

Off-Licence Code of Practice



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Retailers Guide

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ARE YOU

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Retailers guide to code

Underage drinking and alcohol misuse is a major problem throughout our City. It is a very visible problem; we only have to look at our street corners almost every night of the week. It is a problem that is growing rapidly and a significant number of children, as young as 12, are now drinking on a regular basis. There is also a strong correlation between alcohol abuse and antisocial behaviour.

To help reduce the problem of underage drinking in Belfast we are asking off-licences throughout the Belfast City Council area to sign up and implement our code of practice which details guidance on the responsible sale of alcohol.

Aims of the code of practice

- ▶ Reduce the sales of alcohol to under 18s.
- ▶ Raise awareness of the issues of underage drinking.
- ▶ Assist off-licences and enforcement bodies in reducing adults buying alcohol for under 18s.

- ▶ Reduce the number of incidents of alcohol-related antisocial behaviour.

Off-licences throughout the City of Belfast are invited to sign up to this code of practice.

What does the code state?

The code of practice lays down the following key actions and principles to help ensure the socially responsible sale of alcohol:

- ▶ Staff will not sell alcohol to anyone under the age of 18.

Although it is legal to sell alcohol to anyone over 18, staff will ask for identification from anyone not known to be over 18 and who looks to be/appears to be under 21. The following forms of identification will be acceptable:

- ▶ Driving licence with photo card.
- ▶ Valid passport.
- ▶ Electoral registration card.

As one of the most common ways for under 18s to access alcohol is to buy it from adults, staff will question, and if appropriate, refuse

anyone who is buying large quantities of alcohol or those who have bought alcohol on more than one occasion on one day. Alcohol will not be sold to a drunk person.

Staff will liaise with and co-operate with local police and council officers.

A poster will be displayed in a prominent location within the sales area.

Staff will receive training on the contents of the code of practice.

Staff will welcome visits to their premises by police and council officers as a deterrent to potential underage customers.

What will happen after sign up to the code of practice?

The Get Home Safe Partnership in conjunction with the Belfast District Policing Partnership, will acknowledge and publish that you have agreed to sign up to the code of practice and the socially responsible sale of alcohol. You will be provided with posters and leaflets for display in your sales area which will help you comply with the code of practice. You will be invited to

a launch of the scheme where all off-licences that have signed up will be publicly recognised.

Does it cost anything to sign up to the code of practice?

No. There is no cost to signing up to the code of practice. All the literature and posters are provided free of charge.

Do I have to sign up to the code of practice?

The code of practice is purely voluntary and there is no legal obligation to sign up to it. It is important however that everyone in the area works together to help address alcohol misuse and the crime and disorder that is occurring. By signing up to the code and implementing its actions and principles; you are playing your part in addressing the problems that impact on the whole community. You are also making the public aware that you are socially responsible.

Who can I contact for help or advice?

The code of practice is administered by **The Belfast Community Safety Team**, based at:

**Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
Belfast BT2 8BP**

T: 028 9032 0202

F: 028 9024 0396

E: communitysafety@belfastcity.gov.uk

If you need to report a crime, please contact the PSNI on **0845 600 8000** or **999** in an emergency.



Legislation in Northern Ireland

The law controlling the supply of alcohol in Northern Ireland is the Licensing (Northern Ireland) Order 1996. This requires retail outlets that sell alcohol to obtain a licence. Under the law, off-licences are allowed to sell alcohol between 8 am and 11 pm from Monday to Saturday and between 10 am and 10 pm on Sunday. Supermarkets and shops selling alcohol as well as other goods must clearly identify and keep separate the area selling alcohol. Off-licences (and off-sales attached to a public house) are not allowed to open on either Christmas Day or Easter Sunday.

Young People and the legalities

- ▶ It is an offence for someone under 18 to buy alcohol.
- ▶ It is against the law for someone to pretend to be 18 or over so they can go into or drink alcohol in licensed premises.
- ▶ Those under 18 can only be present in an off-licence if they are with an adult.



- ▶ It is an offence for someone to buy alcohol on behalf of a person under the age of 18.
- ▶ It is an offence for the holder of a licence or his/her staff to sell alcohol to a person under 18.
- ▶ It is an offence for anyone to buy alcohol from an off-licence for a person who is drunk.

Confiscation of alcohol from young persons

The Confiscation of Alcohol (Young Persons) Act 1997 provides the police with powers to confiscate alcohol from young persons drinking in the street. The Act has been designed to allow the police to deal with situations where drinking causes a nuisance to others or may lead to further bad behaviour.

In an area covered by this law, a police officer may require the surrender of alcohol where he/she suspects that someone who is in possession of it is under 18 years of age or if a person who is under 18 years of age has recently consumed alcohol. The officer may arrest a person who he/she believes to be under 18 if he/she does not

surrender alcohol when required or someone who fails to provide correct identification details.

Bye-laws

Belfast City Council has in force a local Bye-Law which prohibits the consumption of alcohol by any person (regardless of age) in designated areas throughout the City. Adult customers should be aware that they may also be liable to prosecution if they breach this Bye-Law. The maximum penalty upon summary conviction is currently £500. Designated areas will be indicated by signs in the vicinity.

