

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/we DONNA ROBINSON
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description J36 RURAL AUCTION CENTRE CROOKLANDS			
Post town	MILNTHORPE	Postcode	LA7 7FP
Telephone number at premises (if any)		015395 66200	
Non-domestic rateable value of premises		£ 167,000	

Part 2 – Applicant details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | |
|--|---|
| a) an individual or individuals * | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual * | |
| i as a limited company/limited liability partnership | <input type="checkbox"/> please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input checked="" type="checkbox"/> please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or ☐

I am making the application pursuant to a
statutory function or ☐
a function discharged by virtue of Her Majesty's prerogative ☐

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth			I am 18 years old or over <input type="checkbox"/> Please tick yes		
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

If you wish the licence to be valid only for a limited period, when do you want it to end?

23 06 2018 to
DD MM YYYY
24 06 2018

Please give a general description of the premises (please read guidance note 1)

EXHIBITION HALL AT J36 RURAL
AUCTION CENTRE

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

NO

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐
☐
☐
☐
☒
☒
☐
☐

Provision of late night refreshment (if ticking yes, fill in box I)

☒

Supply of alcohol (if ticking yes, fill in box J)



In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors <input type="checkbox"/>
					Outdoors <input type="checkbox"/>
					Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue					
Wed					
			State any seasonal variations for performing plays (please read guidance note 5)		
Thur					
Fri					
Sat					
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sun					

B

Films Standard days and timings (please read guidance note 7)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Wed			
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)	
Thur				
Fri				
Sat	19:00		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)	
Sun		02:00		

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon						
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Fri						
Sat	19:00	Ø				
Sun		02:00				

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	
Day	Start	Finish	Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	
Tue			State any seasonal variations for the performance of dance (please read guidance note 5)	
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)	
Thur				
Fri				
Sat				
Sun				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	19:00				
Sun		02:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)		On the premises	<input checked="" type="checkbox"/>
					Off the premises	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)			
Mon						
Tue			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)			
Wed						
Thur						
Fri						
Sat	19:00					
Sun		02:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	STEPHEN PROCTER
Date of birth	
Address	
Postcode	
Personal licence number (if known)	PA1048
Issuing licensing authority (if known)	SOUTH LAKE LAND

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

THE DANCE WILL TAKE PLACE IN THE EXHIBITION HALL. THE OUTSIDE AREA WILL BE SECURITY FENCED. SECURITY GUARDS WILL BE EMPLOYED TO MAINTAIN ORDER AND DOORKEEP. THE PEOPLE ATTENDING WILL BE ID AND WRISTBANDS. THERE WILL BE NO ONE ATTENDING UNDER 16.

b) The prevention of crime and disorder

SECURITY OFFICERS WILL BE EMPLOYED (1 TO 70) ON THE EVENING. SECURITY FENCES WILL BE ERECTED AROUND THE ENTRANCE AND FOOD STALL. THE FENCES WILL HELP MONITOR NUMBERS AND HELP ID PEOPLE. IT WILL BE A TICKET ONLY EVENT. TICKETS BE SOLD PREVIOUSLY.

c) Public safety

A FIRE OFFICER WILL BE ASKED TO VISIT THE SITE AND ADVISE WHAT NEEDS TO BE DONE. THE ENTRANCE TO THE VENUE IS ON ONE SIDE AND OTHERS FIRE EXITS AROUND VENUE. ALL DRINKS WILL BE SERVED IN PLASTIC GLASSES OR TINS. FIRST AIDERS WILL BE ON SITE IN CASE OF AN ACCIDENT.

d) The prevention of public nuisance

MOST PEOPLE ARRIVE BY BUSES AND LEAVE THE SAME. THERE IS ONLY A SMALL AMOUNT OF RESIDENTIAL HOUSES CLOSE TO THE VENUE. THESE WILL BE TOLD ABOUT THIS EVENT. THE MUSIC WILL BE MONITORED OUTSIDE THE BUILDING AND TURNED DOWN IF NECESSARY.

e) The protection of children from harm

THEIR WILL BE NO PERSON UNDER THE AGE OF 16 ALLOWED INTO THE FUNCTION. ID WILL BE CHECKED ON THE DOOR AND WRIST BANDS ATTACHED TO IS AND OVERS. NO ONE WILL BE SERVED WITHOUT A WRISTBAND. PLEASE SEE DRUGS POLICY INCLUDED.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee. ☐
- I have enclosed the plan of the premises. ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☐
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☐
- I understand that if I do not comply with the above requirements my application will be rejected. ☐
- ☐

[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15). ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	
Capacity	W SOCIAL SECURITY

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:

Consent of individual to being specified as premises supervisor

I STEPHEN PROCTER
[full name of prospective premises supervisor]

of

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE.
[type of application]

by

CUMBRIA YFC
[name of applicant]

relating to a premises licence

NONE
[number of existing licence, if any]

for

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

ET DONNA ROBINSON CUMBRIA VFC
[name of applicant]

concerning the supply of alcohol at

J36 RURAL AUCTION CENTRE
CROOKLANDS.
MILWORTHORPE
CUMBRIA
LA7 7AP

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

PA1048
[insert personal licence number, if any]

Personal licence issuing authority

SOUTH LAKEBLAND
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

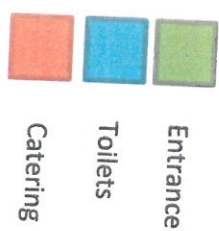
STEPHEN PROCTER

Date

25 March 2008

livestock yard

☐ EI Sub Sta



Bar/DJ/Dancefloor

Bar

FIRST AID

LOADING DOOR
4M WIDE
4.5M TALL
loading

fire
exit

23.4

20.6

East Hall
490 sqm

loading
LOADIN
4M WIC
4.5M T/

fire
exit

15.4

MAX HEADROOM
FOR ITEMS 2.55M

15.2

West Hall
255 sqm

male

female

acc

store

fire
exit

7.2

3.9

South Hall
64 sqm

ENTRANCE

ENTRANCE



NFYFC Drugs and Alcohol Policy with Guidance for County Federations

Ref: P&G 020 (adopted August 2014)

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Field Code Changed

DRUG & ALCOHOL USE

NFYFC has a commitment to enhancing the health and safety and wellbeing of members and recognises the risks that may be caused by the misuse of alcohol, drugs and other substances.

