



Summary of Learning Outcomes

Level 2 Award for Personal
Licence Holders

Qualification Number: 500/7383/7

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SUMMARY OF LEARNING OUTCOMES FOR LEVEL 2 AWARD FOR PERSONAL LICENCE HOLDERS

1. Summary of Learning Outcomes:

1.1 Licensing Law

1.1.1 Candidates should be aware of the Licensing Act 2003 and its key points:

1.1.1.1 Explain the terms - licensing authorities, licensing objectives and licensable activities

1.1.1.2 Outline the restrictions and exemptions that apply to alcohol licensing

1.1.1.3 Illustrate the importance of partnership working and the role of Crime & Disorder Reduction Partnerships.

1.2 Personal Licences

1.2.1 Candidates must understand the definition of a personal licence, the application process and key responsibilities:

1.2.1.1 Describe the application process including what may disqualify you from applying for or renewing your personal licence

1.2.1.2 State the relevant offences

1.2.1.3 Explain the legal duties and consequences.

1.3 Premises Licences

1.3.1 Candidates must understand the definition of a premises licence, the application process and key responsibilities:

1.3.1.1 Describe the application process including operating schedules, hearings and appeals

1.3.1.2 Outline the possible outcomes of the review process

1.3.1.3 State the mandatory conditions placed on a premises licence

1.3.1.4 State unauthorised licensable activities

1.3.1.5 Explain the role of the designated premises supervisor.

1.4 The Protection of Children

1.4.1 Candidates must understand the law relating to children in relation to the sale, service and admission of children on licensed premises and other relevant legislation:

1.4.1.1 State the law regarding the sale, purchase and consumption of alcohol by under 18's

1.4.1.2 Explain the proof of age scheme and the other forms of identification acceptable when determining the age of a purchaser

1.4.1.3 Explain the test purchasing process and the potential consequences of failure

1.4.1.4 State the law regarding the admission of children on licensed premises.

1.5 Powers and Enforcement

1.5.1 Candidates must know the powers Police and other officials have in relation to licensed premises:

1.5.1.1 Identify the powers held by Police and Environmental Health Practitioners to close licensed premises

1.5.1.2 State the rights of entry and search by authorised persons.

1.6 Temporary Events

1.6.1 Candidates must understand the process of temporary events and the limitations:

1.6.1.1 Explain what a permitted temporary event is

1.6.1.2 Outline the criteria that applies to temporary events

1.6.1.3 State the Police power to object to a temporary event.

1.7 Responsibility in Alcohol Retailing

1.7.1 Candidates must understand the nature of alcohol, its effects and the responsibilities when managing licensed premises:

1.7.1.1 Provide a definition of an alcoholic drink

- 1.7.1.2 Explain the method of expressing alcoholic strength and the effects of consumption
- 1.7.1.3 Outline the responsibilities when managing licensed premises
- 1.7.1.4 State the law regarding violent crime
- 1.7.1.5 Describe conflict resolution best practice
- 1.7.1.6 Illustrate an awareness of the principles of responsible promotions.

2. Outcome Details:

2.1 Licensing Law

- 2.1.1 Candidates must understand the background to licensing law and be able to:
 - 2.1.1.1 Describe the historical context of licensing law in Britain
 - 2.1.1.2 Illustrate the need for change to remain relevant
 - 2.1.1.3 State the importance of partnership working in relation to the Licensing Act 2003
 - 2.1.1.4 Identify the role of Crime & Disorder Reduction Partnerships.
- 2.1.2 Candidates should understand the overview of the Licensing Act 2003 that created the role of Personal Licence Holder and be able to:
 - 2.1.2.1 Explain that the Act established a single integrated system
 - 2.1.2.2 State when it was first enforced
 - 2.1.2.3 Outline the Act separates licensing of persons from licensing of premises
 - 2.1.2.4 Outline which premises are affected by the Licensing Act 2003.
- 2.1.3 Candidates must understand the role and responsibilities of the Licensing Authorities and be able to:
 - 2.1.3.1 Explain how the Licensing Authorities administer the licensing system