A guide for staff working in licensed premises

Saying no to underage customers or to someone acting in an aggressive manner is not always easy and it needs to be handled tactfully. It is understandable that staff may feel intimidated and for this reason it may be easier to back down and agree to serve the person.

For those serving alcohol however there is no choice. We all accept that it is illegal to serve someone under 18 or a drunk person. By selling alcohol under these circumstances you are at risk of prosecution, the loss of the drinks licence and loss of your livelihood.

It is important to know how to handle awkward situations without breaking the law. You may have to provide a means for the customer to get out of the situation without losing face. For example **“I'm very sorry but we're not allowed to sell alcohol to anyone who can't prove they're 18 or older....”**

The following advice is offered by the Portman Group, a not for profit organisation funded by the alcohol

industry. The advice is categorised under four headings:

- ▶ **Be alert.**
- ▶ **Stand your ground.**
- ▶ **Avoid blame.**
- ▶ **Keep your distance.**

Be alert

Experienced staff always monitor their premises inside and out, because they know that prevention is better than cure.

If there is a group of young people hanging around outside, a quiet word early on will often be enough to send them on their way. If this doesn't do the trick, a quick call to the police may help - it's more difficult to sort things out once a gang or a drunk is inside.

When people do walk into your premises, always acknowledge them and say hello. Customers feel instantly welcome and would-be troublemakers know that you've registered their presence too.

Keep expensive items hidden from view. If you are unlucky enough to fall victim to a thief - drunk or not -



don't chase them. You'll be leaving the till vulnerable. Call the police instead.

- ▶ **Monitor premises.**
- ▶ **Greet customers.**
- ▶ **Keep expensive items hidden.**
- ▶ **Don't chase thieves - call the police.**

Stand your ground

Troublemakers can be persistent but you have to refuse to serve youngsters and drunks by law.

Always be polite and calm. Don't antagonise by getting annoyed or aggressive. If you shout, expect to be shouted at. Be professional. Apologise. Tell the customer that you'd be putting your Licence at risk if you serve them alcohol. A refusal can embarrass a customer, so be tactful.

Never talk down to the person in question especially if they are young or in a group. It will make them feel small in front of others in the group and can provoke violence. Instead, maintain a professional tone. If faced with a group, move the person you're talking to away from the rest. This lessens the chance of them playing to the crowd.

- ▶ **Be polite.**
- ▶ **Apologise.**
- ▶ **Don't antagonise.**
- ▶ **Be firm.**
- ▶ **Use tact.**
- ▶ **Don't humiliate.**

Avoid blame

Politely stress your legal obligations, when refusing to serve someone. If you're asking for identification for proof of age, emphasise it's nothing personal, but the law requires it. State it's the policy of the premises to ask any person who appears to be under the age of 21 for identification.

The same principle of de-personalisation applies to those who are drunk. Explain that the law prevents you from serving anyone who is intoxicated. If necessary, keep repeating that it's nothing personal, that you could get into trouble for serving them.

- ▶ **De-personalise the situation.**
- ▶ **Explain your legal obligation.**
- ▶ **Blame shop policy.**
- ▶ **Don't get angry.**



Keeping your distance

People sometimes get aggressive without warning. Don't respond to aggression, but try to stay calm. Apologise, use relaxed body language and avoid prolonged eye contact. This signals that you do not want a fight, and slims down the chances of a punch being thrown.

Use slow and deliberate body movements and try to keep something between you and the aggressor. Stay behind the counter. This provides a barrier should violence occur.

Refuse to be drawn into an argument. Saying sorry gives aggressors a way out without losing face. If they get physical don't retaliate but try to keep your distance. If things get out of hand, call **999**.



Working in partnership

A recent Home Office action plan states that “effective solutions to antisocial behaviour are not the responsibility of a single agency or organisation. Local residents and tenants, local authorities, victims and witnesses, the police, social services, businesses and many other groups and individuals have a role and responsibility to tackle antisocial behaviour.”

We believe that with the support and active participation of off-licence management and staff, we can work together to promote responsible behaviour and reduce alcohol misuse and associated antisocial behaviour.

Commitment

By signing up to the code of practice, you are providing your support and commitment to the stated aims and objectives it contains. In particular, you are agreeing to take reasonable steps to ensure that:

- ▶ Staff will not sell alcohol to anyone under the age of 18.

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Staff will question, and if appropriate, refuse anyone who is buying large quantities of alcohol or those who have bought on more than one occasion on one day.

- ▶ Alcohol will not be sold to a drunk person.
- ▶ Staff will liaise with and co-operate with local police and council officers.
- ▶ A poster will be displayed in a prominent location within the sales area.
- ▶ Staff will receive training on the contents of the code of practice.
- ▶ Staff will welcome visits to their premises by police and council officers as a deterrent to potential underage customers.

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Cecil Ward Building
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Belfast BT2 8BP

Tel: 028 9032 0202

If you need to report a crime,
please contact the
PSNI on **0845 600 8000**

In an emergency, please dial **999**



Belfast
*District Policing
Partnership*

Local people shaping local policing

Owner / manager have signed up and
agreed to the code of practice