

ISLE OF MAN LICENSING FORUM

CODES AND GUIDANCE MANUAL

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PREFACE

The Isle of Man Licensing Forum was established in February 2005 to assess the legislation under which the industry, the Licensing Court and the Police operate and any associated problems. The aim is to ensure the industry has a suitable environment in which to operate whilst providing that the regulation of the industry by the Police and the issuing of licences by the courts is effective.

The forum has proved highly successful and has brought Government, the industry and the Police together to address alcohol related problems.

This booklet has been developed for the assistance of all licence holders in the Isle of Man, to keep all the current codes and guidance notes in one easy reference guide. It is not intended to be an authority in each matter, nor are the codes or guides in this booklet an authoritative statement of the law. Reference should be made to the current legislation on Licensing in the Isle of Man, and specific legal advice should always be taken in each case.

The Codes and Guidance in this booklet are endorsed by the Licensing Forum and the Isle of Man Constabulary, and are considered to be good practice in running your licensed premises. The Licensing Court may also require that you undertake to implement one or more of these codes or guidelines and/or place upon your licence a condition that you do so.

You should ensure that you check for an updates to this booklet and the Codes and Guidance contained in it, which shall be available on the Courts and Government Website.

The Licensing Forum
August 2014

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Note: v1.2 of this Booklet contains Codes/Guidelines reviewed up to April 2015

A1.

Isle of Man Constabulary Licensed Premises Crime Reduction Guidance.

Isle of Man Constabulary Licensed Premises Crime Reduction Guidance



1. Security Policy

- 1.1. Each licensed premises should have a written security policy which clearly defines key roles, responsibilities and procedures relating to the physical security of the building (both when open for business and closed).
 - 1.1.1. This document should be reviewed on an annual basis.
- 1.2. It is imperative that all staff understand and accept the need to adopt a proactive security ethos.
 - 1.2.1. Staff should be regularly reminded of the need to consider security and to ensure that premises are secured at close of business.

2. Intruder Alarm System

- 2.1. All licensed premises must be protected by an intruder alarm system.
- 2.2. Where the licensed premises has a residential area **and** the said area is ordinarily occupied by the licence holder, designated official, club secretary, or other staff member, then the building may be fitted with an 'audible only' system.
 - 2.2.1. i.e. the system must be capable of drawing the attention of the occupant to any alarm activation.
- 2.3. Where the building has no residential area or the residential area is not occupied as at 2.2 above, then the building must be fitted with a Type A remotely monitored system as described in the Isle of Man Constabulary policy on Police response to security systems.
 - 2.3.1. The alarm must be installed and monitored by a company which is certified by a UKAS Accredited Certification Body.
 - 2.3.2. The company must be accepted on the list of companies who comply with the Isle of Man Constabulary's Policy on Police response to security systems.



3. Physical Security

3.1. External Doors

3.1.1. All external doors must be sufficiently robust so as to prevent easy access/attack by an opportunist offender.

3.1.1.1. Rear doors can be particularly vulnerable to attack and therefore consideration should be given to the use of solid core construction doors (not `egg box` type that can be easily compromised) to a thickness of not less than 44mm.

3.1.1.2. The doorframe must also be of appropriate quality construction so as not to compromise the security of the door.

3.1.2. Wooden doors should be fitted with British Standard BS 3621 locks or similar (including mortice, five lever deadlocks, and/or rim automatic deadlocks).

3.1.2.1. UPVC doors must be fitted with multipoint locking systems (normally supplied as standard fittings).

3.1.3. Where letter boxes are utilised consideration should be given to the installation of an appropriate internal fire resistant receptacle.

3.2. Ground Floor Windows

3.2.1. Consideration should be given to fitting all ground floor windows with lockable window catches.

3.2.2. Toilet windows can be particularly vulnerable to unauthorised access and must therefore:

3.2.2.1. Be fitted with some form of robust opening restrictor.

3.2.2.2. Or be permanently secured and the toilet area fitted with a mechanical ventilation system.

3.2.3. Roof-lights can also be vulnerable as a point of unauthorised access.

3.2.3.1. Consideration should therefore be given to the installation of internal bars (or similar) and/or protecting such windows with the intruder alarm system.



4. Alcohol Store

- 4.1. Depending upon the size and nature of operation of the premises a supplementary alcohol store room may be required. Where a specific room is designated as being an alcohol store the room must:
 - 4.1.1. Be fitted with a solid core construction door to a thickness of not less than 44mm, fitted with a five lever lock to BS 3621 (or similar).
 - 4.1.1.1. The doorframe must be of appropriate quality construction so as not to compromise the security of the door.
 - 4.1.2. Have no internal or external windows.
 - 4.1.2.1. Where fitted with roof-lights such units must be protected with internal bars.
 - 4.1.3. Be protected by the intruder alarm system (door contact or internal sensor).
- 4.2. In the case of an off licence consideration must be given to the creation of a secure caged area to store alcohol within the main storage area.
- 4.3. Internal (staff) theft is always a potential risk and the store must therefore be managed so as to prevent/deter opportunist thefts.
 - 4.3.1. The store must therefore be kept secure at all times when not in use.
 - 4.3.2. Access to keys must be restricted.
 - 4.3.3. As at 3.5.2.6. above consideration should be given to the installation/use of CCTV cameras and signage (to deter theft).

5. Toilets

- 5.1. As at 3.2.2. above toilet area windows must be:
 - 5.1.1. Permanently secured or fitted with ventilation restrictors.
 - 5.1.2. Roof-lights must be protected.
- 5.2. Toilet cubicles should not be fitted with ceiling tiles as the void above can be used to hide items (such as drug related paraphernalia).
- 5.3. Toilet cisterns should be secured for the same reason.
- 5.4. Consideration should be given to fitting hooks on the rear of cubicle doors so as to deter patrons from placing valuables on the floor.



6. Cash Handling

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6.1. Premises are encouraged to hold the minimum amount of cash necessary for the operation of the business on site. The premises should have a secure facility for the storage of monies kept within the building.

6.1.1. The use of safes is therefore recommended. Safes should be:

6.1.1.1. Fixed to the fabric of the building (e.g. coach bolted to a solid wall or floor). Free-standing safes are not suitable.

6.1.1.2. Insured to the value of monies held within.

6.1.1.3. Combination safes are recommended as the security of keys can create issues. The combination should not be written down or disclosed to staff.

6.1.1.3.1. Safe keys should be stored within a purpose made key safe.

6.2. All monies should be deposited in the bank as soon as practicable.

6.2.1. When carrying cash, to or from the bank, it is advisable that the licensee be accompanied by another member of staff, and where possible use a vehicle, alternating times and routes.