Whilst NFYFC in no way condones the misuse of drugs or alcohol, we will balance disciplinary action with appropriate support for members/staff who misuse them.

To enable the adoption of this policy staff, management committees and all those in a position of responsibility should be aware and receive drug and alcohol awareness training. YFC members must also be aware of the policy and receive drug and alcohol information/support, if needed. Local drug and alcohol services should be advertised to them.

The following guidelines should be adhered to:

- Ensuring staff understand the drug and alcohol policy.
- The display of notices including drug and alcohol policy.
- Offering support and information about drug and alcohol effects, and local service provision.
- Offer assistance in referring to drug and alcohol treatment services.
- Supervision of communal areas of the premises/venue as far as it is reasonably possible.
- Arranging the lay-out of the building to ensure that the entrance is always observable and that the accommodation being used is fit for purpose in providing a safe environment for all YFC personnel.



It is essential to adopt a drug and alcohol policy that is consistent with other youth organisations within the County and agencies aiming to reduce the potential harms of drugs and alcohol substance misuse. Developing partnerships can benefit in terms of helping to develop the drug and alcohol policy, involvement in local strategies, joint work/training and local agreements.

NFYFC POLICY STATEMENT ON DRUG USE

1. NFYFC POLICY ON STANDARDS OF PERSONAL BEHAVIOUR IN YFC (Paper no. P&G 024)

This recommends banning of members in circumstances where they are proven to be abusing other members, members of the public, or property. In circumstances where YFC members are proven to be taking drugs or underage- drinking, we need to be very careful with our actions being aware that, in many cases, the individual may be vulnerable and at risk and requires YFC's support rather than ostracising.

2. DRUGS

NFYFC needs to recognise:-

- That illegal use of drugs includes supply and consumption of legal drugs, such as alcohol and tobacco to under 18s, as well as cannabis and ecstasy. (Please refer to the Licensing Act 2003, Licensing (Young Persons) Act 2000 and the Children and Young Person Act (Sale of Tobacco) Order 2007)
- The prevalence of New Psychoactive Substances (NPS), previously known as legal highs, continues to increase rapidly with the number of UK deaths linked to NPS rising in recent years. NPS are designed to mimic the effects of illegal drugs and are chemically different enough to not be covered by the law. The chemicals are made on an industrial scale in countries like China and India and then packaged and distributed throughout Europe. They are on sale openly on websites and high streets across the UK and are not controlled under the Misuse of Drugs Act.
 - Most fall into three main categories: stimulants, sedatives or hallucinogens. Suppliers can sell many of them legally as long as they write "not for human consumption" on the packets.
 - They are often sold as plant food or bath salts. The European Monitoring Centre for Drugs and Drug Addiction identified 73 new substances in 2012 alone and 693 online retailers.
 - Little is known concerning the long-term health effects of NPS as a result of both their novelty, inconsistency of production and their considerable and increasing variety. NPS are however increasingly being implicated by police and health organisations in crime, disorder and severe health harms, including drug related deaths.
- Issues concerning drug use and their social context must be included in YFC programmes.
- Drug misuse should be addressed wherever possible through reducing the risk to the individuals, not purely through knee-jerk reactions to an illegal activity.

3. LEGAL AND PROFESSIONAL OBLIGATIONS

- a) Immediate action should be taken to stop the following activities at an YFC event:-
- Smoking Cannabis.
 - Illegal supply or consumption of drugs, including alcohol to under 18s.
 - Sale of tobacco to under 18 year olds. The Children and Young People (Sale of Tobacco) Order 2007 substitutes the age of 18 for the age of 16 which relate to the prohibition on the sale of tobacco products and cigarette papers to young persons in England and Wales.
- b) These activities, if allowed to take place, put the leader/worker in charge at risk of prosecution under the "Misuse of Drugs Act" or the licensing laws, only if he/she "knowingly permits" it to occur and takes no action to stop it.
- The Misuse of Drugs Act states that it is an offence to:
- possess a controlled substance unlawfully
 - possess a controlled substance with intent to supply it
 - supply or offer to supply a controlled drug (even if it is given away for free)
 - allow a house, flat or office to be used by people taking drugs
- c) Simply knowing about a young person's use or possession of drugs may not, in itself, render a leader/worker liable to prosecution. Under the "Police and Criminal Evidence Act" there is no obligation to pass on information about drug possession or misuse to the police as long as the leader/worker does not actively aid and abet or obstruct the police by hiding drugs.
- d) A refusal to answer police questions may amount to an obstruction of the police in the course of their duty, which is a criminal offence.
- e) Any illegal drugs found should be destroyed or given to the police without delay.

4. WHAT TO DO

- a) Where a person is found to be using or in possession of drugs at a YFC event they should be asked to stop and the drugs destroyed.
- b) If this continues they should be asked to leave and offered help if required.

It is necessary to differentiate between persistent breach of policy and first time policy breaches.

