

LICENSING MATTERS
you serve • we protect

PREMISES LICENCE HEARING
16th December 2013

Nisa Local
2 Ash Rd
Headingley
L36 3JF

SUPPORTING DOCUMENTATION

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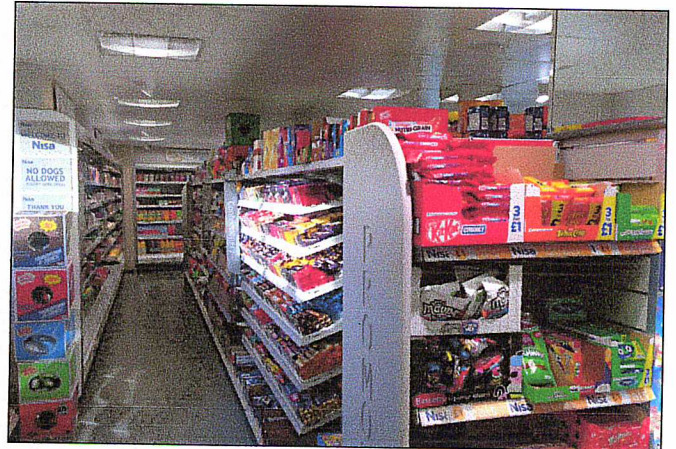
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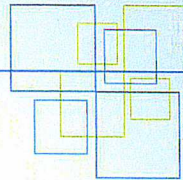
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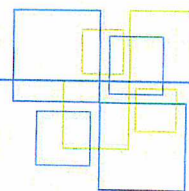
licensing and due diligence



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TEST PURCHASING

Test Purchasing is when the Police and Trading Standards officers send people under 18 years of age into a shop to check that they are complying with the law. They are supported fully by the government and are allowed by law, they are not a trap.

The procedure that is followed ensures that the Test Purchase is conducted fairly and more importantly with a certain guarantee that any shop that fails will face a conviction should the matter end up in court. The young persons used to buy the alcohol are usually aged well below 18 years of age (usually 15) and look their age. A Trading Standards or Police Officer will be in the shop to witness the sale but it is now common for the youth to carry a hidden video camera and record what happens. They do both of these things so that if the case goes to court they have the evidence to prove that the sale took place.

Remember that a test purchase is different to a 'real life' situation and the warning signs you will learn about, such as nervousness, will not necessarily be obvious. This is because the child is not breaking the law but instead is doing something he or she has been instructed to do by a Police Officer or a Trading Standards Officer. It makes test purchases difficult to deal with so being alert is essential at all times.

If the young person is successful at obtaining alcohol, Trading Standards or the Police can deal with the sale in any way they see fit using any of the penalties that have been described above.

SIGNS THAT A PERSON MAY BE UNDERAGE

Being able to recognise when a person may be underage is a very important part of your job. Sometime it is not easy to determine if a person is under age so the points below will help you to do this.

Physical Appearance

Clearly the major give away as to a person's age is their appearance. It is much easier for girls than boys to enhance their appearance and make themselves look older than they are. They do so by wearing excessive make up, high heels to make them appear taller and by wearing more mature clothing. Boys often look younger than girls. They may try to conceal their faces by wearing a 'hoody' or cap but the most common way that staff fall into the trap of believing that a boy is older is when they are unusually tall for their age. Boys of 14 or 15 years old can be over 6ft in height. **Do not try to judge ages and do not be deceived by appearances!**

Body Language

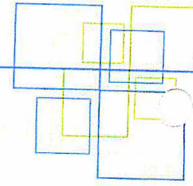
Body language can be a giveaway that a person is only young. Signs of nervousness such as stuttering, giggling and not being able to keep still are signs to look out for. On the other hand, over confidence, aggressiveness or being rude and uncooperative can sometimes be suspicious. Either way, when a person is attempting to deceive they rarely find it easy to make eye contact.

Product being purchased

Be aware of the products that young people like to drink. If it is a product which is likely to be favoured by the underage, such as alcopops or cider, be particularly careful.