6.2.2. Consideration should be given to the use of a professional cash handling service to transfer money to and from the premises where large quantities of cash are involved.

7. Gaming/Cash Machines

7.1. Where practicable, gaming and cash dispensing machines must be positioned in direct line of sight of staff working within the bar environment.

7.1.1. Where this is not feasible the machine(s) must be covered by a CCTV camera.

7.1.2. The view of the camera must be displayed on a screen located within the bar area permanently available to staff.

8. Smoking Shelters

8.1. Ideally smoking shelters must be located so as to maximise potential surveillance by staff (i.e. direct line of sight).

8.1.1. Where this is impractical the area must be monitored by a CCTV camera.

8.1.2. In such cases the CCTV system must incorporate a secondary screen located within the bar area, positioned so as to enable staff to effectively monitor patron activity within the smoking



area.

8.1.3. 'CCTV in operation' signage must be displayed.

8.1.4. The area must be appropriately lit.

8.2. Cigarette stub bins should be wall mounted. Freestanding ashtrays are not recommended.

9. Toughened Glassware

9.1. Where practicable premises should consider adopting the use of toughened glassware to remove the risk of broken glasses being utilised as weapons.



10. First Aid

10.1. Each premises must have:

10.1.1. An appropriate First Aid kit stored within an easily accessible area of the premises.

10.1.2. An identified member of staff who is responsible for the upkeep of the said kit.

10.2. Identified members of staff must be given appropriate First Aid training.

These notes are intended for guidance purposes only. Each premises will have specific requirements and advice should always be sought from Alcohol Unit staff prior to carrying out any building/refurbishment works.

Version 2 – April 2014

A2.

Isle of Man Constabulary CCTV Systems within Licensed Premises



Isle of Man Constabulary CCTV Systems within Licensed Premises Operational Requirement Analysis

Version 2.0a July 2005

1 Introduction

Closed Circuit Television, commonly referred to as CCTV, is a rapidly developing technology. A correctly designed, installed, and maintained system can be an effective tool in the prevention and detection of crime.

This document is intended to provide a **minimum** performance specification for the installation of a CCTV system, or the upgrade of an existing system, within licensed premises. The primary objectives of installing a CCTV system within such an environment are:

- **To seek to influence behavior of patrons**
- **To protect staff and property**
- **Where necessary, to provide unequivocal evidence of an incident to assist subsequent prosecution.**

An effectively installed and managed system will also help to prevent criminal and anti-social behaviour.

Proposed CCTV installations for licensed premises must be discussed with the Isle of Man Constabulary Alcohol Unit **prior to installation** to ensure that they comply with the requirements of this policy. A suitably qualified company should be engaged to design and install the system to ensure compliance.

The following guidance seeks to assist the reader in the procurement process. It provides a checklist of criteria which are required for the specification of an effective CCTV system and is, in part, based upon advice published by the Police Scientific Development Branch (PSDB).

2 Operational Requirement Analysis

What is an Operational Requirement?

"A statement of needs based on a thorough and systematic assessment of the problems to be solved and the hoped for solutions."

In its simplest form an Operational Requirement (O.R.) makes the reader ask a series of simple questions:

- Why am I installing a CCTV system?
- What do I want it to do?
- Where should I install cameras?
- How should I record the images?

PSDB advise the use of the O.R. checklist methodology for a number of reasons including:

- It is relevant to any size of system - Town Centre to Corner Shop
- It is relevant to any type of system – Analogue or Digital
- It is relevant at any stage in the system's life – from initial concept to upgrade
- It identifies the role that the CCTV system will play in the overall security strategy for the premises

When a client contracts an installer to design a CCTV system the installer will require certain information to enable them to create the specification for an effective system. It is unlikely that you as the client will have sufficient technological knowledge to specify which equipment is required.

The use of an O.R. approach simplifies the process and reduces the opportunities for confusion which may lead to a non-compliant installation.

The O.R. should answer the following questions:

Who and/or where is to be observed?

- Patrons and staff
- Locations within the premises (interior/exterior)

Which activities are of concern?

- Incidence of disorder
- Assaults
- Theft of property
- Damage to property
- Dealing of drugs
- Drug abuse
- Suspicious actions

Why are the activities being observed?

- To monitor behaviour
- To recognise and identify offenders
- To produce physical evidence of incidents which may subsequently be used in Court

Picture quality

The quality of images recorded is of paramount importance. They should therefore:

- Clearly show actions of persons involved in an incident
- Give evidence of identity of offenders
- Show an overall view of the scene
- Be time and date stamped (preferably referenced to the atomic clock transmitted by NPL from Rugby)

A basic O.R. covering these points should enable the installer to specify an appropriate system. See Appendix for the example O.R. recommended.

3. Equipment

In its simplest format a CCTV system comprises of one or more cameras, a multiplexer, a monitor, and a means of recording images. If poorly specified, each item has the potential to reduce the resultant image quality. To enable accurate identification from recorded images, PSDB recommend that the system should produce an image quality at the monitor of 400TVL.

3.1 Cameras

Image quality is measured against the Rotakin® standard. The Rotakin® target was developed by PSDB as a means of auditing the efficiency of a CCTV system. It consists of a human silhouette target 1.6m in height. When the target fills the screen vertically it is said to be 100%R.

There are four image standards:



Monitor
Not less than 5%R



Detect
Not less than 10%R



Recognition
Not less than 50%R



Identification
Not less than 120%R

The quantity and location of cameras will be site specific. They must meet the requirements identified within the O.R. procedure.

All cameras must produce colour images to enable accurate identification of offenders. All external public access doors must be fitted with cameras which enable clear, unobstructed images of all persons entering/exiting the premises. Where practicable, these cameras should be mounted internally. Such cameras must be mounted at a suitable height - looking towards, rather than down at the doorway. These cameras must be capable of producing PSDB Identification standard images (a minimum of 400TVL resolution and 120% Rotakin® screen target height) at the monitor.

All internal cameras must be capable of producing PSDB Recognition standard images (a minimum of 400TVL resolution and 50% Rotakin® screen target height) at the monitor.

CCTV Cameras are susceptible to interference and vandalism. Cameras should be fitted with robust anti-tamper housings to prevent such actions.

All cameras must be a minimum standard of 450 TVL. They must have back light compensation, direct drive or amplification capability, and a sensitivity of a minimum of 1 lux.

3.2 Monitors

A colour monitor must be provided with the system to view live or recorded images. The monitor must not be located where it can be viewed by unauthorised personnel.