The following measures could form the next set of actions if you have not succeeded in preventing prohibited drug activity:

- Recording warnings, sanctions and directions to stop supply or use on premises in an incident book, and ensuring that these measures are enforced. (refer to appendix 1 and 2)*
- The temporary banning of people repeatedly breaching the drug policy.*
- Reviewing the use of premises for YFC events*

The following actions should only need to be taken in extreme cases if all else has failed:

- *Calling the police to remove banned people from premises.*
 - *If anyone is found to be dealing/supplying drugs on the premises under YFC supervision, the police should be informed straight away.*
 - *Temporary closure of the event if practical.*
 - *Considering alterations to manage the event more effectively.*
- a) Where a young person is proven to be dealing illegal drugs at a YFC event, there should be a recommended life ban from YFC membership.
- b) Young people should be made aware that where illegal drugs are supplied at a YFC event, the police will be involved. This decision will be taken by the leader/worker in charge and the County staff member/Management Committee.
- c) Where a young person is proven to be persistently using or in possession of illegal drugs at YFC events, there should be a recommended one-year ban.

As a joint/follow-up course of action you could:

- Point out that it should not occur at YFC events and why
- Provide information about the effects of drugs
- Help them access support services
- Encourage them to discuss their problems with their parents or care workers

An incident report and recording and reporting form can be found in appendix 2 and 3

5. SEARCHING YOUNG PEOPLE: CONFISCATING DRUGS

- a) Leaders/workers do not have the legal power of a search. They can, however, ask a person to turn out their pockets whilst in the presence of a second leader/worker.
- b) It is quite acceptable to make a consenting search a condition of entry to all or carry out random searches. It should be made clear that it is not discriminatory. This could be done by security queue walkers to safe time at the point of entry. The SIA guidance recommends that 'customers should be warned that pre-entry searches could happen. They should also be warned before they are searched. It is good practice to display a notice showing the search policy at the entrance or just inside the entrance to the venue.'
- c) It is also acceptable to use an amnesty box for people to put items into before entering an event. This needs to be arranged with the local police. You will need to brief the security that searches should still be made so as to detect items not put in the amnesty box.
- d) In the case of a young person who is in possession of small amounts of illegal drugs for his or her own use, the leader/worker may receive the illegal drug from the person with the intention of giving to the police or destroying.

- e) In taking temporary possession and disposing of suspected illegal drugs leaders/workers will:
- Ensure that a second adult witness is present throughout;
 - Seal the sample in a plastic bag and include details of the date and time of seizure/find and witness present;
 - Store it in a safe and secure location with access limited to two senior members of staff;
 - Without delay, notify the police, who will collect it, and then store or dispose of it in line with locally agreed protocols. The law does not require the organisation to divulge to the police the name of the person from whom the drugs were taken. Where a person is identified, the police will be required to follow internal procedures;
 - Under no circumstances should it be kept on the person or the leader/worker, or removed from the premises unless to take to the police station.
 - Record the full details of the incident in the record book/sheet, including the police incident reference number;
 - Inform parents/carers unless this would jeopardise the safety of the member.

Penalties for possession and dealing

		Possession:	Dealing:
Class A	Ecstasy, LSD, heroin, cocaine, crack, magic mushrooms, methadone, methamphetamine, amphetamines (if prepared for injection).	Up to seven years in prison or an unlimited fine or both.	Up to life in prison or an unlimited fine or both.
Class B	Amphetamines, Cannabis, Methylphenidate (Ritalin), Pholcodine, Naphyrone (NRG1), barbituates, codeine, cathinone derivatives	Up to five years in prison or an unlimited fine or both.	Up to 14 years in prison or an unlimited fine or both.
Class C	Tranquillisers, some painkillers, Gamma hydroxybutyrate (GHB), GBL, Ketamine.	Up to two years in prison or an unlimited fine or both.	Up to 14 years in prison or an unlimited fine or both.

<http://www.homeoffice.gov.uk/drugs/drug-law/>

6. CONFIDENTIALITY AND SUPPORT

- a) Leaders/workers should never agree absolute confidentiality. In line with safeguarding guidance, it should be made clear that conversations will be kept confidential unless the leader/worker believes there is significant risk to the health or safety of the young person.

When working with under 18's and there is an indication of serious risk to health through repeated use of alcohol, solvents or an illegal drug, parents should be contacted. However, in cases where it is judged that family relationships may be an important contributory factor to drug abuse, or where it is suspected that contact with the family may not be beneficial to the welfare of the young person concerned, the situation should be discussed with a professional worker, eg your Local Safeguarding Children Board, before any decision to contact parents is taken.

IN ALL CASES, the leader/worker should first negotiate any such contact with the young person concerned, with a view that it may be done on his or her terms. If a leader/worker considers that there is a "significant risk of harm," information can be disclosed without consent to the social services, police, NSPCC or parents in order to protect the child. But working with the young person to make this disclosure is advised, where possible.

- b) In the case of a known drug/alcohol user, ongoing support should be offered to the young person concerned and referral to another agency should be negotiated. Leaders/workers should be trained in giving brief advice on how to reduce the harm of drug use. Where drug use is problematic, local Young Persons drug and alcohol specialist service YZUP should be contacted for advice and possible referral.
- c) For guidance, support, and links to appropriate agencies, it is strongly recommended that YFC County Federations develop a partnership with their County Youth Service and Local Safeguarding Children Board.

7. COMPLAINTS

A young person should be able to complain against a decision where they do not feel it is justified through the complaints procedure and made aware of this.