- 2.1.3.2 Outline the key responsibilities of the Licensing Authorities
- 2.1.3.3 Explain the role of the Licensing Committee and Licensing Officers including hearings
- 2.1.3.4 Explain that the Licensing Authority must produce a statement of licensing policy every three years following consultation with relevant organisations.
- 2.1.4 Candidates must be able to state the four licensing objectives and understand their importance and be able to:
 - 2.1.4.1 State the four licensing objectives - prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm
 - 2.1.4.2 Identify those responsible for implementing the licensing objectives.
- 2.1.5 Candidates must understand what a licensable activity is and recognise the four activities as identified by the Licensing Act 2003 and be able to:
 - 2.1.5.1 State the definition of a licensable activity
 - 2.1.5.2 Outline the four licensable activities – retail sale of alcohol, supply of alcohol on a club premises, regulated entertainment and late night refreshment
 - 2.1.5.3 Explain that the wholesale of alcohol is not a licensable activity.
- 2.1.6 Candidates must recognise which types of premises are effected by the sale of alcohol restrictions and exemptions and be able to:
 - 2.1.6.1 Identify those premises which are not allowed to sell alcohol
 - 2.1.6.2 Outline which premises are subject to exemptions from the premises licensing system
 - 2.1.6.3 Explain the law regarding the sale of alcohol from moving vehicles.

2.2 Personal Licences

2.2.1 Candidates must understand the purpose of a personal licence and the application process and be able to:

2.2.1.1 Outline the purpose of a personal licence

2.2.1.2 Explain why a personal licence is required to sell or authorise the sale of alcohol

2.2.1.3 State how long a personal licence is valid for

2.2.1.4 Explain how the personal licence links to the premises licence

2.2.1.5 Identify how a personal licence is applied for and the application process

2.2.1.6 Describe the requirements anyone wishing to apply for a personal licence must meet.

2.2.2 Candidates must understand the types of offence which may lead to an objection to their personal licence application and their duties in terms of reporting such offences and be able to:

2.2.2.1 Outline the different types of offence regarded as relevant under the Licensing Act 2003

2.2.2.2 Explain the difference between spent and unspent convictions

2.2.2.3 State who can object to a personal licence application

2.2.2.4 Outline the duty to report if charged or convicted of a relevant offence and understand which organisations they must be reported to.

2.2.3 Candidates must understand the process of renewal of a personal licence and be able to:

2.2.3.1 Outline which authority you must apply to when renewing a personal licence

2.2.3.2 State the time period in which an application for renewal must be made

2.2.3.3 Explain the requirement to return the licence when renewing it or provide the authority with a statement if unable to do so.

2.2.4 Candidates must understand what circumstances may lead to the suspension or forfeiture of a personal licence and be able to:

2.2.4.1 Explain that conviction for a relevant offence may lead to suspension or forfeiture of the licence

2.2.4.2 Explain that non reporting of convictions or foreign offences will risk the forfeiture of the licence

2.2.4.3 State the periods of time that licences can be suspended for

2.2.4.4 State the length of time that must elapse before re-applying for a licence that is forfeited.

2.2.5 Candidates should understand the main duties of a personal licence holder and be able to:

2.2.5.1 Explain the requirement to inform the Licensing Authority of name or home address changes

2.2.5.2 Explain the need to inform of any foreign offences or relevant convictions

2.2.5.3 Be aware of the duty to show your personal licence if requested by a Police Officer or authorised officer of the Licensing Authority and the penalty for failing to do so

2.2.5.4 Explain the need to inform the Licensing Authority and the Police if your personal licence is lost or stolen.

2.3 Premises Licences

2.3.1 Candidates must understand the purpose of a premises licence and the application process and be able to:

2.3.1.1 Outline what a premises licence is and the licensable activities it enables the premises to undertake

2.3.1.2 Describe the types of premises covered by a premises licence and the time periods that apply to a premises licence

- 2.3.1.3 Explain the premises licence application process including the criteria applicants must meet and the documentation required for application
- 2.3.1.4 List the other responsible authorities that must also be informed of the application
- 2.3.1.5 State the requirements for advertising a premises licence application
- 2.3.1.6 Describe the factors that Licensing Authorities will consider when assessing a premises licence application
- 2.3.1.7 Explain the variation process and the types of changes that require Licensing Authority approval via the variation process.
- 2.3.2 Candidates must understand what an operating schedule is and the information it must contain and be able to:
 - 2.3.2.1 State that all premises licence applications must include an operating schedule
 - 2.3.2.2 Explain what is included in an operating schedule
 - 2.3.2.3 Explain that the operating schedule must include details of how the premises operator intends to support the licensing objectives via a risk assessment of the objectives.
- 2.3.3 Candidates must be able to demonstrate an understanding of the process of hearings and appeals if a representation is raised regarding a premises licence application or variation request and be able to:
 - 2.3.3.1 State that relevant representations can be made by interested parties or responsible authorities
 - 2.3.3.2 Explain the difference between relevant, irrelevant, frivolous and vexatious representations
 - 2.3.3.3 Explain that a hearing may follow the receipt by the Licensing Authority of relevant representations
 - 2.3.3.4 Explain the possible outcomes following a hearing
 - 2.3.3.5 Describe the appeals process including timescales following a hearing.