The monitor must be capable of producing minimum of 500TVL resolution. Images displayed on monitors must not be visible from outside the premises.

Certain premises may be advised to install a 'comfort' monitor in the vicinity of the external public access doorway(s). This monitor should display images produced by the camera covering the said doorway. It **must not** display images produced by any other camera located within the premises. Patrons entering the premises will be made aware of the fact that their images are being recorded by a CCTV system, enhancing the systems potential deterrent value.

3.3 Recording of Images

As established during the O.R. process one of the main reasons for installing a CCTV system is to produce evidence which may be used in Court. The images must therefore be recorded.

Images must be recorded digitally onto the hard-drive of a computer.

3.3.1 Digital Recording Systems

The video format utilised must be PAL or PAL/NTSC.

The system must incorporate sufficient built-in hard-drive capacity to suit the number of cameras installed, whilst complying with Data Protection legislation currently in force

within the Isle of Man. The system must record at a minimum of 6 frames per camera per second. This can be achieved either by total capacity of the hard-drive or, where appropriate, by event controlled recordings i.e. alarm activated or motion activated.

The system must have duplex multiplexing facility or greater, to allow for simultaneous image recording and playback. There must be no interruption in recording during the playback process.

The system must incorporate a means of transferring images from the hard-drive to a format that can be played back on any IBM compatible computer, as used by the Isle of Man Constabulary and the Isle of Man Courts of Justice.

The image file should be therefore be transferred to WORM (Write Once Read Many times) media such as a CD-R disc. CD-R must be 'finalised' or 'closed' in the CD-writer before the disc is removed, otherwise the image file may not be viewable.

The system must produce images which are watermarked as part of the original recording process. There must be no subsequent watermarking of images (e.g. at the time of transfer to removable media).

The application software required to launch and view recorded images must be either included as part of a standard Microsoft operating system installation or be installed to the recorded media when the data is copied to that media.

The quality of the copied data must be of a high resolution as defined by the PC industry standards. e.g. 1024 x 768.

The Digital Multiplexer must have the facility to be password protected.

3.3.2 Image Quality

The image quality setting of recorded images must be set to the operational requirement rather than to minimise the storage capacity. The system must be capable of producing images to the PSDB Identification and Recognition standards.

3.3.3 Image Retention

Systems are often set to over-record images after a set period of time. The system must be capable of recording and retaining images for a minimum period of 7 days before over-recording. Where certain images justify a longer retention period and, provided it is practical to do so, they may be retained for a period up to a maximum of 31 days. If any images are required as evidence then these images may be retained for as long as necessary.

3.4.4 Time & Date Stamp

Digital recording equipment must record time and date information as part of the image file. The time/date must be accurate.

3.4.5 Image Integrity

The integrity of images removed from a hard-drive for evidential purposes is vital. They must be protected at the earliest opportunity to reduce opportunities for challenges in Court. Accidental alteration or erasure can be prevented by designating the image file as read only.

4. Security of Equipment

The monitor and recording equipment should be located in a secure room. Where this is not practicable, the recording equipment must be stored in a secure cabinet to prevent unauthorised access, tampering, or removal of images.

5. Lighting

Lighting schemes must take into consideration the following factors which will dramatically reduce the quality of images recorded:

- Excessive shadows
- Glare into the lens
- Back-lighting
- External lighting

Steps must be taken to eliminate or reduce the impact of such factors.

Particular attention must be given to lighting in the area of public access doors. The lighting must produce 'white light' to enable clear images and accurate colour rendition.

The fields of view of **all** cameras must be sufficiently well lit to enable them to operate as required under normal working conditions.

6. Signage

Each system installed must include appropriate signage and a data protection incident pack as part of the hand-over process.

A4 size advisory CCTV signage must be erected on the exterior of the building at, and adjacent to, all public access doors. The sign should consist of a camera pictograph and the wording 'CCTV in Operation', the name of the premises, and a contact telephone number.

For Example:



Further A5 repeater signs should be located at strategic locations throughout the premises. The Data Protection Act 2002 also requires a 'fair processing statement' regarding the use of the CCTV system to be on public display.

7. CCTV and the Data Protection Act 2002

All aspects of the CCTV system must comply with the Data Protection Act 2002.

8. Installation

All electrical installation works should be carried out to 16th edition IEE Wiring Regulations BS7671:1992, and current revisions.

9. Commissioning

The complete system must be fully tested, and commissioned in the presence of a representative of the client. The purpose of this test is to determine whether or not the cameras cover the required areas, and if they are capable of providing images to the required standards. An acceptance certificate will need to be signed to prove the installation meets the specification defined.

A test removable media copy must be supplied to the Police to validate the effectiveness of the system. This must be made under the conditions that would be expected during normal operation.

10. Training/ System Management

As part of the commissioning procedure the installer must train the client, or the client's representative, to operate the system and associated equipment effectively. The training must include details of the client's responsibilities in relation to the effective maintenance and management of the system, the provision of user manuals, all relevant handbooks, and technical data. A full workshop manual should be provided.

A separate operators manual should be provided for system users.

The client must appoint a trained Data Controller who will be responsible for the general administration, operation, maintenance and supervision of the system.

All users must be fully trained in the operation of the system and be made aware of their general legal responsibilities.

An operations manual and code of practice must be produced to cover staff training, fault reporting, maintenance, management and evidence handling procedures. The management section should identify the person responsible for the system and daily checking.

11. Service / Maintenance Support

The system must be regularly serviced by qualified operatives to maintain the quality of images recorded.

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Each system installed will require a maintenance contract to include, two visits per year.

The maintenance schedule should include :-

- Periodic full system tests to measure performance against set criteria.
- Confirmation of correct operation of equipment
- Inspection and cleansing of cameras
- Test and checking of the record process, data storage integrity and WORM copy facility.

12. Isle of Man CCTV Installation Group

The effectiveness of a CCTV installation is dependant upon it being correctly designed, specified and regularly maintained. To be Data Protection compliant the system must be 'fit for purpose'- namely, it must be capable of recording clear images **at all times**. It is strongly recommended that a suitably qualified company is engaged for these services.

Members of the Isle of Man CCTV Installation Group are conversant with the requirements of this document, and the Data Protection Act 2002.

The guidance contained within this document is not intended to be definitive and is based upon current technology. Further information and guidance can be obtained from the Isle of Man Constabulary CCTV Liaison Officer on 631322.