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Product quantity & price

Young people do not work and rarely have the funds to buy a large quantity of goods or products that are in the higher price brackets. Your suspicions should be raised if a person who looks young is buying a single bottle or can of a cheaper product.

Payment method

Adults usually pay for their goods with cash from a wallet or purse, a cheque or a credit or debit card. People who buy their goods in this way are therefore less likely to be underage. On the other hand young people are more likely to pay for goods with cash and change. Large quantities of loose change can be an indication of an underage person as it may be the result of a collection.

THE 'CHALLENGE 25' SCHEME

The 'Challenge 25' scheme is now a nationally accepted way of avoiding making a sale to underage persons. It was introduced because it was recognised that it can be very difficult to assess the age of a young person and to identify accurately whether someone is ~~21, 22, 23~~ or ~~24~~, but is usually easier to determine whether someone is over 25. Your store has adopted the 'Challenge 25' scheme and you must follow it at all times.

what does 'challenge 21' mean?

If you suspect a young person is under 25 years of age, then you must ask them for identification to prove to you that they are aged over 18. If the person cannot prove their age you must explain the scheme to them and refuse to serve them alcohol. Under no circumstance must you decide to sell because it seems the easier thing to do at the time!

The 'Challenge 25' scheme, if used correctly at all times, will protect you & your job and young people by ensuring that only those over 18 can buy alcohol.

ACCEPTABLE IDENTIFICATION

There are many different ways a person can prove their age by using documents or cards. However, for purchasing alcohol most of them are unacceptable. For example, a birth certificate or national insurance card have no photograph on them and can be passed around between friends. Student Union cards or bus passes can easily be made on a computer. There are also many different **fake** proof of age cards in existence that can be paid for over the internet.

Because of this there are therefore only 2 forms of identification that you should accept as proof of age which are detailed below:

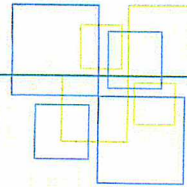
- 1) Photocard Driving Licence
- 2) Passport

Do not accept anything else!!

LICENSING MATTERS - consultancy and training



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HOW TO CHECK I.D. AND WHAT TO LOOK FOR

general

When you are checking identification it is important that they are checked thoroughly. The items to be checked are:

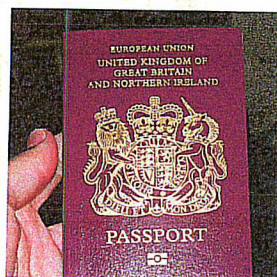
- The date of birth. You will need to work out whether a person is 18. If you need help, ask!
- That the photograph matches the holder. Look carefully, DO NOT just glance.
- That it is current and valid
- That it is not fake and has not been tampered with.

DO NOT simply allow a customer to present a form of ID to you in a wallet. The identification can easily be obscured and may lead to mistakes. If a customer does this politely ask them to remove the identification from the wallet and check it thoroughly.

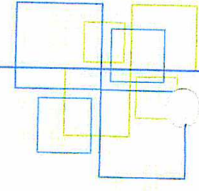
If after seeing the identification produced you still have a doubt, refuse the sale.

passports

This is the best form of identification to establish a person's age. Passports are rarely fake and can usually be relied upon for identification. The only problem, if the passport was obtained years ago by the holder, may be if the person's looks have changed and are different from the photograph. If in doubt ask a colleague's opinion or refuse the sale.



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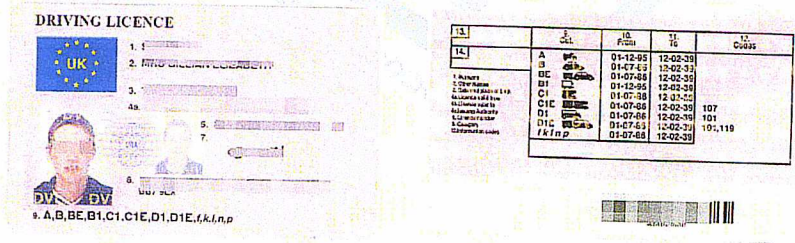
photocard driving licences