- 2.3.4 Candidates must be aware of the process for review of a premises licence and reasons for it's use and be able to:
 - 2.3.4.1 Show that a review is a re-appraisal of the premises licence usually following problems or incidents
 - 2.3.4.2 Outline who can request a review to take place
 - 2.3.4.3 Outline the possible outcomes following a premises licence review
 - 2.3.4.4 Explain the need to keep the premises licence or a certified copy on the premises
 - 2.3.4.5 Explain the requirement to display the summary of the premises licence to the public
 - 2.3.4.6 Describe the process which must be followed if a premises licence holder dies, is incapacitated or made bankrupt.
- 2.3.5 Candidates must understand mandatory conditions placed on all premises licences and be able to:
 - 2.3.5.1 State that a designated premises supervisor must be appointed for a licensed premise
 - 2.3.5.2 Explain that every sale must be made by or authorised by a personal licence holder
 - 2.3.5.3 Explain that failure to meet mandatory conditions will lead to an unauthorised activity taking place.
- 2.3.6 Candidates must understand how licensable activities become unauthorised and the potential consequences and be able to:
 - 2.3.6.1 Explain how licensable activities become unauthorised when they take place without the appropriate licence
 - 2.3.6.2 Identify examples of unauthorised licensable activities
 - 2.3.6.3 State the maximum penalty if convicted of an unauthorised activity
 - 2.3.6.4 Explain the need to demonstrate due diligence as a defence against prosecution.

2.3.7 Candidates must understand the role of the designated premises supervisor in the management of a licensed premise and in the eyes of the Police and other authorities and be able to:

2.3.7.1 Explain that the designated premises supervisor is the main point of accountability in a premises where alcohol is sold

2.3.7.2 Explain that the designated premises supervisor plays a key role in promoting the licensing objectives

2.3.7.3 Identify that the designated premises supervisor is appointed by the premises licence holder and must be a personal licence holder

2.3.7.4 Explain the requirement to apply to the Licensing Authority to appoint the designated premises supervisor

2.3.7.5 Explain the requirement to apply to the Licensing Authority if appointing a new designated premises supervisor

2.3.7.6 Identify that the designated premises supervisor does not have to be present at all times, but must ensure the premises is operated according the law in their absence.

2.4 The Protection of Children

2.4.1 Candidates must understand the protection of children from harm is a licensing objective and key requirement on the Licensing Act 2003, and be aware of the law regarding the sale, purchase and consumption of alcohol relating to under 18's and be able to:

2.4.1.1 State that alcohol is a age restricted product and cannot be sold to someone under 18 in any circumstances

2.4.1.2 Outline the penalties for failing to comply with the law regarding the sale of alcohol to under 18's

2.4.1.3 Describe the evidence required for a prosecution

2.4.1.4 Explain what steps need to be taken to establish the age of a person if doubtful they are 18 or over

2.4.1.5 Outline the circumstances when a 16 or 17 year old may consume alcohol on licensed premises

- 2.4.1.6 Outline the range of offences that can be committed regarding alcohol and under 18's.
- 2.4.2 Candidates must be aware of the law regarding the sale of alcohol on licensed premises by under 18's and be able to:
 - 2.4.2.1 Identify that it is an offence to allow under 18's to sell alcohol on a licensed premise except under certain circumstances
 - 2.4.2.2 Explain the need for each sale of alcohol sold by an under 18 to be approved by a responsible person over the age of 18
 - 2.4.2.3 Identify that under 18's may sell alcohol if it is for consumption with a full table meal
 - 2.4.2.4 Identify who is regarded as a responsible person able to approve alcohol sales.
- 2.4.3 Candidates must understand the need to request proof of age documentation if there is any doubt that the purchaser may be under 18 and be aware of the documents required to be able to:
 - 2.4.3.1 Explain that you must ask for identification if the alcohol purchaser may be under the age of 18
 - 2.4.3.2 Outline which documents are regarded as acceptable proof of age
 - 2.4.3.3 Identify what needs to be checked when reviewing the form of identification offered
 - 2.4.3.4 Illustrate an understanding of the Proof of Age Standards Scheme
 - 2.4.3.5 Understand best practice regarding policy on proof of age.
- 2.4.4 Candidates must understand the test purchasing process, the potential penalties for failure and due diligence in relation to age restricted sales and be able to:
 - 2.4.4.1 Explain that test purchasing involves an attempt to purchase alcohol by an under 18 in association with the Police and weights and measures officers