YFC POLICY STATEMENT ON ALCOHOL USE

YFC, by the nature of working with young people, operates in an environment in which those young people will want to experiment with alcohol. We recognise that, as an organisation with a mixed age group (10 to 26) there is a responsibility placed upon older members and YFC helpers / supporters to ensure that, as responsible individuals and as an organisation, we operate within the law in regard to the sale and consumption of alcohol. NFYFC also recognises the current national focus on binge drinking highlighted in the Government's Alcohol Strategy 2012, especially amongst 18-24 year olds and the ensuing risks and problems alcohol can cause to members and staff.

8. CHILDREN AND ALCOHOL CONSUMPTION: LICENSING LAW 2003

The 'protection of children from harm' is one of the four licensing objectives of the Licensing Act 2003 ("the Act"). Under the Licensing Act 2003, it is illegal for children under 18 years old to:

- Be sold alcohol anywhere
- Be given alcohol
- Drink alcohol in a licensed premises, unless they are 16 or 17 year olds having a meal with an adult in which case they can drink beer, wine or cider
- Try to buy alcohol unless the child has been asked to test-purchase alcohol from a relevant premises by a police officer or a trading standards officer

Overview of offences under the Act relating to children

- It is an offence for certain persons to allow children under 16 on relevant premises that are used exclusively or primarily for the supply of alcohol, or premises open for such supply, if they are not accompanied by an adult and those premises are open for the supply of alcohol for consumption there
- It is an offence for any person to allow an unaccompanied child under 16 to be on relevant premises between the hours of midnight and 5am when the premises are open for the supply of alcohol for consumption there
- It is an offence for any person to supply alcohol to children anywhere, not just on licensed premises
- It is an offence for a child to buy or attempt to buy alcohol
- It is an offence for a child knowingly to consume alcohol on relevant premises

Children under 16

It is illegal for unaccompanied children under 16 to be allowed on premises licensed for use exclusively or primarily for the supply of alcohol. This applies to premises with a premises licence, a club premises certificate or a permitted temporary event notice. This includes most pubs and bars where restaurant and food facilities are not provided as a permanent feature or attraction.

Between midnight and 5am it is also illegal for unaccompanied children under 16 to be allowed into any premises supplying alcohol for consumption there, whether or not it is the exclusive or primary use of the establishment. For example, nightclubs.

No offence will be committed if the unaccompanied child is on premises solely for the purpose of passing to or from some other place where there is no other convenient means of access.

The maximum fine for selling or supplying alcohol to children is £5,000. Personal licences can be suspended or forfeited at first offence.

Selling alcohol to children

An offence of 'persistently selling alcohol to children' can be committed if, on two or more different occasions within three months, alcohol is sold on the same premises to a person aged under 18.

The penalty for this offence on summary conviction will be a fine of up to £10,000 and, where the offender is a premises licence holder, the premises licence to sell alcohol could be suspended for up to three months.

The police and trading standards have the option of giving a 'closure notice' for this offence, prohibiting the sale of alcohol for up to 48 hours. If the notice is accepted by the premises licence holder, criminal liability for the alleged offence will be discharged.

Licence conditions

Licensing authorities can attach conditions relating to children's access, to reflect the individual nature of an establishment, if relevant representations (objections from local residents, local councillors, the police, social services, other authorities and interested parties) are made and it is necessary to protect children from harm. For the purposes of the Act, 'harm' refers to physical, psychological and moral harm, including dangers like:

- Underage drinking
- Drug supply
- Entertainment of an adult nature

An extract from the Licensing Act 2003 relating to children can be found in Appendix 4 and for more details about conditions and restrictions, read the Licensing guidance issued under Section 182 of the Licensing Act.

Revised section 182 of the Licensing Act 2003

New licensing mandatory conditions came into effect from the 6th April 2010. These included that:

- a) Staff will not be allowed to arrange or participate in any irresponsible promotions in relation to the premises.
- b) an 'irresponsible promotion' is an activity which encourages the sale and consumption of alcohol in a manner which carries a 'significant risk of contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children' (the licensing objectives)

The following activities are set out under the 2003 Act and cover the specific activities described below or those that are substantially similar. Please refer to guidance issued by the Home Office for fuller understanding of irresponsible promotions. The activities include:-

- Games or other activities which encourage individuals to drink alcohol within a time limit or drink as much as possible.

- The provision of unlimited or unspecified quantities of alcohol for free or for a fixed or discounted fee (other than any promotion in relation to alcohol consumption at a table meal)
- The 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
- The provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event where that provision is dependent on the outcome of an event or the likelihood of anything occurring or not occurring. It also applies to events which are unpredictable, such as offering free double shots for every foul committed in a football match, or heavily reduced drinks for five minutes after a try is scored in a rugby match.
- Selling alcohol in association with promotional posters or flyers which could reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to drunkenness in any favourable manner.
- Dispensing alcohol directly into the mouth. The responsible person must ensure that no alcohol is dispensed directly by one person into the mouth of another person. For example, this may include drinking games such as the 'dentist's chair' where a drink is poured continuously into the mouth of another individual and may also prevent a premises from allowing another body to promote its products by employing someone to dispense alcohol directly into customers' mouths. An exception to this condition would be when an individual is unable to drink without assistance due to a disability.

Free tap water should be available to customers on request and the licensee and staff should ensure that no alcohol is dispensed directly by one person into the mouth of another i.e the dentist chair.

Two additional conditions are also in force:

- The condition requiring premises to implement an age verification policy; and
- The condition relating to alcohol measurements whereby licence holders will need to ensure that alcoholic drinks are made available to customers in the following measures: Beer or cider ½ pint; gin, rum, vodka or whisky: 25ml or 35ml; and still wine in a glass 125ml.
- For further guidance contact your local licensing authority.

