LICENSING ACT 2003 - MANDATORY CONDITIONS

SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES

All premises Licence authorising supply of alcohol for consumption <u>off</u> the premises 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	CONDITION WORDING
1.	***Requirement for Designated Premises Supervisor***	You should ensure you have a DPS named on the premises licence. This will person will normally have been given day to day responsibility of running of the premises. If your DPS leaves or their personal licence is suspended, then sale of alcohol must cease. You must make an application to place a new DPS on the premises licence immediately if you wish to continue to sell alcohol.	No supply of alcohol may be made under the Premises Licence (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence, or his Personal Licence is suspended.
2.	***Every supply of alcohol must be made or authorised by a person who holds a personal licence***	If a member of staff holds a personal licence, they can make sales of alcohol. If a member of staff does not hold a personal licence, every sale of alcohol they make must be authorised by a personal licence holder. It is good practice to have a written authorisation form detailing who has been authorised to make sales of alcohol. A person under 18 can only make a sale of alcohol if they are specifically approved by a responsible person who must be the licence holder, the DPS or a person over 18 who has been authorised to take this action. It is good practice that he the responsible person should be present when the sale is made.	Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

3.	***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 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.	(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— (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)
4.	***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.