**Appendix - Sample CCTV Operational Requirement checklist
Highlight as Appropriate**

PREMISES				Date	
				Sheet No.	
Location within premises	Doorway	Corridor	Room	Other	
Who/What/Where is to be observed					
Which activity is to be observed					
Why is the activity being observed					
Likelihood of an activity occurring -	High	Medium	Low		
Picture quality to be achieved	50%R Recognition		120%R Identification		
Lighting conditions under which camera(s) needs to be effective?	Natural	Artificial	Both		
	White Light Requirement? (Public Access Doorway)			Y/N	
	Comment				
Notes					

N.B. A checklist should be used for each camera or location within the premises

A3

Challenge 25 Code of Practice – Licensing Forum

Why are we adopting a Challenge 25 Code of Practice (“the Code”)?

Determining the age of young people is difficult and is unlikely to get any easier. The pressure on licence holders and their staff will continue to increase as technology enables fraudsters to produce more sophisticated and authentic looking proof-of-age cards.

Selling alcohol to a person under the age of 18 is a criminal offence. It is important to remember that by selling alcohol to a person who is under the age of 18 it is you, as Licence Holder or Designated Official, that commits the offence as well as the customer.

It is therefore in the interest of the licensees, designated officials and employees to adopt and adhere to the Code in an attempt to avoid the possibility of up to £2,500 fine for continued offences, suspension of any Licence or cancellation of your Licence.

This Code is aimed at preventing the sale of alcohol to young people under the age of 18. It is imperative that the Code is in operation at all times in all licensed premises to achieve that aim. All Licensees have a responsibility to ensure that they are doing everything that they reasonably can to prevent sale of alcohol to those under the age of 18. This Code is not mandatory but is "good practice". It protects you as Licensee/Designated Official.

Who must you ask for ID?

Anyone who appears to be under the age of 25 should be asked to show a valid form of identification to prove that they are over the age of 18. If a customer, who appears to be under the age of 25 has no identification then service must be refused. It is hoped that by "challenging" anyone or appearing younger than 25 years old, it will catch those who potentially look or act most convincingly over their years

What forms of ID are acceptable?

All staff must be aware that on the Isle of Man, the only statutory forms of ID are as follows:

- (a) a passport;
- (b) a European Union photo card driving licence;
- (c) a student identity card which is issued by the Governing body of:
 - (i) Ballakermeen High School;
 - (ii) Castle Rushen High School;
 - (iii) The Isle of Man College;
 - (iv) King William’s College;

- (v) Queen Elizabeth II High School;
- (vi) Ramsey Grammar School; or
- (vii) St Ninian's High School.

- (d) Isle of Man proof of age card issued by the Office of Fair Trading or Customer First;
- (e) a National Identity Card for British Citizens issued by the United Kingdom Identity and Passport Service;
- (f) an Identification Card for EU or EEA citizens living in the United Kingdom which is issued by the United Kingdom Identity and Passport Service; or
- (g) a Foreign National Identity Card issued by the United Kingdom Border Agency.

What to look for when checking ID

Check the hologram – does it have a 3D effect?

Check photo – is it the person standing in front of you?

Check date of birth - the minimum D.O.B should be displayed behind the bar

Check card – is there any evidence that the card has been tampered with?

Check person - If you are still unsure about a person's age, you are legally obliged to refuse service.

Legal Requirements

It is a legal obligation not to supply, whether directly or indirectly, (through an agent) alcohol to a person under the age of 18. It is a criminal offence and renders the supplier, the licensee, the agent and the customer liable to criminal conviction.

Where an offence has been committed, it may be a mitigating factor that the Code has been followed, i.e. that you were operating under "a good practice" using the Code as Industry wide practice on the Isle of Man.

Training

The Isle of Man Licensing Forum supplies forms which any licenced premises may wish to adopt in its training programme for its members of staff. (A copy of which is supplied with this Code at Appendix 1). This form will allow each member of staff to sign a declaration that they have read and understood the Code and the penalties and that they understand that failure to comply with its terms may result in dismissal from their employment by the licensed premises.

Staff should be trained to instantly determine whether a person looks under the age of 25 and if necessary, request a recognised form of identification as outlined above. Each member of staff should know the style of the appropriate forms of identification, a copy of each of the cards is supplied with this Code. (See Appendix 2)

It is advisable to hold the completed forms with the members of staff training record which should be available for inspection should it become necessary.

Implementation

The contents of this Code is a suggested policy, however, some licensees may wish to adopt their own "Challenge 25" policy. The important principle of this Code is that any person who appears to be under the age of 25 should be asked to provide identification prior to being sold alcohol. It is important to remember:-

1. Training – Regular training and record keeping to in still confidence in your staff.
2. Advertising – Display "Challenge 25" Posters or Stickers – they act as deterrents to underage customers and back up for staff challenging customers for ID.
3. Support your staff.
4. Keep records of those refused.
5. Be clear about ID requirements – publicise if necessary.

Appendix 1 – Staff Acknowledgment Form

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Isle of Man Licensing Forum Challenge 25
Code of Practice – Staff Acknowledgment Form

Name and Address of Premises

Name of Staff Member

The sale of alcohol to a child or young person (a person aged under the age of 18) is an offence which may lead to a fine of up to £2,500. Such a sale will also lead to a review of the premises licence and could result in the licence being suspended or revoked.

Premises Name: [] under the guidance of the Isle of Man Licencing Forum operates an 'age verification policy', in terms of which you must require production of an acceptable proof-of-age document if you are in any doubt as to whether a person seeking to buy alcohol is less than 25 years of age.

Only the following documents are acceptable for proof-of-age purposes:

- a passport;
- a European Union photo card driving licence;
- a student identity card which is issued by the Governing body of one of the Islands 7 Secondary schools.
- Isle of Man proof of age card issued by the Office of Fair Trading or Customer First;
- a National Identity Card for British Citizens issued by the United Kingdom Identity and Passport Service;
- an Identification Card for EU or EEA citizens living in the United Kingdom which is issued by the United Kingdom Identity and Passport Service; or
- a Foreign National Identity Card issued by the United Kingdom Border Agency.

If no such document is produced or if you have a suspicion that the document presented is not genuine, or has been tampered with or has been altered, then you must refuse the sale or refuse to authorise the sale.

Declaration:

I have read and understood the foregoing policy and attached Code issued by the Isle of Man Licensing Forum. I understand that failure to comply with its terms will be treated as gross misconduct and may lead to my dismissal from my employment.

Signed: _____

Date: _____

A4_Forms of ID Poster

These are the forms of identification
We will accept at these premises:-




ANY
worldwide
Passport



ANY Isle of Man,
UK, or European
Driving Licence



An Isle of Man
18+ Card

(with, or without, the  Hologram)



A5.