As part of the government 2012 reforms to encourage greater community involvement in local alcohol licensing decisions, licensing authorities are required to publish locally key information about new licensing applications, including details of the address of the relevant premises and guidance on how to make representations to the licensing authority.

9. BEHAVIOUR AT YFC EVENTS WITH REGARD TO ALCOHOL CONSUMPTION

Well-organised events will be enjoyed and remembered by many. Badly organised, they will be remembered by many but for all the wrong reasons.

REMEMBER - when organising an event the old adage holds true: 'if anything can go wrong, it usually will'. However, adequate planning and organisation can go a long way to ensuring the success of your event.

At YFC events where alcohol will be present it is good practice that before entering the event all attendees are given a coloured wristband according to whether they are aged under 18 or 18 and over. Door staff will need to be briefed as will the bar staff to ensure that this is adhered to and

understood. This will help bar staff identify who they can and cannot serve. It should be remembered that it is illegal not just to sell alcohol to young people under the age of 18, but also to allow their consumption of alcohol, except in certain circumstances (as detailed above). Where these circumstances DO NOT APPLY at the YFC event, then the following course of action is to be taken:

- a. Consider making the event exclusive to one to which members aged 18 or over only are invited; or
- b. Identify a responsible person from each YFC Club to take responsibility for their Club members under the age of 18 at the event, and in particular to ensure that no alcoholic drinks are consumed. In pursuing this option, it is recommended that the form in Appendix 1 is completed to ensure that, as an organisation, we are doing everything within our powers to ensure the welfare of YFC members and uphold the law in respect of alcohol consumption.

Posters should be put up in the area stating under-age drinking and the use of drugs will not be tolerated. A copy of the policy should be displayed at the entrance to the event.

Encourage members to drink water by providing free tap water or buying bottled water.

Prior to an event it may be possible to have the bar in a separate room or fenced off. In this case members are checked before they enter the area by a member of staff and members may not take alcoholic drinks out of that area. A separate soft drinks area would be set up.

It is possible that, due to the youthfulness of YFC members, some members may be tempted to over indulge on alcohol at a YFC event. Although individuals are responsible for their own actions, YFC cannot abdicate its responsibilities in respect of duty of care to its members in such circumstances. The following actions are therefore strongly recommended at YFC events where alcohol is served:

- c) members who are clearly under the influence of alcohol should not be served further drinks;
- d) a "cooling off" room or area should be provided, where members can sober up, be given water to drink etc;
- e) friends/senior members of his/her YFC Club should assist the Steward on duty in monitoring the person concerned to ensure that they do not cause injury to themselves or to others whilst under the influence of alcohol.
- f) Organisers should actively remove alcoholic drinks from U18 year old members.

10. WHOSE RESPONSIBILITY IS IT?

Workers do have responsibilities for the wellbeing of young people and young people are also responsible for themselves. Below is a guideline to ensure young people's safety.

Consent

Whether it be a club, county, area or national event, each child or young person under the age of 18 must have the written consent of his or her parent or guardian; this gives authority to the person named as responsible for the activity to take the young person away and to act "as a careful parent would". It does not transfer "parental responsibility".

Information and consent must be in writing. There is case law to show that parental consent given on the basis of being given inadequate or inaccurate information may well invalidate any consent which was given by a parent. If a parent was not fully conversant with all activities taking place and they would have objected to one of them you may be held liable for not giving all the details prior to the event. On a positive note, the advantages of involving a parent in all aspects of a trip are many. Not least of all, it ensures that the parent is made aware of potential risks, draws them into sharing in that risk, and removes the opportunity for them to say, "if I had known" etc.

When a parental consent form is completed this means that you, as organiser, must act as a careful parent would.

At Club Level – when a young person (those under the age of 18) attends an activity connected with YFC it is the responsibility of the organisers of the event to ensure that procedures are in place to protect that young person. This can include health and safety risk assessments as well as ensuring that the necessary steps have been carried out to minimise the risk of underage drinking. For example coloured wristbands and signs displayed etc. If the trip is organised by the club chairman or relevant post holder (e.g sport captain) then it is their responsibility to ensure the wellbeing of under 18 year olds until the young person is back in the responsibility of the parent.

At County Level – Again the organisers have the responsibility to ensure that all precautionary measures have been taken and they are responsible for their members.

At a National Level –If the Chairman is not present then a nominated person will resume responsibility. E.g Safeguarding officer or Chairman at Council Weekends.

11. EXCESSIVE BEHAVIOUR AT YFC EVENT

It is possible that a participant at a YFC event may be under the influence of drugs and/or alcohol and this may result in disruptive behaviour that could be detrimental to him / herself and possibly other YFC members. In such instances it may be most appropriate to remove the individual from the event itself in the interests of their own and others' safety.

Appropriate action in this instance may be to arrange for the YFC member to be escorted home, or the parents may be called to collect.

12. PAID YFC EMPLOYEES AND DRUGS AND ALCOHOL USE

No paid member of staff should perform their duties at any YFC event under the influence of drugs or alcohol. Evidence of such action occurring should be dealt with under the Disciplinary Procedure, and the action taken by the employer will need to reflect the circumstances of the occurrence, the impact on YFC members and the reputation of the organisation. If a staff member admits they have a problem, they will be supported by their manager to access treatment and support.

Similarly any paid member of staff found to be supplying drugs to YFC members, or allowing the purchase and / or consumption of alcohol by members under the legal age limit for such activity, will be subject to the Disciplinary Procedure.