The photocard driving licence is an acceptable way for a person to prove their age. Beware however as there are many fake driving licences in circulation. The driving licence has also recently been changed and it now has many different features. We have therefore separated the information relating to driving licences into the old and the new as you will need to be aware of the different things to look out for.

old driving licence

The points to look out for are:

- The vast majority of driving licence fakes which are obtained over the internet do not say 'Driving Licence' on them. They state that they are a 'National Identity Card'. Look carefully for the wording and if it does not say 'Driving Licence', DO NOT ACCEPT IT.
- The licence will have the words DVLA printed all across the bottom half of the licence.
- If you have an ultra violet light in the store (usually used for checking for fake £10/£20 notes), place the driving licence under it. You will clearly see the Royal Crest stamped in several places over the front of the licence. If the card is genuine this is very clear to see.
- On the back of a genuine driving licence there is a grid showing the categories of vehicle the holder is permitted to drive. This has small pictures of cars and vans.



new driving licence

The new licence is similar in appearance to the old but it has better security features. The main changes are:

- The photograph is black and white instead of colour
- A hologram is on the front close to the right hand side of the photograph. This is a steering wheel that appears to turn as you tilt the card in different directions.
- A new security feature is an image on the front of the licence underneath the photograph that changes both shape and colour depending on how you tilt the licence. On full (pink) licences you will see a blue road sign that changes to a black triangle and on a provisional licence (green) it is a red road sign changing to a black triangle.



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- On the back of the licence there is a steering wheel that changes in colour from green to gold depending on how you fill the licence.
- If you have an ultra violet light in the store (usually used for checking for fake £10/£20 notes), place the driving licence under it. You will clearly see 4 flowers on the top right hand corner of the licence. These are a thistle, a daffodil, a rose and a clover. The Royal Crest is can also be seen on the right hand side of the card. If the card is genuine these are very clear to see.

beware of fake driving licences



Driving Permit not a Driving Licence



Age I.D. not a Driving Licence



National I.D. not a Driving Licence

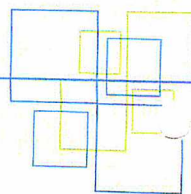
COMPLETE THIS EXERCISE

1. IF SOMEONE CLAIMS THAT THEY ARE 18 TODAY, ON WHAT DATE WERE THEY BORN?
2. GO AND FIND A DRIVING LICENCE AND CHECK IT FOR ALL THE POINTS THAT YOU HAVE BEEN TOLD ABOUT. IF YOUR STORE HAS AN ULTRA VIOLET LIGHT PUT THE DRIVING LICENCE UNDERNEATH IT AND SEE THE MARKINGS.
3. COMPARE THE DRIVING LICENCE TO THE PICTURES YOU HAVE SEEN IN THIS MANUAL OF THE FAKE LICENCES.

You have now completed Session 2 & will be tested on your knowledge.

- Make sure that you have not only read but understood the session information.
- If you are unsure of anything take a moment to go over what you have just read.
- If you do not understand something ask your trainer.

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signs that a person may be drunk

There are many different stages & signs of drunkenness. Depending upon how much alcohol a person has consumed will govern the way they behave. Below is a general overview of the stages of drunkenness:

Stages of drunkenness

1. **Merry** - Feeling more alert, cheerful and sociable.
2. **Uninhibited & carefree** - Feeling more relaxed but judgement starts to become impaired. People still feel that they are acting normally but they begin to make mistakes as it takes longer for them to react to situations.
3. **Losing control** - Alcohol begins to have negative effects. Drinkers become careless and start to act in a way that they would not normally do. At this point some people can become aggressive or depressed. The problem at this point is that some people lose the ability to know when to stop drinking.
4. **At risk & vulnerable** - All actions, such as seeing, talking and moving, become more and more difficult. People often do not know where they are and can injure themselves or become unconscious. They can also do things they cannot remember afterwards. This level of intoxication is never a good idea and people can come to serious harm.