- 2.4.4.2 Outline the possible fines and penalties following the failure of a test purchase
 - 2.4.4.3 Identify which staff members are liable to fines and prosecution
 - 2.4.4.4 Outline the due diligence steps required to reduce the risk of an underage sale taking place
 - 2.4.4.5 Outline the potential consequences of persistently selling alcohol to under 18's.
- 2.4.5 Candidates must know and understand the law regarding the admission of children on licensed premises and be able to:
- 2.4.5.1 Show that the law seeks to not be too prescriptive regarding the admission of children
 - 2.4.5.2 Explain that the onus is placed on the premises licence holder to decide whether or not the premises are suitable to allow the admission of children
 - 2.4.5.3 Identify the main steps that the premises licence holder should take to ensure the protection of children whilst on the premises
 - 2.4.5.4 Show that the operating schedule must show what measures have been taken to protect children
 - 2.4.5.5 Describe the restrictions which apply to the admission of children to licensed premises which supply alcohol for consumption on the premises.

2.5 Powers and Enforcement

- 2.5.1 Candidates must understand the powers provided to the Police and other authorities under the Licensing Act 2003 and be able to:
- 2.5.1.1 Explain that senior Police Officers can apply to a magistrate to close all licensed premises in a particular area for up to 24 hours if it is necessary to prevent disorder
 - 2.5.1.2 Explain that the Police have the power to close an individual premises for up to 24 hours if there is disorder or the risk of it, this can also be done if there is noise nuisance

- 2.5.1.3 State that Environmental Health Practitioners have similar powers when it comes to noise nuisance
 - 2.5.1.4 Outline the possible actions that may be taken against a premises following a closure order
 - 2.5.1.5 Explain the premises licence process and understand the possible action that may be taken following a review.
- 2.5.2 Candidates must understand which authorised persons have the right to enter licensed premises, under what circumstances and the extent of their powers and be able to:
- 2.5.2.1 State that certain official persons have the right to enter licensed premises at any reasonable time
 - 2.5.2.2 Identify which officials have the right to enter licensed premises to carry out their statutory duties
 - 2.5.2.3 State those officials known as authorised persons and the extent of their powers
 - 2.5.2.4 Explain that Police have additional powers to enter licensed premises if they suspect an offence is or may be about to take place
 - 2.5.2.5 Explain that the Police do not need a search warrant in these circumstances
 - 2.5.2.6 Describe the very specific powers and limitations relating the HM Revenue and Customs Officers.

2.6 Temporary Events

- 2.6.1 Candidates must understand the system for temporary events including the process for issuing and the limitations and be able to:
 - 2.6.1.1 Explain that a permitted temporary event is a one-off event that includes one or more licensable activity.
- 2.6.2 Candidates should understand the information that must be included in a temporary event notice and the timescales required to be adhered to and be able to:
 - 2.6.2.1 Outline the different types of event that can qualify as a temporary event

- 2.6.2.2 State that the premises user is responsible for the event complying with licensing law
 - 2.6.2.3 State that the temporary event notice must be applied for at least 10 working days prior to the event
 - 2.6.2.4 List which organisations must receive a copy of the notice
 - 2.6.2.5 Identify the information that must be included in a temporary event notice such as time of event, licensable activities taking place and numbers of people attending
 - 2.6.2.6 Outline the requirement to display or have available the temporary event notice at the premises during the event.
- 2.6.3 Candidates must understand the limitations that apply to a temporary event, all of which must be followed if the event is to be permitted and be able to:
- 2.6.3.1 State the limit of duration for a temporary event
 - 2.6.3.2 State how many events a premises may hold each calendar year
 - 2.6.3.3 State the limitations in terms of numbers of people allowed to attend a temporary event
 - 2.6.3.4 Outline the number of days a premises may be able to hold a temporary event in a calendar year
 - 2.6.3.5 Identify the time scale that must elapse between events at the same premises by the same user
 - 2.6.3.6 State how many events a personal licence holder and non-personal licence holder may issue in a calendar year
 - 2.6.3.7 State the associated persons limitations.
- 2.6.4 Candidates must understand the Police powers to object to a temporary event notice and be able to:
- 2.6.4.1 Explain that only the Police may object to a temporary event notice and then on the grounds of a belief it would undermine the crime and disorder objective

2.6.4.2 Illustrate that a hearing may follow a Police objection and the Licensing Authority may issue a counter notice if they uphold the Police objection

2.6.4.3 Outline the right to appeal against a counter notice and the Police right to appeal if the Licensing Authority allowed the event to take place.

