

Safe & Responsible



Newsletter Spring 2014



Safe & Responsible A manual for safer licensed premises Have you got your manual?

The Safe and Responsible manual was relaunched last year by Derbyshire Dales and High Peak Community Safety Partnerships, helping you carry out your legal and social responsibilities when selling alcohol and providing entertainment. The aim is to continue to work together to reduce drug and alcohol-related incidents across the High Peak and Derbyshire Dales. Both Licensing Authorities and other responsible authorities expect all licensed premises in Derbyshire Dales and High Peak to use the manual, which has many benefits. It keeps all your licensing documentation in one place, making it easier for you to complete regularly, and produce (on request) to a Licensing Officer or any authorised officer from the Police, Fire, Pollution Control and Health and Safety (Environmental Health), Trading Standards, Local Safeguarding Children, Planning and Derbyshire County Council Public Health.



You and your staff should familiarise yourselves with the logs – not all of them will apply to your premises. Staff training is important – it allows you to leave people in charge, and proper completion of the logs could help you to prove due diligence in the event of any incidents at your premises. Additional pages are available from your local Licensing Authority.

If you haven't got a manual or require further assistance on licensing issues please contact your local Licensing Team:

Derbyshire Dales District Council – email licensing@derbyshiredales.gov.uk or 01629 761313

High Peak Borough Council – email la2003@highpeak.gov.uk or 01298 28400/0845 129 7777

Trading Standards news

63% of off-licences in the High Peak and 83% in Derbyshire Dales sold alcohol to 18 year-olds without asking for identification in a recent series of checks by Trading Standards.

Eighteen year-olds without any proof of identification were sent to buy alcohol from off-licences, some of which had a 'Challenge 21' or 'Challenge 25' proof of age scheme as a condition on their premises licence.

Failing to comply with the conditions on your premises licence is an offence under the Licensing Act 2003 which can result in a fine to a fine of up to £20,000.

Estimating the age of a young person can be difficult - that's why we recommend the 'Challenge 25' proof of age scheme. Since October 2010, all premises supplying alcohol have a licence condition requiring a proof of age policy.

Illicit alcohol

Illicit alcohol such as non-duty paid, counterfeit and bogus-branded alcohol - usually wines and spirits - remains a threat to responsible retailers and consumers.

A number of illegal production plants and warehouses have been exposed and dealt with in recent years, but illicit alcohol - particularly vodka - is still a problem. Counterfeit or bogus spirits often contain high levels of industrial alcohol, such as methanol, which can be harmful to health. Offering to supply unsafe food is a serious offence under food regulations with fines of up to £20,000 and/or 6 months imprisonment.

Food regulations also require that retailers can identify the supplier of any food they purchase; so only buy from established traders and insist on detailed invoices/receipts. Failure to do so could result in a fine of up to £5,000.

The Licensing Act 2003 makes specific reference to spirits on which UK excise duty has not been paid. Stocking such spirits constitutes a relevant offence. In addition to a fine and a criminal record, any Personal Licence holders successfully prosecuted could see their licence suspended for up to 6 months or revoked.

If you have any concerns, contact Trading Standards on 01629 536166.

Proof of age

A 'PASS' accredited proof of age card is the form of ID nationally recommended to young people and the retail trade. Photo card driving licences and Passports are also acceptable, but should not be insisted upon or preferred over PASS cards.

While fake and novelty ID cards and look-alike driving permits - many bought through the internet - are in circulation, none of these fake items have been found to bear a counterfeit PASS logo. All scheme cards bear the PASS hologram - a reliable indication that the card is genuine ID. Find out more online at www.pass-scheme.org.uk



Remember: even genuine ID can be misused. Always check that the proof of age offered relates to the person who is actually trying to buy an age-restricted product. If in doubt about the purchaser's age or ID, you should politely refuse to sell.

We recommend that all refused sales are recorded by your staff in a simple 'refusals book' or through more advanced till systems. You may also want to consider recording all challenges made under your proof of age scheme.

Please ensure you check staff are following your policies and procedures at all times. For example, do the refusals recorded by your staff match your own experience of day-to-day operations? If not, investigate and possibly take action - and make a record of what you do. More information online at <http://goo.gl/60KatL>

Environmental Health advice on noise and nuisance

The Environmental Health Team get involved with licensed premises right from the license application stage. We can offer advice on safety, noise and odour issues and suggest how best to reduce the impact on neighbouring premises.

We also have an enforcement role, with powers to deal with issues such

as excessive noise and odour being emitted from licenced premises. If you are concerned your business may have an impact on your neighbours, please speak to a member of your environmental health team on 01629 761212 or email envhealth@derbyshiredales.gov.uk

Fire Safety Law for licensees

Please make yourself aware of fire safety legislation, which became law in October 2006. The main part of this legislation requires a written fire safety risk assessment be carried out at your premises, which must consider:

- means of escape in case of fire**
- suitable warning in case of fire**
- if emergency lighting is required**
- fire extinguishers provided and maintained in good working order**
- that door fastenings can be opened without the use of a key**
- suitable notices and fire exit signs.**

Further advice and answers to frequently asked questions can be found on the Derbyshire Fire and Rescue Service website at www.derbys-fire.gov.uk, together with risk assessment examples and guidance.

Police and licensees team up to toast Intoxicated Campaign

Derbyshire police's licensing team worked with pub, club and bar staff in 2013 to top up their knowledge of licensing law.

The Intoxicated campaign was launched in Buxton to give licensees more

support and to remind bar staff that it's illegal to serve alcohol to someone who has already had too much to drink - and is too 'intoxicated'.

As part of the campaign, police and licensing experts from High Peak Borough Council hosted training days for bar staff as well as test purchases and action days.

Training days focused on the law, how to recognise drunkenness, protect children, personal safety and how pubs, clubs and bars can help cut alcohol-related crimes. Staff taking part improved their knowledge and skills, achieving a Level 1 Award in Responsible Alcohol Retailing (ARAR).

Pub, club and bar workers in the High Peak and Derbyshire Dales also took part in an online surgery, asking questions of police and council licensing staff about the law and the ongoing campaign.

Intoxicated has been such a hit that it is being rolled out across the High Peak and Derbyshire Dales, with new areas including Glossop, Matlock and Wirksworth. PC Sandra Barlow from the High Peak and Derbyshire Dales police licensing team said: "Intoxicated is all about making people aware of the law and making sure anyone can go to a pub and be safe. We've had fantastic feedback from licensees, staff and from drinkers, who understand what we are trying to achieve.

“ It's also been a great example of partnership working, because Intoxicated is a team effort and we've all played our part in making it a success. ”

To find out more about the campaign, visit www.derbyshire.police.uk and search for 'Intoxicated'.

