LICENSING ACT 2003 - MANDATORY CONDITIONS

SALE OF ALCOHOL FOR CONSUMPTION ON AND OFF THE PREMISES

COMMUNITY PREMISES THAT HAVE DISAPPLIED THE DESIGNATED PREMISES SUPERVISOR

All premises Licence authorising supply of alcohol for consumption <u>on</u> the premises (including those that also have off sales) are granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 Order 2014, and Order 2026.

	OVERVIEW OF CONDITION	WHAT YOU SHOULD DO	FULL CONDITION WORDING
1.	***Every supply of alcohol must be made or authorised by the Management Committee***	All sales of alcohol must be authorised the committee. A committee member does not have to be present every time a sale takes place but should have either verbally or in writing given permission to the person actually making the sale	Every supply of alcohol under the premises licence must be made or authorised by the Management Committee
2.	***Prohibition of Irresponsible Promotions***	The responsible person must ensure that staff on relevant premises do not carry out, arrange, or participate in any irresponsible promotions in relation to the premises. You should ensure training takes place for all staff and you keep detailed copies of your training records. Some drinks' promotions are automatically irresponsible and cannot take place. This includes: • Drinking games or other activities that require or encourage (or are designed to require or encourage) individuals to drink a quantity of alcohol within a time limit, or to drink as much as possible. This does not include 'drinking up time' • Selling alcohol as advertised on promotional material, where that material refers to drunkenness favourably, or condones, encourages, or glamorises anti-social behaviour. • Dispensing alcohol directly into someone's mouth.,	(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises. a) games or other activities which require or encourage, or are designed to require or encourage, individuals to – (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or (ii) drink as much alcohol as possible (whether within a time limit or otherwise); b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the

		e.g. dentist chair style drinking. However, it excludes those persons who cannot drink unassisted due to disability Other drinks promotions will only be irresponsible if they carry a significant risk of undermining a licensing objective. These might include:- • Ladies' night where women can drink as much as they like for £10, or student nights where students can have 20%, unless a limit is placed on the amount of alcohol they could buy • Free or discounted alcohol as a prize which encourages or rewards consumption of alcohol in a period of less than 24 hours, for example, 50% of tequila for a set period of time, or 2 for 1, where these drinks are sold at a "discounted price".	public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective; c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective; d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner. e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
3.	***Availability of Free Drinking Water***	You should ensure you have a system in place to provide free potable drinking water to customers and that your staff are aware of the requirement to provide it to customers	The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
4.	***Requirement for Age Verification Policy***	The premises licence holder must adopt an age verification policy and ensure all staff are aware of the policy and content. The DPS must ensure the policy is followed. If ID is required, it should be required at or before the point of sale. A nationally recognisable age verification policy is Challenge 25 where anyone who looks under the age of 25 will be asked to show ID to prove they are over 18. Physical documents Acceptable ID would include a photo driving licence, passport, military ID cards, PASS cards or other cards containing all the relevant information. Digital forms of identification	(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. (3) Subject to sub-paragraph (4), the policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

		The premises can accept digital forms of ID for age verification, but licence holders cannot solely rely on visual inspection of this to determine if the digital ID is genuine. The digital ID must be verified by a digital verification service (DVS) that is certified and listed on the DVS register. To accept digital ID, you will need to have an agreement with a digital verification services provider listed on the DVS register to provide you with a digital verification service. The agreement must specify that the digital form of ID has been verified by a registered DVS to at least a medium level of confidence. Providers will be certified in levels of confidence they are able to achieve. Premises are <u>not</u> required to accept digital forms of ID and can choose to continue solely accepting physical forms of ID.	(a)a holographic mark, or (b)an ultraviolet feature. (4) The age verification policy may make provision permitting a responsible person to accept identification in digital form ("relevant ID") instead of identification of a type described in sub-paragraph (3). (5) Where provision envisaged by sub-paragraph (4) is included in the policy, the policy must make provision dealing with the circumstance described in paragraph (6). (6) The circumstance in this sub-paragraph arises where— (a) the responsible person has reason to believe that a person ("P") who seeks to be supplied with alcohol from a place to which the age verification policy applies has not attained the age of 18, or such greater age as the age verification policy may prescribe ("the relevant age"); and (b) P has indicated their wish to use the relevant ID. (7) When the circumstance in paragraph (6) arises, the policy must state— (a)that P is obliged, upon the request of the responsible person, to make available to the responsible person the means by which their relevant ID may be verified; but (b)that the responsible person may only accept P's relevant ID where the condition in sub-paragraph (8) applies. (8) The condition in this sub-paragraph is that the responsible person is covered by an agreement with a DVSP ("the relevant DVSP") for the provision of digital verification services where— (a)the relevant DVSP has agreed that it will confirm, in the course of providing its services to the responsible person, whether or not P has attained the relevant age; (b)the relevant DVSP has agreed that it will deliver identification to the responsible person that reaches at least a medium level of confidence; (c)that level of confidence has been verified by a DVSP, whether that DVSP is the relevant DVSP or another; and