Signs of drunkenness

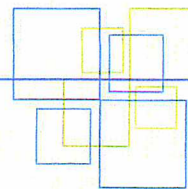
You have a duty not to serve alcohol to a person who is already drunk. The early stages of intoxication as detailed above (1 and 2) may be difficult to spot. However, it will be easier to recognise a person in the later stages (3 and 4). The signs you need to look for are:

- Loss of physical co-ordination (knocking things over and bumping into things)
- Slurred speech
- A person speaking too loud or too fast
- Slow reactions
- Staggering or inability to walk
- Glazed eyes
- Nausea & vomiting
- Loss of consciousness

You will learn in more detail about alcohol and its effects in the next session.



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how to deal with a person you suspect to be drunk

Remember that a drunken person can be far more volatile, potentially abusive and violent. They are often unreasonable & argumentative. Refusal in this situation can sometimes lead to conflict if handled incorrectly. It is however important to remember that some symptoms of drunkenness such as slurred speech can be a symptom of a medical condition. You need to establish also that they are unsteady on their feet, their eyes appear glazed and they smell of alcohol.

In dealing with a drunken person, use everything you have learnt about refusing a sale of alcohol to an underage person and apply it. The main points are listed below:

- **Be alert** - Monitor the premises & deal with a suspected drunken person quickly. For example, if you can view someone you suspect may be drunk approaching the premises, it is better to not allow them entry in the first place.
- **Refuse the sale** – be polite and stand your ground - It is important that you defuse the situation by staying calm and showing the person that you do not want any trouble. The most important thing NOT to do is respond back to the person with aggression. Do not get drawn into an argument or antagonise your customer by getting annoyed or aggressive. Apologise and keep yourself in a safe position at a distance to the person in case they become violent.
- **Avoid blame** - Point out to them that you could lose your job by serving them in their present condition and advise them to return at another time. If they do claim a medical condition ask them to bring a letter from a doctor or pharmacist.
- **Get help from your colleagues** - Your personal safety is of the utmost importance in these situations when dealing with a difficult situation, such as dealing with a drunken person, alone. Call for your manager or supervisor if they are in the shop as this will often defuse a situation. Call for the police if the customer becomes aggressive or will not take "no" for an answer.
- **Make an entry in the refusals and incident register** - Do this once the customer has left the premises. Report any incident where you have felt threatened and/or intimidated.
- **Remember you have a responsibility under the law not to sell alcohol to a person who is drunk** - As the salesperson dealing with that customer, it is your responsibility, not that of any other person in the shop, to make the decision about whether a sale should be made. Your decision is final. Once you have made the decision the Shop Manager, DPS or any other supervisor should not interfere to overturn it.





INITIAL STAFF TRAINING CHECKLIST

Staff Name

Date commenced

Staff Training Package

Date Completed

Session 1 – The law & understanding who is in charge	<input type="text"/>
Session 2 – Underage drinking, Identification & Test Purchasing	<input type="text"/>
Session 3 – How to deal with underage drinkers & 'Proxy' purchases	<input type="text"/>
Session 4 – Dealing with people who are drunk and the Refusals & Incident Register	<input type="text"/>
Session 5 – Alcohol & its effects & other age restricted sales	<input type="text"/>

I, being the DPS or Premises Licence Holder, certify that the above named person has completed the staff licensing training to a satisfactory level and can now be authorised to make sales of alcohol to customers.

Name _____ Position _____

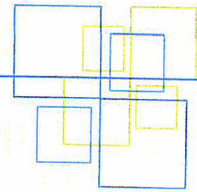
Date _____ Signature

Forms to be completed & signed

- Form 2 - 'Challenge 25' Policy & Store Policy
- Form 3 - Issued with Certificate for completion of training
- Form 4 - Authority to sell alcohol form

FORM 1

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SESSION 1 KNOWLEDGE CHECK

Scenario

A gang of underage youths gather directly outside your premises. They are drinking alcohol, being very noisy and use abusive language to customers entering the shop. They are dropping litter and causing annoyance to the local people.