2.7 Responsibility in Alcohol Retailing

2.7.1 Candidates must understand the nature of alcohol, its effects, the responsibilities relating to management of licensed premises, drugs and responsible alcohol retailing and be able to:

2.7.1.1 Explain that alcohol is classed as a drug, may become addictive and is always intoxicating

2.7.1.2 Explain that a key aim of the Alcohol Harm Reduction Strategy is to combat the harm caused by excessive alcohol consumption

2.7.1.3 State the effects of alcohol consumption, understanding what happens as consumption increases.

2.7.2 Candidates must understand how alcoholic strength is expressed, units of alcohol, how they are calculated and the various classifications that apply to drinks and be able to:

2.7.2.1 Explain that the strength of an alcoholic drink is expressed by the amount of pure alcohol in a drink, its alcohol by volume

2.7.2.2 State the legal definition of alcohol

2.7.2.3 State the abv of the main drinks categories served

2.7.2.4 Describe what is meant by alcohol free and low alcohol

2.7.2.5 Explain what a unit of alcohol is.

2.7.3 Candidates must understand the recommended limits for alcohol consumption, the effects of alcohol and the legal limits relating to drink driving and be able to:

2.7.3.1 Outline the government guidelines for safe daily and weekly number of alcoholic units consumption

- 2.7.3.2 Outline the effects alcohol can have on the body
 - 2.7.3.3 Describe the key factors which effect blood alcohol concentration levels
 - 2.7.3.4 State the maximum legal limits for drinking and driving
 - 2.7.3.5 Identify what steps licence holders can take to discourage customers from drink driving.
- 2.7.4 Candidates must understand the need for managing premises to a high standard and the types of procedures and controls that should be in place and be able to:
- 2.7.4.1 Identify that selling and marketing alcohol must be undertaken in a responsible manner
 - 2.7.4.2 Identify who has a duty for preventing disorderly conduct on licensed premises
 - 2.7.4.3 Explain the law regarding the sale of alcohol to a drunken person or their companion
 - 2.7.4.4 Identify the requirement to ask drunk or disorderly persons to leave licensed premises
 - 2.7.4.5 State the benefits of joining and the purposes of pub watch and retail watch schemes
 - 2.7.4.6 Outline the possible consequences of allowing illegal drugs activity on licensed premises
 - 2.7.4.7 Describe drug prevention strategies and who to ask for advice.
- 2.7.5 Candidates must understand the Smoking on Licensed Premises Act in terms of licensed premises and be able to:
- 2.7.5.1 Explain that smoking is banned in virtually all enclosed or substantially enclosed public places or places of work
 - 2.7.5.2 Outline the main points relating to enforcement of the law
 - 2.7.5.3 Outline the penalties for failing to comply with the law
 - 2.7.5.4 Outline what licensed premises must do to ensure compliance with the law.

- 2.7.6 Candidates must understand that some licensed premises are more vulnerable to conflict and crime than others and steps they can take to reduce the risks and be able to:
 - 2.7.6.1 Outline the key factors which can determine the vulnerability of licensed premises to conflict and crime
 - 2.7.6.2 Describe what is meant by conflict resolution and the responsibilities of the premises licence holder and designated premises supervisor to ensure the potential conflict is reduced as much as possible
 - 2.7.6.3 Identify the main strategies that can be put in place to remove or reduce the threat of violence, damage or disorderly conduct occurring.
- 2.7.7 Candidates must understand the types of alcohol promotions defined as responsible and be able to:
 - 2.7.7.1 State the different types of promotions mainly used on licensed premises
 - 2.7.7.2 Outline which types of promotion could be seen as irresponsible
 - 2.7.7.3 Outline the potential consequences of becoming involved in irresponsible promotions
 - 2.7.7.4 Identify which organisations provide guidelines in relation to responsible drinks promotions.