			(d)the relevant DVSP is registered as a provider of those services in accordance with Version 0.4 or Version 1.0 of the DVS trust framework. (9) In this paragraph— (a)"DVSP" means a person who provides digital verification services, and is included in the register maintained by the Secretary of State under section 32 (DVS register) of the Data (Use and Access) Act 2025 ("the 2025 Act"); (b)"DVS trust framework" is to be construed in accordance with section 28 (DVS trust framework) of the 2025 Act; (c)"medium level of confidence", in respect of identification described in sub-paragraph (8)(b), is to be construed in accordance with— (i)Version 0.4 of the DVS trust framework, in the case that the relevant DVSP, or as the case may be, another DVSP provides the service described in sub-paragraph (8)(c), and is registered as a provider of that service, in the DVS register, in accordance with Version 0.4 of the DVS trust framework; (ii)Version 1.0 of the DVS trust framework, in the case that the relevant DVSP, or as the case may be, another DVSP provides the service described in sub-paragraph (8)(c), and is registered as a provider of that service, in the DVS register, in accordance with Version 1.0 of the DVS trust framework. (10) For the purposes of sub-paragraph (6) "supplied" is to be construed in accordance with section 14 of the Licensing Act 2003. Nothing in sub-paragraphs (4) to (10) prevents the supply of alcohol to a person based upon identification of a type described in sub-paragraph (3)
5.	***Provision of Smaller Measures***	The mandatory condition requires the responsible person to do three things:- 1. You must make the smaller measures available, i.e. you must have the appropriate drinking vessels, optics and measures to ensure you can provide the smaller measures accurately. This does not apply to drinks made up in advance and in pre sealed bottles,	(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

		for example, bottles of beer. 2. You must display the smaller measures on the premises, e.g. by including the different measures explicitly on your menus or other printed material. 3. You must ensure the customer is aware of the smaller measures. This means it is YOUR responsibility to ensure that a customer is aware that the smaller measures are available. Consider the following:- • If a customer comes to the bar and asks for "a beer" or "a glass of wine" you could respond by asking whether they would like a half pint or a pint, or a 125ml or larger size glass of wine. • You should not simply ask whether they would like a small or a large – the size must be specified, unless the customer is already aware a small measure is 25ml. • Although you do not have to verbally make the customer aware of the smaller measures, you should ensure that they have seen the printed material displaying the smaller measure. For example, you could ask them if they have seen the price list, or refer to a chalk board or notice at the bar – but you would not be complying with the condition if you simply left price lists out in the premises but did not specifically draw the customer's attention to them. • The printed material should make the availability of smaller measures obvious to a customer. • Once you are sure that the customer is aware of the smaller measure and that they and continue to be aware, you do not have to repeat the information each time you make a sale.	(i) beer or cider: ½ pint; (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and (iii) still wine in a glass: 125 ml; and (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
6.	***Prohibition of Sale of Alcohol Below Permitted Price***	The condition prohibits the sale of alcohol below the permitted price, which is the amount of duty, plus the amount of duty times by the rate of VAT (rounded up the nearest penny). You should ensure that you make the necessary calculations to ensure your alcohol prices do not fall below the permitted price. Take particular care with promotions and special offers.	**Minimum Drinks Pricing** 1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. 2 For the purposes of the condition set out in paragraph 1 – (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

			(b) "permitted price" is the price found by applying the formula – P = D + (DxV) Where – (ii) P is the permitted price (iii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and (iv) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence – (i) The holder of the premises licence (ii) The designated premises supervisor (if any) in respect of such a licence, or (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence; (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994. 3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny. 4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax. (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the

			second day.
Condition Relevant if the Premises Licence Allows Exhibition of Films			
7.	***Restriction of Admission of Children in Accordance with Film Classification***	If your premises licence allows for exhibition of films, you should restrict entry to children where those films are showing in accordance with the film's classification. Ensure your staff are aware of the need to restrict entry in accordance with a film's classification.	1.Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section. 2.Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body. 3.Where (a) The film classification body is not specified in the licence, or (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority. 4.In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification
Condition Relevant if the Premises Licence has Conditions in Respect of Security Activity ***Except theatres, cinemas, bingo halls and casinos***			

8.	***Persons Carrying out Security Activities must be SIA Registered***	If your premises licence has conditions requiring persons to conduct security activities, any person doing so on a premises must be SIA registered. Ensure that your staff are trained to be aware what functions they can and cannot do in terms of security activity. For example, someone who hosts on a door may not need to be SIA registered, but if they are managing customers in a queue or searching them it is likely that they will need to be SIA registered.	1.Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must: (a)authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or (b)be entitled to carry out that activity by virtue of section 4 of the Act. 2. But nothing in subsection (1) requires such a condition to be imposed: (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or (b) in respect of premises in relation to: (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act. 3.For the purposes of this section: (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.