13. STEWARDS AT YFC EVENTS

For large events where alcohol is on sale, SIA trained security staff should be hired. SIA staff are professionally trained to deal with situations that might arise and have clear procedures to follow. This will alleviate the pressure on those organising the event. In addition, the success of YFC is due to many ex-members continuing to support the organisation and members' activities by stewarding at various events. It is important to recognise that stewards acting in this capacity provide a valuable role model for influential young people and as such their behaviour on these occasions will have an impact on the behaviour of younger YFC members.

No steward should be "on duty" under the influence of drugs or alcohol and should not attempt to supply drugs to YFC members, or to encourage members under the age of 18 to purchase or consume alcohol, except where it is legally acceptable to do so. Any Steward found behaving in this way should be removed from duty immediately and their deployment at future events considered, by the appropriate Management Committee, in the light of the reasons for such behaviour occurring. For further guidance, please refer to 108-03-A Guidelines for Chief Stewards.

It is also highly recommended that qualified first aiders, such as St John's Ambulance, are brought in to help with large events. (see Running Safer Events paper no. P&G 109 for further information)

14. FURTHER INFORMATION AND SOURCES OF HELP

Further information can be obtained through the following:

DrugScope Tel: 020 7940 7500 www.drugscope.org.uk	Alcohol Concern Tel: 020 7928 7377 www.alcoholconcern.org.uk	Talk to Frank Tel: 0800 77 66 00 www.talktofrank.com
Alcoholics Anonymous Tel: 0845 769 7555 http://www.alcoholics-anonymous.org.uk/	Narcotics Anonymous Tel: 0300 999 1212 http://ukna.org/	Al-non Tel: 020 7403 0888 http://www.al-anonuk.org.uk/

At a local level, YZUP, Council for Voluntary Youth Services, Council for Voluntary Service or Rural Community Council should be able to advise you on local sources of help, advice and training in developing and implementing this policy in your YFC.

This drugs and alcohol policy has been updated with the advice and recommendation from Public Health Directorate Nottinghamshire County and Nottingham City Council and Addaction Cornwall Cornwall & Isles of Scilly Drug and Alcohol Action Team and we thank them for their support.



NATIONAL FEDERATION OF YOUNG FARMERS' CLUBS

YFC Centre, 10th Street, Stoneleigh Park, Kenilworth, CV82LG
t: 02476 857 200 f: 02476 857 229 e: post@nfyfc.org.uk

APPENDIX 1: Incident Report

Date of Incident (day & date): _____ Time of Incident: _____

Event/Location: _____

Wristband Number: _____ Wristband colour: _____

Member's name: _____

County Federation: _____

Club: _____

Details of incident (including events leading to incident/ the incident itself/ the outcome, describe any damage or injuries) _____

Action taken: _____

Any Action to be taken by NFYFC after the Convention: _____

Signature of Steward: _____

SIA Registration Number of Steward: _____

Name of Steward (please print): _____

YFC Event Management Team – signature: _____



APPENDIX 2

NATIONAL FEDERATION OF YOUNG FARMERS' CLUBS

YFC Centre, 10th Street, Stoneleigh Park, Kenilworth, CV82LG
t: 02476 857 200 f: 02476 857 229 e: post@nfyc.org.uk

Record of Drug-related Situation (Tick one or more of these to indicate category)

Emergency/ intoxication	Suspicion OFF Premises	Suspicion ON premises	Discovery OFF premises	Discovery ON premises	Disclosure by young person	Parental use	Parent/carer expressed concern
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name of young person:							
Date of incident:				Time of incident:			
Report Form completed by:							
First Aid Given?		YES <input type="checkbox"/> NO <input type="checkbox"/>					
If yes First Aid given by:							
Ambulance/Doctor called?		YES <input type="checkbox"/> NO <input type="checkbox"/>					
If yes called by:							
At – state time:							
Drug involved (if known)							
Sample found?		YES <input type="checkbox"/> NO <input type="checkbox"/> Where?					
Where retained/or Destroyed at time: Witness name:							
Senior staff involved:							
Parent/carer informed by:							
At – state time:							
Brief description of incident Symptoms / situation:							
Other action taken, e.g. Other agencies involved, pupils / staff informed, sanctions imposed, GP / Police consulted about drug:							

Source: the Right Responses, Managing and Making policy for drug-related incidents in schools.
SCODA 1999/Dorset Youth Service

APPENDIX 4 Licensing Act 2003 – In relation to children and young people

145 Unaccompanied children prohibited from certain premises

(1) A person to whom subsection (3) applies commits an offence if—

- (a) knowing that relevant premises are within subsection (4), he allows an unaccompanied child to be on the premises at a time when they are open for the purposes of being used for the supply of alcohol for consumption there, or
- (b) he allows an unaccompanied child to be on relevant premises at a time between the hours of midnight and 5 a.m. when the premises are open for the purposes of being used for the supply of alcohol for consumption there.

(2) For the purposes of this section—

- (a) “child” means an individual aged under 16,
- (b) a child is unaccompanied if he is not in the company of an individual aged 18 or over.

(3) This subsection applies—

- (a) to any person who works at the premises in a capacity, whether paid or unpaid, which authorises him to request the unaccompanied child to leave the premises,
- (b) in the case of licensed premises, to—
 - (i) the holder of a premises licence in respect of the premises, and
 - (ii) the designated premises supervisor (if any) under such a licence,
- (c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who is present on the premises in a capacity which enables him to make such a request, and
- (d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.

(4) Relevant premises are within this subsection if—

- (a) they are exclusively or primarily used for the supply of alcohol for consumption on the premises, or
- (b) they are open for the purposes of being used for the supply of alcohol for consumption on the premises by virtue of Part 5 (permitted temporary activities) and, at the time the temporary event notice in question has effect, they are exclusively or primarily used for such supplies.