A. Introduction

1. Reasons for the Code

It has been brought to the attention of the Licensing Forum ("the Forum") in consultation with the Office of Fair Trading ("the OFT") that certain provisions of the Weights and Measures Act 1989 have not up to now been enforced or regulated.

The enforcement proposed by the OFT concerns the service of an under-measured pint of liquid, including lager, beer, bitter, stout, cider, and any other beverages which are served or stated to be served in pint measures.

The Forum on behalf of its members and the licensing trade on the Isle of Man as a whole, has endeavoured to work with the OFT with a view to ensuring that the licensing trade are aware of the legal provisions, and to ensure that the licensing industry on the Island is aware of an 'industry standard' which will be accepted and recognised by the OFT when considering enforcement of the legislation.

2. What is a pint?

The legislation (**section 36 of the Weights and Measures Act 1989**) confirms that that a head cannot be taken into account when serving beer and cider. Therefore, if you serve a pint which has a head i.e. not 'pint to line' glasses), it is technically not a 'pint' pursuant to that legislation. The legislation would accordingly apply to half pints.

The OFT have reviewed and monitored the trade as a whole during the course of routine investigation and inspection, and have noted that there are establishments within the trade who are consistently capable of pulling and serving pints which are not less than 2.5% deficient. Some establishments however, have been found to serve pints which are over 10% deficient. The Code of Practice as such includes a section on tolerable deficiencies in terms of pulling a pint.

3. Offences

If you do not serve a full pint, this is an offence pursuant to **section 18** of the Weights and Measures Act 1989, which provides (inter alia) that where there are any goods required to be sold by reference to quantity, a person is guilty of an offence under the Act if they:-

1. Offers or exposes for sale; or
2. Sells; or
3. Agrees to sell
(or who causes another person to do so)

Section 21 of the Weights & Measures Act 1989 provides that:-

- (1) Subject to sections 26 to 30, any person who, in selling or purporting to sell any goods by weight or other measurement or by number, delivers or causes to be delivered to the buyer-
 - (a) a lesser quantity than that purported to be sold,
or
 - (b) a lesser quantity than corresponds with the price charged, shall be guilty of an offence.

- (2) For the purposes of this section-
 - (a) the quantity of the goods in a regulated package (as defined by section 50 (1)) shall be deemed to be the nominal quantity (as so defined) on the package,
and
 - (b) any statement, whether oral or in writing, as to the weight of any goods shall be taken, unless otherwise expressed, to be a statement as to the net weight of the goods.

- (3) Nothing in this section shall apply in relation to any such goods or sales as are mentioned in section 17(2)(a) or (b).

Further, section 23 of the Weights and Measures Act 1989 confirms that if the quantity of the goods **is at any time** found to be less than stated, unless the deficiency is due to some other cause after delivery (i.e. spillage), an offence will be committed.

These are considered by the Forum to be very wide provisions meaning that offences can be committed by anyone including the Licensee, the Designated Official, or an employee, if a 'short weight' pursuant to section 21 is served.

4. Code of Conduct

The Forum considers that to ensure compliance with the law and to prevent or avoid the risk of enforcement a Code of Conduct which represents an industry standard, confirmed by the OFT in relation to compliance with the legislation.

Having taken advice and consulted with the OFT, the Licensing Forum have issued the attached code of conduct which has been endorsed by the OFT.

5. Current Position

The Forum has previously circulated to all its members and others that they were immediately aware of details of the signage that should be used in relation to the service of a pint and asking for a top-up. It is accepted practice in licensing industries in the UK and further afield that a top-up should and can be requested, and that the top-up request should be met 'with good grace.' This is covered in the Code of Practice annexed and follows further consultation with the OFT.

N.B. This leaflet has been produced by the Licensing Forum in consultation with the OFT. It is not a comprehensive statement of the law or procedure. Independent advice should be taken in each individual case.

B. CODE OF CONDUCT

1. General Principles

- Take all reasonable precautions to ensure that you (whether a licensee, a member of staff or other manager) ensures that the Code of Practice is adhered to, and that a full pint of liquid, exclusive of a head (being gas and air) is served;
- Exercise due diligence to avoid commission of the offence of pouring an under-measured pint.

2. Training

- Undertake and ensure participation of all staff members in all or any available training from time to time in place or required for bar servers in relation to service of a pint;
- Ensure that all staff are trained in the service of a pint in accordance with the standards set by the Office of Fair Trading, the Department of Trade and Industry or any other licensing body.

3. Top-Up Policy

- Place clear signage above or beside any licensed bar within your premises and in addition in any area where customers may have an opportunity to read it in relation to the customer's right to ask for a top-up;
- If a bar staff member who has pulled a pint considers that it has not been pulled to the top, it would be good practice to ask the customer to wait so that the staff member can top up the pint so far to the brim as is possible i.e. the product should not be released to the customer until the staff member is satisfied with the measure;

- A customer has an absolute right to a top-up, at the bar, following pouring and/or settlement of the head, so that the liquid reaches the top of the measure;
- A top-up must be received and granted **with good grace** at all times;
- Additional advertisement and training of staff in the top-up policy is good practice;
- Where a customer has a right to a top-up but has waived that right by taking the glass away from the bar, taken a drink from the glass, or potentially spilled liquid from that glass (i.e. in a busy bar or liquid in a plastic glass), this should be explained to the customer in appropriate and gracious terms and the top-up policy highlighted for the next point of service.

4. Tolerable Deficiency

- You **must** always aim to serve a pint which is not less than 2.5% deficient in terms of the amount of liquid poured;
- You **must not** allow a pint which has been poured and which is more than 5% deficient to be given or taken by the customer without first allowing the pint to settle and topping up accordingly, even before a request is made;
- You **must** familiarise yourself with all training procedures and each type of glassware and each type of product as to it's pouring and fill to achieve the tolerable deficiency.

5. Signage

Approved signage should read as follows:-

TOP UP POLICY
 UNDER MANX LAW YOU HAVE THE RIGHT TO A FULL PINT
 IF YOU BELIEVE YOU HAVE NOT RECEIVED A FULL PINT
 PLEASE FEEL FREE TO ASK YOUR SERVER FOR A TOP UP AT THE TIME OF SERVICE.

A6.

Isle of Man Constabulary - No Smoking Legislation - Information and guidance for On-Licensed Premises

Introduction

The Non-Smoking Premises Regulations 2007 came into effect on the 30th March 2008. The legislation is to be enforced by staff from the Department of Local Government and Environment.

(Please refer to the Department of Local Government and Environment document named 'Smoke Free Mann' that is attached for information concerning the conduct on licensed premises.)

