require a Hirer to submit a TEN for some bookings.

Exemptions

There is nothing in the licensing law to prohibit a community organisation, or a Hirer **e.g. the father of a bride**, providing alcohol free of charge at an event to **people over the age of 18**, as long as the alcohol is given away free and its value clearly **not** included in any ticket price or entrance fee.

The provision of bottles of alcohol as prizes **in raffles** and the like is exempt from the need for a licence, subject to certain conditions including that tickets are only issued when the entertainment takes place and the lottery is not the main inducement to attend (further advice can be obtained from the Booking Secretary).

TENs

If alcohol is to be supplied under a TEN it will be a condition that supplies will be made under the authority of the '**premises user**' (**the Hirer**). Premises users are not required

under the Act to be on the premises for the entire duration of an event but remain **personally responsible** if the event is not adequately managed or supervised (see also General Terms and Conditions).

The person giving notice of a TEN **must be aged 18** or over and the TEN must be given to the licensing authority and chief police officer no later **than ten working days before the day on which the event begins**

A copy of the TEN must either be prominently displayed at the premises during the event or, if not, it must be on the premises and a notice displayed to the effect that a TEN is held and giving the name of the person holding the TEN. The police and local authority have rights of entry to the premises to assess the likely effect of the TEN on crime prevention.

No more than 12 TENs may be given for any one premises per calendar year and no more than five TENs p.a. can be obtained by any individual unless they hold a personal licence

For further information see:

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/alcoholentertainmentlatenightrefreshment/temporary-event-notice/?displaypref=3>

Requirements under the Act

The requirements apply irrespective of whether the event is being held under the terms of HTCC's Premises Licence or of a TEN and in either case **the Hirer is solely responsible for compliance** and must familiarise themselves with the requirements of the Act, some key points of which are summarised here.

Age Verification

The Hirer must strictly abide by the Management's **age verification policy** that requires people who appear to be under the age of 18 to be asked, before being served alcohol, to produce identification showing their:

- photograph
- date of birth
- a holographic mark.

An example of an acceptable ID is a photocard driving licence.

It is the Hirer's responsibility to ensure that everyone using the premises is aware of this requirement.

Small Measures

The Act also requires that where alcohol is sold or supplied on the premises, drinks must be available in the following measures:

- beer or cider – half pint
- gin, rum, vodka or whisky – 25ml or 35ml
- still wine in a glass - 125ml

The Hirer must ensure that customers must be made aware of the availability of these measures.

The provision of free tap water is also mandatory

Offences under the Act

A person commits an offence under the Act if he/she:

- carries on a licensable activity on/from any premises without the authorisation of a Premises Licence covering that activity or a TEN.
- knowingly allows disorderly conduct on licensed premises – this applies to anyone working (paid or unpaid) at the premises in a capacity which authorises them to prevent the conduct. This includes a Hirer holding a TEN.

- sells alcohol to a person who is drunk – this also applies to those selling or allowing alcohol to be sold to such a person
- refuses to leave premises if drunk and disorderly when asked to do so by an authorised person
- attempts to obtain alcohol for someone who is drunk
- sells alcohol to those aged under 18 – this also applies to those selling or allowing alcohol to be sold to such a person (Section 10.2).
- purchases alcohol for consumption by someone aged under 18
- knowingly allows sale of alcohol to someone aged under 18
- permits the presence of children under 16 who are not accompanied by an adult between midnight and 5 am at any premises selling/supplying alcohol for consumption on the premises under either a Premises Licence or A TEN. Outside of these hours unaccompanied children can be present at community events at which alcohol is served, but they must be excluded from any part of the premises used exclusively or primarily for the sale of supply of alcohol e.g. a beer tent
- knowingly allows consumption of alcohol on the premises by an individual aged under 18. Wine, beer or cider may be consumed by someone aged 15 or over with a table meal taken with an adult
- knowingly allows unsupervised sales of alcohol by an individual aged under 18 (except at table meals).

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