(5) No offence is committed under this section if the unaccompanied child is on the premises solely for the purpose of passing to or from some other place to or from which there is no other convenient means of access or egress.

(6) Where a person is charged with an offence under this section by reason of his own conduct it is a defence that—

(a) he believed that the unaccompanied child was aged 16 or over or that an individual accompanying him was aged 18 or over, and

(b) either—

(i) he had taken all reasonable steps to establish the individual's age, or

(ii) nobody could reasonably have suspected from the individual's appearance that he was aged under 16 or, as the case may be, under 18.

(7) For the purposes of subsection (6), a person is treated as having taken all reasonable steps to establish an individual's age if—

(a) he asked the individual for evidence of his age, and

(b) the evidence would have convinced a reasonable person.

(8) Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.

(9) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(10) In this section "supply of alcohol" means—

(a) the sale by retail of alcohol, or

(b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

146 Sale of alcohol to children

(1) A person commits an offence if he sells alcohol to an individual aged under 18.

(2) A club commits an offence if alcohol is supplied by it or on its behalf—

(a) to, or to the order of, a member of the club who is aged under 18, or

(b) to the order of a member of the club, to an individual who is aged under 18.

(3) A person commits an offence if he supplies alcohol on behalf of a club—

(a) to, or to the order of, a member of the club who is aged under 18, or

(b) to the order of a member of the club, to an individual who is aged under 18.

(4) Where a person is charged with an offence under this section by reason of his own conduct it is a defence that—

(a) he believed that the individual was aged 18 or over, and

(b) either—

(i) he had taken all reasonable steps to establish the individual's age, or

(ii) nobody could reasonably have suspected from the individual's appearance that he was aged under 18.

(5) For the purposes of subsection (4), a person is treated as having taken all reasonable steps to establish an individual's age if—

- (a) he asked the individual for evidence of his age, and
- (b) the evidence would have convinced a reasonable person.

(6) Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

147 Allowing the sale of alcohol to children

(1) A person to whom subsection (2) applies commits an offence if he knowingly allows the sale of alcohol on relevant premises to an individual aged under 18.

(2) This subsection applies to a person who works at the premises in a capacity, whether paid or unpaid, which authorises him to prevent the sale.

(3) A person to whom subsection (4) applies commits an offence if he knowingly allows alcohol to be supplied on relevant premises by or on behalf of a club—

- (a) to or to the order of a member of the club who is aged under 18, or
- (b) to the order of a member of the club, to an individual who is aged under 18.

(4) This subsection applies to—

- (a) a person who works on the premises in a capacity, whether paid or unpaid, which authorises him to prevent the supply, and
- (b) any member or officer of the club who at the time of the supply is present on the relevant premises in a capacity which enables him to prevent it.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

148 Sale of liqueur confectionery to children under 16 E+W

(1) A person commits an offence if he—

- (a) sells liqueur confectionery to an individual aged under 16, or
- (b) supplies such confectionery, on behalf of a club—
 - (i) to or to the order of a member of the club who is aged under 16, or
 - (ii) to the order of a member of the club, to an individual who is aged under 16.

(2) A club commits an offence if liqueur confectionery is supplied by it or on its behalf—

- (a) to or to the order of a member of the club who is aged under 16, or
- (b) to the order of a member of the club, to an individual who is aged under 16.

(3) Where a person is charged with an offence under this section by reason of his own conduct it is a defence that—

- (a) he believed that the individual was aged 16 or over, and
- (b) either—
 - (i) he had taken all reasonable steps to establish the individual's age, or
 - (ii) nobody could reasonably have suspected from the individual's appearance that he was aged under 16.

(4) For the purposes of subsection (3), a person is treated as having taken all reasonable steps to establish an individual's age if—

- (a) he asked the individual for evidence of his age, and
- (b) the evidence would have convinced a reasonable person.

(5) Where a person ("the accused") is charged with an offence under this section by reason of the act or default of some other person, it is a defence that the accused exercised all due diligence to avoid committing it.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(7) In this section "liqueur confectionery" has the meaning given in section 191(2).

149 Purchase of alcohol by or on behalf of children E+W

(1) An individual aged under 18 commits an offence if—

- (a) he buys or attempts to buy alcohol, or
- (b) where he is a member of a club—
 - (i) alcohol is supplied to him or to his order by or on behalf of the club, as a result of some act or default of his, or
 - (ii) he attempts to have alcohol supplied to him or to his order by or on behalf of the club.

(2) But subsection (1) does not apply where the individual buys or attempts to buy the alcohol at the request of—

- (a) a constable, or
- (b) a weights and measures inspector, who is acting in the course of his duty.

(3) A person commits an offence if—

- (a) he buys or attempts to buy alcohol on behalf of an individual aged under 18, or
- (b) where he is a member of a club, on behalf of an individual aged under 18 he—

- (i) makes arrangements whereby alcohol is supplied to him or to his order by or on behalf of the club, or
- (ii) attempts to make such arrangements.

(4) A person ("the relevant person") commits an offence if—

- (a) he buys or attempts to buy alcohol for consumption on relevant premises by an individual aged under 18, or
- (b) where he is a member of a club—
 - (i) by some act or default of his, alcohol is supplied to him, or to his order, by or on behalf of the club for consumption on relevant premises by an individual aged under 18, or
 - (ii) he attempts to have alcohol so supplied for such consumption.