This document is designed to provide guidance in relation the Isle of Man Constabulary's policy in relation to the manner, process, and type of conditions that may be placed on two types of distinct areas. The area designed specifically for smokers to smoke outside but under cover, that is part of the licensed premises, and outside areas covered or open such as beer gardens which are not specifically provided for smokers but are also part of the licensed premises.

Areas provided specifically for smoking purposes

In relation to 'smoking areas' at licensed premises, where a new area is proposed to be created for drinking, then because it is part of the licensed premises application must be made under Section 30 of The Licensing Act 1995. Such legal requirement is set out in statute below see Appendix (i).

In the case of every new application for a smoking area the Alcohol Unit will examine each application on its own merits and will be accessible to the applicant for advice and opinion on any proposed application.

The existing licence and any conditions thereon will be analysed along with any recommendations or undertakings made in any applicable Crime Reduction Guidance document as prevails.

The Alcohol Unit will consider a number of factors relating to any such application. It is not the intention of the Alcohol Unit either now or at the future triennial sessions to impose general conditions for all smoking areas because each will be different and will require conditions that are appropriate for the particular site being proposed as a smoking area.

Any future decision on any such general conditions for smoking areas would be subject to consultation with the Licensing Forum, but it should be noted that the current document (being the Crime Reduction Guidance Document May 2014 currently in force) particularly at paragraph 8.1 is required to be complied with in addition to any conditions as may be attached to your Licence in the form of conditions.

Section 7 of The Licensing Act 1995 provides some direction in this instance and will be a determining factor in any court process see Appendix (ii).

In addition to this legislation, influence is drawn upon the booklet; 'Guidelines for use of Public Highway for Pavement Cafes or the Display of Goods' where such smoking facilities are on a Public Highway. This publication has been issued by the Douglas Development Partnership and is attached.

In relation to premises where new applications are made to accommodate their customers smoking needs, particular emphasis is made on the level of supervision that will be given to these areas. If the licensed smoking area affords a direct and unobstructed view of the premises and allows staff to supervise the area as if it were inside the premises then there will be no requirement for CCTV.

In addition, consideration will also be given to the extent of the use of each licensed smoking area and the following factors will be considered in consultation with each licensee prior to being included, or otherwise, in a list of conditions for consideration by the Licensing Court:-

- Whether the area should be used exclusively by smokers and be occupied for such time to smoke. (If 'long stays' should be discouraged.)
- The area should be prohibited for persons less than 18 years of age and how this should be Policed.
- If the premises are in a residential area, whether drinking outside should cease at 11pm.
- If the licensed no smoking area should display signage
- How the licensed no smoking area should be clearly delineated.

- What, if any, signage should be displayed at the entrance and inside the smoking area.
- What measures and environment should be provided to ensure the smoking area is safe.

Beer gardens and existing approved outside areas which are licensed Premises with such facilities for outdoor drinking already in operation, or new beer gardens will not be affected by the imposition of additional general conditions. The Alcohol Unit will not oppose any application for such drinking areas if the current necessary criterion is met. There are several examples of successful 'beer gardens' around the Island and these are enjoyed by many patrons and are a great asset to the licensing trade.

The Alcohol Unit will take the stance that any new smoking area approved for a licensed premise should not become a 'beer garden' unless specifically designed or suitably altered for that purpose.

Any future decision by the Police to seek the imposition of any general conditions for licensed outside areas or beer gardens will be subject to consultation with the Licensing Forum.

Agreement between the Police and the Department of Local Government and the Environment

The Alcohol Unit have an agreement with officers from Department Environment Food and Agriculture to share information that relates to any licensed premises where offences are committed.

In cases where it is obvious there is wilful flouting of the regulations concerning smoking in any licensed premises and a prosecution by Department of Local Government and the Environment of the licensee is successful, consideration may be given to question the suitability of the relevant licensee at the Licensing Court. Consideration of all the facts of the case including taking into account customers becoming accustomed to the ban would be considered before any matter would be referred to the Licensing Court.

Summary

To summarise, any applications for a smoking area will be treated in a balanced fashion and will include prior consultation by the Police with the licensee, before submission to the Licensing Court on an individual premises basis to ascertain what conditions are required for that particular premises.

In regard to any applications for other licensed outside areas not provided for the specific use of smokers, such as beer gardens, these will not be treated any differently than has previously been the case prior to the smoking ban being introduced.

No general conditions will be imposed by the Police through the Licensing Court on smoking areas, without prior consultation with the Licensing Forum, such conditions will be on a premises basis, nor will addition general conditions be placed on existing outside areas or beer gardens as result of the smoking ban without prior consultation with the Licensing Forum.

Appendix (i)

30 Alterations to on-licensed premises

- (a) No alteration shall be made to on – licensed premises without the permission of the court if the alteration-
- (b) gives increased facilities for drinking; or
- (c) conceals from observation any part of the premises used for drinking; or
- (d) affects the communication between the part of the premises where liquor is sold and any other part of the premises or any street or other place to which the public has access.

Appendix (ii)

7 Determination of application for licence

- (1) In determining an application for a licence the court shall consider-
 - (a) the fitness and character of the applicant (including any previous convictions, whether or not under the enactments relating to licensing);
 - (b) whether the requirements of this Act and of any relevant rules have been complied with;
 - (c) the requirements and the circumstances of the neighbourhood in which the premises in respect of which the application is made are situated;
 - (d) the requirements of visitors to the Island;
 - (e) the adequacy of any notice of the application given pursuant to such rules;
 - (f) such other matters as the court may think relevant to the application; and
 - (g) whether on the grant of the licence the sale, supply and consumption of liquor should be restricted to a part of the licensed premises.
- (2) In determining an application for a licence the court may, if it thinks it a licence of a different kind.
- (3) Where a company is the beneficial owner of an interest in premises by virtue of which it is entitled to possession of the premises, a licence shall not be granted in respect of the premises to any person other than to the company, unless the court for special reasons otherwise orders.

- (4) A passenger vessel licence may be granted to the master of the vessel or to some other person nominated by its owners.

A7.

Codes of Practice for The All Island Pubwatch Text Messaging service.

All Island Pubwatch Texting Service

In addition to the provision of the photographic file provided by the Police, Pubwatch members will be included in a real time communication network using SMS text messages via mobile telephone. Members will be encouraged to provide one or more mobile telephone numbers on which staff members can be contacted during opening times. These numbers may belong to staff's personal telephones and/or a telephone dedicated to Pubwatch.

