

## Offences under the Licensing Act 2003

This document provides brief details of offences under the Licensing Act 2003 which you need to be aware of as a licence holder. For a full list of offences and further information, the Act itself should be referred to – this can be viewed online at [www.legislation.gov.uk](http://www.legislation.gov.uk)

### Unauthorised licensable activities

A person commits an offence if he carries on or attempts to carry on a licensable activity on or from any premises otherwise than in accordance with an authorisation (i.e. a premises licence, club premises certificate or temporary event notice), or knowingly allows a licensable activity to be carried on.

This includes failing to comply with the conditions or permitted hours on your licence.

It is an offence to expose for sale by retail any alcohol in circumstances where a licence would be required for the sale by retail of that alcohol.

It is an offence to have in your possession or control alcohol which is intended for sale by retail or supply in circumstances where that activity would be an unauthorised licensable activity.

### Drunkenness and disorderly conduct

It is an offence to knowingly allow disorderly conduct on licensed premises.

It is an offence to knowingly sell or attempt to sell alcohol to a person who is drunk.

It is an offence to knowingly obtain or attempt to obtain alcohol for consumption on those premises by a person who is drunk.

### Smuggled Goods

It is an offence to knowingly keep any goods on premises which have been imported unlawfully or without payment of duty – this includes contraband alcohol and tobacco and counterfeit goods.

### Children and Alcohol

It is an offence to allow children (under 16) unaccompanied by an adult (over 18) to be present on premises used exclusively or primarily for the sale of alcohol.

It is an offence to allow children unaccompanied by an adult to be present on premises where alcohol is sold between midnight and 05.00am.

It is an offence to sell alcohol to an individual under the age of 18.

It is an offence to knowingly allow the sale of alcohol to an individual under the age of 18. This applies to someone who works at a premise in a capacity, whether paid or unpaid, which authorises him to prevent the sale.

It is an offence for a person to buy or attempt to buy alcohol on behalf of an individual aged under 18. A seller who could reasonably have recognised such an arrangement could also be charged with an offence.

It is an offence to persistently sell alcohol to children if sales are made on 2 or more different occasions within a period of 3 months to an individual aged under 18.  
Conviction of this offence may lead to suspension of the premises licence for up to 3 months.

It is an offence to buy or attempt to buy alcohol on behalf of a person under 18. This does not apply to an adult buying beer, wine or cider for consumption by a 16 or 17 year old with a table meal.

It is an offence to knowingly allow the consumption of alcohol by a person under 18 on licensed premises. This does not apply to 16 or 17 year olds who consume beer, wine or cider with a table meal accompanied by an adult.

It is an offence to knowingly deliver alcohol to person under the age of 18. For example, a child cannot collect or receive alcohol ordered by an adult by telephone.

It is an offence to knowingly send a person under 18 to obtain alcohol from a licensed premises.

It is an offence to knowingly allow an individual under the age of 18 to sell or supply alcohol from a licensed premises unless the sale or supply has been specifically approved by a responsible person.

#### Vehicles

It is an offence to sell by retail alcohol on or from a vehicle at a time at a time when the vehicle is not permanently or temporarily parked.

#### False statements relating to licensing

A person commits an offence if he knowingly or recklessly makes a false statement in connection with an application for a premises licence, provisional statement, temporary event notice or personal licence.

#### **Contact**

Licensing Service  
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Municipal Buildings  
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Blackpool  
FY1 1NA

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