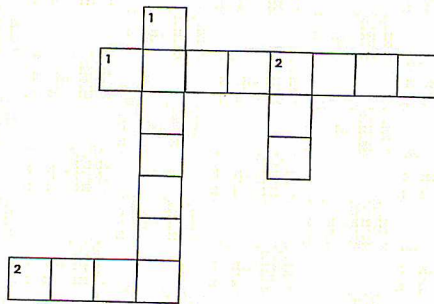
- Such annoyance and behaviour undermines 2 of the 4 licensing objectives. Which 2 licensing objectives are they?

(1 point for both)

- If such a situation became a common occurrence, a review of the premises licence could take place. At the review name 1 course of action that could be taken against the premises licence holder.

(1 point)

3 Mini Crossword



Across

1 A ----- licence holder has the authority to make or authorise the sale of alcohol (8).

2 A --- of alcohol must not be made outside the hours specified on the premises licence (4).

Down

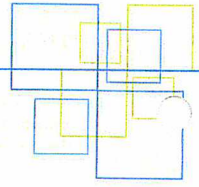
1 Due diligence is a ----- in law (7).

2 Our shop is authorised to make --- sales of alcohol only (3).

(4 points)



licensing and due diligence



4 The Licensing Act 2003 created Premises Licences. What do they authorise to take place on a premises?

(1 point)

5 All stores have the same permitted trading hours for the sale of alcohol. True or false?

(1 point)

6 If a sale to an underage person takes place, how can the DPS use the defence of due diligence to avoid prosecution?

- A. By showing that the sale was a one off, the procedures were in place and under normal circumstances it would not have happened.
- B. By producing their premises licence
- C. By showing that the person who sold was over 18

(1 point)

7 Where should the summary of the premises licence be kept?

(1 point)

8 The Designated Premises Supervisor is there to:

- A. Make sure staff work according to company policy
- B. Be in charge if the owner is on holiday
- C. Be in day to day control of the premises & provide a single point of accountability for any problems

(1 point)

9 What is important about the conditions on a premises licence?

- A. They are flexible and can be used when the owner wants
- B. They are binding in law and must be followed at all times
- C. They only last for 6 months

(1 point)

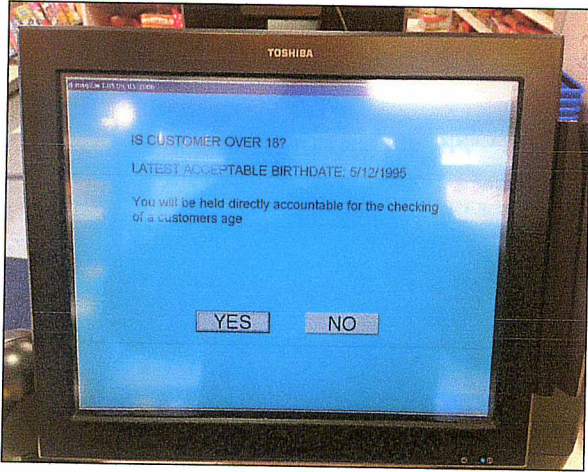
10 Every person who sells alcohol needs a Personal Licence. True or False?

(1 point)

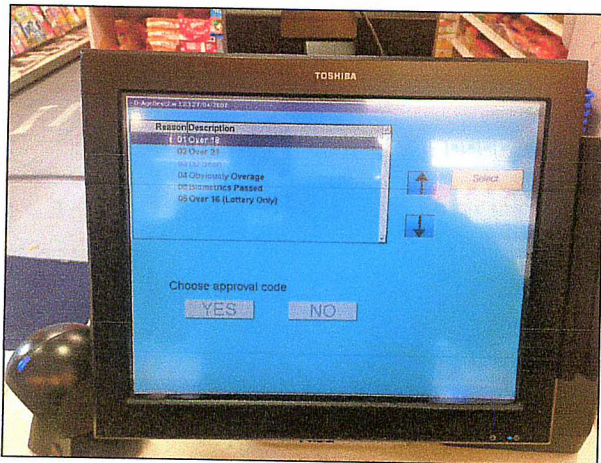


Till Prompt System

1. Age restricted Product is scanned & the following prompt appears:-



2.If 'YES' has been input the following list of reason codes will appear. Once a code has been input the sale will proceed. or If 'NO' has been input a list of refusal reason codes will appear, the sale will then end.