Dealing with Banned Persons

In the event that a person banned by the courts is identified within a Pubwatch member's premises, members are advised in the first instance to request that person to leave the premises immediately. If the person leaves, the recommended course of action is to inform the Police via the Control Room number, and advise them that a person banned by the courts has been in their premises, requiring a non-emergency Police attendance, to take statements from the licensee/staff etc. and the perpetrator interviewed either then or at a later date, so that the perpetrator can be dealt with by the courts for a court ban breach. In order to advise members, a text should be sent to the All Island Pubwatch Chairman, or other nominated official of Pubwatch (Details of up to date contact details for Pubwatch are available from the Police Alcohol Unit) and summarise what has happened in a brief but clear text which can be forwarded directly from The Chairman's phone without being altered.

If the banned person should refuse to leave, the recommended course of action is as follows;

Advise them that you intend to call the Police and inform all other Pubwatch members of their presence in the area after they have left your premises. If they still refuse to leave you should call the Police using the 999 emergency number. It is not recommended that any physical means be used to forcibly remove the banned person from your premises unless there is an immediate danger present to yourself or one, or more, of your patrons.

Under no circumstances should you show the banned person their photograph or any other information from the file provided by the Police.

Using the Text Service

If your premises have suffered an incident of violence or disorder and the suspect(s) have left your premises contact the Police straight away and then utilise the text service to advise nearby members that

potential trouble makers may be heading their way. Remember, the sooner you can alert your neighbours, the higher the chance that the offender will be apprehended.

Texts should be relevant to the scheme (forged currency, or when an individual is asked to leave, for example) and should not be used for other purposes, i.e. items for sale etc. Texts warning other members regarding coach parties travelling in their direction are valuable and should be encouraged however, texts should be professional, relevant and containing no derogatory comments which would not be able to withstand scrutiny from an external enforcement agency, i.e. Data Protection Registrar.

A8.

THE ISLE OF MAN LICENSING FORUM CODE OF PRACTICE ON DRINKS PROMOTIONS

This document will cover the types of drink promotions and practices that are prevented such as irresponsible drinks promotions. The purpose of this code is to define a set of minimum standards in the way that alcohol is sold. It creates a level playing field for all ensuring that any promotions are consistent from premises to premises and clear guidelines are available to all.

It is recognised that most premises trade responsibly and take their licensing responsibilities seriously. The aim of this document is to provide a code of good practice that prevents alcohol related crime and disorder and maintains a high standard within the licensed trade.

Responsible promotions in the licensing trade are held for a variety of reasons:-

- To offer customers value for money;
- To showcase or introduce a new brand or product;
- To increase customer awareness of a product;
- To introduce new customers to a particular product;
- To provide a special offer to customers for a limited period on a popular or established product;
- To provide competitive advantage.

Responsibly run promotions can be a valuable marketing tool for enhancing product awareness amongst customers, and can also offer customers good value.

Part 1: Who does this Code apply to?

If you run or are responsible for an on licensed premises such as a pub, hotel or bar, or if you run a members club then this Code in its entirety applies to you. If you run or are responsible for an off trade premises such as an off licence or supermarket then you must comply with the 'Responsible Retailers Code of Practice'.

Whilst they do not form part of this Code, the Portman Group guidelines also offer helpful guidance and conditions relating to labelling, production and supply of alcohol by a producer or manufacturer, and you should check and consult such guidance as may apply to your business, as good practice.

Part 2: What is an irresponsible drinks promotion?

Irresponsible promotions and sales practices may:-

Damage the reputation of the alcoholic drinks industry on the Isle of Man.

- Jeopardise the prospects for individual businesses;
- Drive down quality and standards;
- Carry a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm (also such harm to children);
- Carry a significant risk of harm to health and public wellbeing;
- Expose businesses to action by the Police and / or Courts due to unsafe or irresponsible serving practices. In serious cases, such defaults could lead to suspension or cancellation of your licence, fines, and/or criminal prosecution.

The following do not represent an exhaustive list of examples considered as "irresponsible" drinks promotions. Broadly speaking, an "irresponsible" drinks promotion is likely to be one where **the primary purpose of the promotion of an alcoholic beverage encourages an increase in consumption of a quantity or increased quantity of alcohol.**

Examples

All Premises should be operated responsibly.

On that basis the activities listed below or those substantially similar to those listed below may be considered as irresponsible:-

- a. Drinking Games – Games or activities make or encourage customers to drink an amount of alcohol within a time limit or drink as much alcohol as possible i.e. speed drinking game, or encouragement to 'down in one'
- b. Large quantities of alcohol for free/or fixed/discounted price – this would apply to offers that encourage specific groups to drink for free or at a discount may render these groups more vulnerable to crime or more likely to cause disorder i.e. "Women drink for free" or "half price drinks for under 25's" or "discount nights for students" or "cheap drinks for fans of a specific sporting team"
- c. Unlimited drinks for no extra cost, or a very high limit on the number of drinks within an entry fee – this would also amount to an irresponsible promotion. Any promotions that for example offer a discounted price for purchase in higher amounts may also fall foul of this type of irresponsible promotion. Examples of such unacceptable promotions may be "All you can drink for £10" or "pay £5 entry and then drink up to 12 shots" or "10 pints for £10" or "Pay your entry fee and then drink for free until 10pm" or Buy two get 1 free (where consumption is required at the time of purchase) or half price drinks in a specific hour (i.e. happy hour).

- d. Prizes and awards - promotions that make a customer drink a certain amount of alcohol in order to get a prize or reward (including free alcohol) inside a time limit of less than 24 hours would be unacceptable i.e. "Drink 4 pints get the 5th free" or "Drink 5 bottles of cider and get a free gift". Alcohol should not be offered as a reward or prize, unless it is either in a sealed container for consumption off the premises (if larger than a single standard drink), or a single standard drink (for example a pint as a spot prize in a pub quiz).
- e. Sporting Events - Promotions based on things happening during a sporting event being watched on your premises – i.e. "Half price drinks when England scores a goal" or "free drinks if your team wins"
- f. Posters and flyers - The use of materials or signs on or near to your premises to advertise promotions there if they condone, encourage or glamorise antisocial behaviour or refer to getting drunk in any positive way would also be deemed irresponsible.
- g. Dispensing alcohol directly into mouth of recipient - Activities that involve alcohol being poured directly into the mouth of a customer by the server or another individual would also be classed as irresponsible and would also be likely to constitute an unsafe serving practice, and may fall foul of legislative provisions in relation to weights and measures. You must make sure that individuals and/or customers do not do this on your premises either.
- h. More than two measures in a glass - More than two full measures of alcoholic products in a single glass for immediate consumption (*this will preclude triple servings*) except in the case of cocktails served in a traditional cocktail glass, or glass of the equivalent capacity shall be irresponsible.
- i. Reduced priced alcohol for a short period of time – this would be an irresponsible promotion if the supply is at a reduced price for a short period of time (i.e. less than one day) in a way that is designed to encourage excessive or immoderate consumption will generally be considered irresponsible i.e. 50p off drinks for five minutes after every goal. A 'happy hour' would not necessarily fall foul of this Code, if it is run responsibly and reduced prices for a shorter period of time may be responsible in certain cases. That said, no price reduction is reasonable if it encourages irresponsible consumption. It is up to the Licensee to show how any price reduction is responsible through responsible serving and monitoring practices. In addition, prices may be increased within the time period if any concerns about the responsibility arise and the licensee acts in good faith.