(5) But subsection (4) does not apply where—

- (a) the relevant person is aged 18 or over,
- (b) the individual is aged 16 or 17,
- (c) the alcohol is beer, wine or cider,
- (d) its purchase or supply is for consumption at a table meal on relevant premises, and
- (e) the individual is accompanied at the meal by an individual aged 18 or over.

(6) Where a person is charged with an offence under subsection (3) or (4) it is a defence that he had no reason to suspect that the individual was aged under 18.

(7) A person guilty of an offence under this section is liable on summary conviction—

- (a) in the case of an offence under subsection (1), to a fine not exceeding level 3 on the standard scale, and
- (b) in the case of an offence under subsection (3) or (4), to a fine not exceeding level 5 on the standard scale.

150 Consumption of alcohol by children E+W

(1) An individual aged under 18 commits an offence if he knowingly consumes alcohol on relevant premises.

(2) A person to whom subsection (3) applies commits an offence if he knowingly allows the consumption of alcohol on relevant premises by an individual aged under 18.

(3) This subsection applies—

- (a) to a person who works at the premises in a capacity, whether paid or unpaid, which authorises him to prevent the consumption, and
- (b) where the alcohol was supplied by a club to or to the order of a member of the club, to any member or officer of the club who is present at the premises at the time of the consumption in a capacity which enables him to prevent it.

- (4) Subsections (1) and (2) do not apply where—
- (a) the individual is aged 16 or 17,
 - (b) the alcohol is beer, wine or cider,
 - (c) its consumption is at a table meal on relevant premises, and
 - (d) the individual is accompanied at the meal by an individual aged 18 or over.

- (5) A person guilty of an offence under this section is liable on summary conviction—
- (a) in the case of an offence under subsection (1), to a fine not exceeding level 3 on the standard scale, and
 - (b) in the case of an offence under subsection (2), to a fine not exceeding level 5 on the standard scale.

151 Delivering alcohol to children

- (1) A person who works on relevant premises in any capacity, whether paid or unpaid, commits an offence if he knowingly delivers to an individual aged under 18—
- (a) alcohol sold on the premises, or
 - (b) alcohol supplied on the premises by or on behalf of a club to or to the order of a member of the club.

- (2) A person to whom subsection (3) applies commits an offence if he knowingly allows anybody else to deliver to an individual aged under 18 alcohol sold on relevant premises.

- (3) This subsection applies to a person who works on the premises in a capacity, whether paid or unpaid, which authorises him to prevent the delivery of the alcohol.

- (4) A person to whom subsection (5) applies commits an offence if he knowingly allows anybody else to deliver to an individual aged under 18 alcohol supplied on relevant premises by or on behalf of a club to or to the order of a member of the club.

- (5) This subsection applies—
- (a) to a person who works on the premises in a capacity, whether paid or unpaid, which authorises him to prevent the supply, and
 - (b) to any member or officer of the club who at the time of the supply in question is present on the premises in a capacity which enables him to prevent the supply.

- (6) Subsections (1), (2) and (4) do not apply where—
- (a) the alcohol is delivered at a place where the buyer or, as the case may be, person supplied lives or works, or
 - (b) the individual aged under 18 works on the relevant premises in a capacity, whether paid or unpaid, which involves the delivery of alcohol, or
 - (c) the alcohol is sold or supplied for consumption on the relevant premises.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

152 Sending a child to obtain alcohol

(1) A person commits an offence if he knowingly sends an individual aged under 18 to obtain—
(a) alcohol sold or to be sold on relevant premises for consumption off the premises, or
(b) alcohol supplied or to be supplied by or on behalf of a club to or to the order of a member of the club for such consumption.

(2) For the purposes of this section, it is immaterial whether the individual aged under 18 is sent to obtain the alcohol from the relevant premises or from other premises from which it is delivered in pursuance of the sale or supply.

(3) Subsection (1) does not apply where the individual aged under 18 works on the relevant premises in a capacity, whether paid or unpaid, which involves the delivery of alcohol.

(4) Subsection (1) also does not apply where the individual aged under 18 is sent by—
(a) a constable, or
(b) a weights and measures inspector, who is acting in the course of his duty.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

153 Prohibition of unsupervised sales by children

(1) A responsible person commits an offence if on any relevant premises he knowingly allows an individual aged under 18 to make on the premises—
(a) any sale of alcohol, or
(b) any supply of alcohol by or on behalf of a club to or to the order of a member of the club, unless the sale or supply has been specifically approved by that or another responsible person.

(2) But subsection (1) does not apply where—
(a) the alcohol is sold or supplied for consumption with a table meal,
(b) it is sold or supplied in premises which are being used for the service of table meals (or in a part of any premises which is being so used), and
(c) the premises are (or the part is) not used for the sale or supply of alcohol otherwise than to persons having table meals there and for consumption by such a person as an ancillary to his meal.

(3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

(4) In this section "responsible person" means—

(a) in relation to licensed premises—

- (i) the holder of a premises licence in respect of the premises,
- (ii) the designated premises supervisor (if any) under such a licence, or
- (iii) any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor,

(b) 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 him to prevent the supply in question, and

(c) in relation to premises which may be used for a permitted temporary activity by virtue of Part 5—

- (i) the premises user, or
- (ii) any individual aged 18 or over who is authorised for the purposes of this section by the premises user.

154 Enforcement role for weights and measures authorities

(1) It is the duty of every local weights and measures authority in England and Wales to enforce within its area the provisions of sections 146 and 147, so far as they apply to sales of alcohol made on or from premises to which the public have access.

(2) A weights and measures inspector may make, or authorise any person to make on his behalf, such purchases of goods as appear expedient for the purpose of determining whether those provisions are being complied with.