All the above information is stored on the system as an electronic refusal & challenges register.

PRESS RELEASE FROM NISA:

Nisa launches new training academy for its members
07/11/2013



Nisa is pleased to announce the launch of its Retail Academy which is designed to provide a complete training solution for its members' businesses.

The Retail Academy has been created to help Nisa members to trade successfully in the competitive market place by providing a suite of comprehensive training solutions that build the capability of their team, improve performance and have a positive impact on members' businesses.

Emma Brock, Nisa training manager, commented: "The benefits of having a team which is well trained are simple - it helps keep stores legal and shows due diligence, encourages high customer service levels, which will help to drive customer loyalty, and finally, well trained staff have a higher morale leading to increased productivity. All of this can have a positive impact on the stores profit."

The initial training pack provided to members included five essential training guides including food safety level 1, fire safety, security, fireworks and health and safety and one support guide covering age restricted sales. These guides will then continue to build over the coming months to cover a fully comprehensive training programme for members' teams.

The basics of the academy are formed of three tiers: essential, experienced and expert. The first two tiers, essential and experienced, cover all legal, operational and behavioural skills members' teams need for their everyday work.

The third tier, expert, is the Management Academy. This tier will be launched in the new year and will provide training in all aspects of retail management, developing current and aspiring managers in areas such as: profit and loss; managing a team; becoming part of the community; marketing and problem solving.

Emma continued: "The Nisa Retail Academy is an essential tool for our independent retail members to stay ahead of their competition and ensure they are staying legal and providing the best possible service to their customers. The academy is yet another way in which Nisa is going above and beyond to ensure the offer it provides its members is unrivalled by its competitors."

For more information please contact [Stacey Bird \(stacey.bird@nisaretail.com\)](mailto:stacey.bird@nisaretail.com)

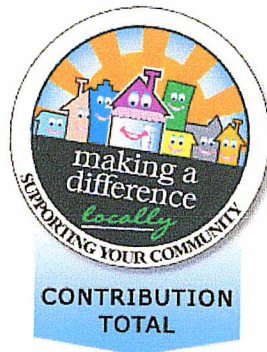
SUPPORTING THE COMMUNITY

Making A Difference Locally

Making A Difference Locally is a registered charity that was launched in 2008 to help independently-run local stores to add value in their communities by making specific donations to local charities or good causes within their locality - such as local football teams, hospices or one of a thousand charities that run throughout the UK. The scheme is truly local as money is raised by local stores over time through the sale of specific products in their stores.

The store owner chooses a beneficiary for the money and a donation is paid to the charity or cause by us, the charity Making A Difference Locally.

Below is the amount of monies which have been raised by Nisa stores to the charities:



£ 5180587.77

**Member funds donated
to date:**

£ 1728172.18

**Overall funds donated to
date:**

£ 3287243.46

From: fonecentre@hotmail.com

To: richard.gill@leeds.gov.uk

Subject: leeds in bloom north lane ls6

Date: Thu, 5 Dec 2013 15:02:42 +0000

hi richard,

i have come across your boards on north lane were local business support the leeds in bloom project.

i am a local independent business trading as a local nisa at 2 ash road headingley LS6 3JF. As part of being a member of Nisa Local we run a scheme instore that when a customer purchases a certain product/s we will make a donation to a good cause in our area. the link to the scheme is www.makingadifferencelocally.com

I can only nominate a charity or organisation to make this donation and the store will also double any amount that is raised through the scheme at present we hold in the region of £150 and are looking for our local area to benefit from it.

Please contact me so we can discuss this further

M.Sajid

manager at Nisa Local.

01132786677

The visit to **F11300 Nisa Local, Headlingley** at 4:00 pm on 11th November 2013 was a **PASS**.

