

MAIN DUTIES OF A DPS : ON LICENSED PREMISES

For retention by person Authorised

The Designated Premises Supervisor (DPS) is the Personal Licence holder nominated as such on the Premises Licence for the site (the Licence). Government Guidance describes this person as being the main point of contact, and generally having day to day control. Together with the Licence holder, the DPS is responsible for the premises and ensuring compliance with licensing laws, and the terms and conditions of the Licence.

As a member of the management team, you are being specifically authorised by the DPS to undertake their duties if they are not on site and you will “stand in their shoes” whilst the premises are trading at such times. It is important, therefore, that you not only fully understand the general licensing law, you must also read, understand and implement the terms and conditions of the Licence. Either the Licence, or a certified copy of it, should be kept on site. Please ensure that you know where it is (in case you are asked to produce it) and that you are familiar with those terms and conditions. If you are not a Personal Licence holder in your own right, this Authorisation also specifically authorises you to sell alcohol at the premises, as permitted by law and the Licence.

The notes below are to supplement your training on licensing, and will remind you of the offences that can be committed. If you believe any of these offences may relate to you or the operation, or you have any queries or concerns, please take immediate legal advice. Trethewans details are below. Each of the below is an offence. They are abbreviated, and there could be exceptions. The penalties for breach will usually be a substantial fine. Where the offence is marked *, the maximum penalty could be an unlimited fine and/or up to 6 months’ imprisonment. The Licence may also be at risk.

Children

You must not allow:

- Unaccompanied under 16s on the premises between midnight and 5am
- The sale or supply of alcohol to an under 18
- An under 18 to consume alcohol on the premises
- An unsupervised under 18 to be responsible for the sale of alcohol
- An under 18 to take part in gaming on the premises

You must have an age verification policy in force and being followed. The only ID that is acceptable will have a photo, date of birth and holographic mark.

Conduct of Premises

You must not allow on the premises:

- The sale of alcohol to anyone who is drunk
- Alcohol to be exposed for sale when not authorised *
- Alcohol to be kept when not authorised
- Licensable activities unless authorised *
- Disorderly conduct
- Unlawfully imported goods to be kept
- Irresponsible promotions etc

You must:

- Keep the certified copy Licence and Summary at the premises for production to an authorised officer on request
- Display the certified copy Summary in a prominent position
- Display any s57 Nomination in a prominent position.

General

You must not:

- Make any false statements on any notices or applications under the Act
- Allow the premises to open if there is a Closure Order in force *
- Allow the premises to open if the licence has been revoked or suspended*
- Obstruct an authorised officer from entering/inspecting in certain circumstances.

The Premises Licence holder/DPS must notify any change in name or address.

If you lose your Premises licence or have had it stolen, you must report it to the Police and get a duplicate from the Council so that you can continue to comply with display and/or production requirements.

Conditions of Licence

The Licence will be subject to conditions, for which please see the Licence. Please read these carefully and ensure that you understand them. You must comply with these at all times the premises are trading. Some of the conditions may be stricter than the general requirements above. *

Plans

It is probable that any changes to the details and information required on the plans by the Regulations will require an application to the Council. Remember that this could include “minor” matters such as position of fire extinguishers, fixed seating etc, although a simpler procedure may be available in such circumstances. The alterations need not be structural to require approval. Failure to comply could equate to operation without a licence.

Temporary Event Notices

If you are operating under such a Notice (eg to extend your hours), you must :

- Produce the Notice on request to an authorised officer
- Exhibit the Notice, or details of it, during the event

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