Site Review

Premises Details

Premises Name	F11300 Nisa Local, Headlingley
Address 1	2 Ash Road
Address 2	Headlingley
Address 3	Leeds
Premises City	West Yorkshire
Post Code	LS6 3JF

Site Details

Store Code	F11300
Org Level 1	NP

Visit Details

Actual Date of Visit	11/11/2013
Actual Time of Visit	4:00 pm
Visit Result	PASS

Report

Question	Response
Please give details of the cigarettes purchased (brand and size):	10 Mayfair superking
Did you make the purchase on its own or as part of a larger shop?	On its own
Did the person who served you ask your age during the transaction?	Yes
Did the person who served you (or their supervisor) ask you for ID?	Yes
Was a supervisor called at any time during the transaction?	No
Was the person who served you working entirely alone?	Yes
Did the person who served you make eye contact with you?	Yes
If eye contact was made, when was it FIRST made?	During the transaction
In your opinion, did the person who served you make an assessment of your age?	Yes
How many people were waiting in the queue (if there was no queue, enter 0)?	0
What was the gender of the person who served you?	Male
What was the approximate age of the person who served you?	In their 30's
Please accurately describe the person who served you (include hair colour and style, build, height and any distinguishing features):	Approx 5'10", Asian male, short dark hair.
What was the name of the person who served you (from the receipt or name badge)?	No badge
Please enter the receipt details (include transaction and cashier details and the address if available):	Audit: 082559 2 Ash Road, Headingley
If you didn't get a receipt please state why:	N/A
Were 'Think 21' or 'Think 25' posters next to, hanging above or visible from the till?	Yes
Please describe the location of the store (i.e. names of the stores on either side):	To the left is Aston properties.
Please use this space to explain anything unusual about your visit or to clarify any detail of your report:	

untitled

O. Juwasan
22 Ash Terraces
Headingley
Leeds
LS6 3JD

06.12.2013

RE: Nisa Local 2 Ash Road LS6 3JF

Dear Sir's

I am in support of Nisa Local being granted a premises licence for the sale of Alcohol.
I have been a regular customer at the above named store since they have opened in February 2013 and i have found them to be very convenient for my shopping needs apart from when i wish to purchase alcohol which results me to visit a different store and shop elsewhere when i have alcohol on my shopping list.

I find the staff at the shop very friendly and believe that the management is fantastic.

O. Juwasan



Belinda Rayner
22 Ash Terraces
Leeds
LS6 3JD

09/12/13

RE: PREMISES LICENCE

I have been made aware that my local shop Nisa Local have been asked to attend a hearing in regards to their application for a premises licence.

In regards to their application I would be fully satisfied if the licence is granted as this would benefit me and other regular customers for our regular shop.

I also find this shop more cheaper than the multiples we have in headingley and the only shop as an independent.

Mrs B. Rayner
~~BELINDA~~

Proposed Conditions

- 1) THE PREMISES WILL HAVE COMPREHENSIVE CCTV COVERAGE, THE SYSTEM RECORDS & THE DATA IS KEPT FOR A MINIMUM OF 30DAYS. DOWNLOADS WILL BE MADE AVAILABLE TO THE RA'S UPON REASONABLE REQUEST.
- 2) A TILL PROMPT & ELECTRONIC REFUSALS REGISTER WILL BE IN PLACE AT THE PREMISES, DATA WILL BE MADE AVAILABLE TO THE RA'S UPON REQUEST.
- 3) A NOTICE WILL BE ON DISPLAY ASKING CUSTOMERS TO RESPECT NEIGHBOURS WHEN LEAVING THE PREMISES.
- 4) A CHALLENGE 25 POLICY WILL BE IN PLACE. WHENEVER A PERSON APPEARS TO BE UNDER THE AGE OF 25 THEY WILL BE CHALLENGED FOR ID TO PROVE THAT THEY ARE 18 YEARS OR OLDER.
- 5) THE ONLY TYPES OF ID TO BE ACCEPTED ARE PASSPORTS/ UK PHOTO CARD DRIVING LICENCES & PASS APPROVED CARDS.
- 6) ALL STAFF WILL BE TRAINED BEFORE MAKING SALES OF ALCOHOL WITHIN THEIR RESPONSIBILITIES UNDER THE LICENSING ACT 2003. THE TRAINING WILL BE DOCUMENTED & MADE AVAILABLE TO THE RA'S UPON REQUEST.