Note The use of 'Buy one, get one free promotions' (BOGOF) would always be considered irresponsible.

If in doubt seek clarification from the Central Alcohol Unit, LVA or, for Heron and Brearley premises, the operation manager.

Part 3: General principles

No alcohol promotion in the Isle of Man may:

- Condone or encourage illegal, excessive or irresponsible drinking such as binge drinking, drunkenness, or drink driving, nor refer in any favourable manner to the effects of intoxication;
- Use any promotional images, symbols, motifs or characters (real or fictitious, including sporting heroes,) that have a particular appeal to those under 18 and characters should only be used if it is established that their primary appeal is to adults and the use of any cartoon character popular with children is entirely unacceptable;
- Be linked to or have promotional material that is positioned near to products that particularly appeal to children- this should also apply to promotional material such as pop up stands;
- Combine alcohol with a gift that has a particular appeal to under 18s (for example, a box of chocolates would be acceptable; childish sweets or toys would not);
- Incorporate images of people who are, or look as though they are, under 25 years of age in promotional material;
- Focus on the strength of any alcohol product as the principal theme, except in the case of low alcohol products which is permitted provided it does not encourage irresponsible consumption. Factual information on the alcohol strength of a drink may be given, and promotions are allowed to focus on the broad product or promotional characteristics of the brand;
- Suggest that alcohol consumption enhances sexual attractiveness or include promotional material that is linked to sexual imagery implying sexual success or prowess;
- Suggests that alcohol consumption leads to sporting or business success, or is a requirement for social acceptance;
- Have associations with bravado, violence, antisocial or criminal behaviour or make direct or indirect references to drug culture or illegal drugs in promotional material;
- Refer to consuming alcohol to recover from previous over-indulgence, or glamorise excessive or irresponsible drinking, and the effects of intoxication should not be referred to in any favourable manner;
- Be disrespectful of contemporary prevailing standards of taste and decency or degrade or be gratuitously offensive through images, symbols, figures and innuendo;
- Include promotion material which is demeaning to any gender, race, religion, age or minority group;
- Have associations with violent, aggressive, dangerous or antisocial behaviour in connected promotional material.
- Have as its primary purpose encouragement for a customer to consume a materially increased quantity of alcohol (particularly within a restricted period of time).

Part 4: Responsible serving practices

Whether a particular promotion is irresponsible will often depend on its context and how it is managed, in which premises it is run, and the reasons for it. For example, a promotion which offers 3 drinks for the price of 2 may be responsible if it is served to a group of 3 friends, but could be irresponsible if served to 1 individual. In all cases it will be up to the Licensee to demonstrate that the promotion is responsible, for example by including a message such as "share with your mates", and staff monitoring of service and consumption.

As such, this Code does not state that a certain promotion may be 'irresponsible' as the level of responsibility remains firmly upon the Licensee in its serving practices, and ensuring that its staff are carrying out serving appropriately. All outlets should ensure that all members of staff are properly trained in the responsible sale and service of alcohol-

- **BE ALERT-** be aware of customers who may be underage or drunk, and monitor your customers when drinking on the premises and be cautious about customers making repeat purchase within a short space of time.
- **BE FIRM-** refuse to serve someone who is drunk, and do not serve excessive amounts of alcohol to customers for immediate consumption.
- **BE LEGAL-** refuse service if you think the person is underage, drunk or buying for others who are underage (proxy purchasing)- and keep an incident log and a written proof of age policy for your protection.
- **BE CAREFUL-** how you communicate with the customer
- **GIVE CUSTOMERS THE CHOICE OF SMALL MEASURES** - you should make sure that you make the following measures available for customers to buy:

Beer - 1/3rd of a pint - 1/2 pint or 1 pint

Wine - 125ml or multiples of, 250ml, 375ml etc, 175ml or multiples of, 350ml, 525 etc.

Spirits - Gin, Rum, Vodka, Whiskey and Brandy 1/5 gill

Part 5: What happens if this Code is breached?

Any person may report a breach of this Codes to the Isle of Man Constabulary and/or the Licensing Court pursuant to section 66 of the Licensing Act 1995. Upon receipt of a report, the Isle of Man Constabulary may investigate and initiate a process which may include temporary suspension or indeed permanent cancellation of your Licence whilst that investigation continues. The progress of any cases for prosecution, and/or revocation or cancellation of your Licence would usually take into account previous conduct of your Licensed Premises, and your own previous conduct.

If you are in any doubt as to whether any particular promotion you are running either could be considered pursuant to this Code as an 'irresponsible' promotion, or that any promotion you are running

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cannot be run responsibly, **STOP** any promotion or marketing of the promotion immediately, and refer the same for guidance to the Isle of Man Constabulary. If you are aware of other premises who may be running an irresponsible promotion, and/or are running any promotion in an irresponsible manner, then you should report it to the Isle of Man Constabulary, or refer back to the Licensing Forum.

Promotions referred to the Licensing Forum will also be considered but the lead in period for seeking and gaining such an opinion will be 2-3 months.

V.1.2 – April 2015

A9.

Isle of Man Licensing Forum 'Draft Master'/Beer Dispensing Equipment Policy – Version 1

Isle of Man Licensing Forum 'Draft Master'/Beer Dispensing Equipment Policy (approved by the Police Alcohol Unit) – Version 1 May 2014

1. Opening a table or customer tab – Ensure normal requirements in respect of under age, Court banned or drunken persons are satisfied.
2. Closing a table or customer tab – Where the closure of a table or tab is carried out to safeguard serving practises or where the pausing of a table or tab is carried out to warn customers about their behaviour or conduct, an entry is to be made in the premises incident log of the circumstances and outcome.
3. Setting the table or customer limit – Where the opening of a table or tab is carried out the following practises should apply to safeguard the premises and the customer
 - i. Use the '+' button to set the limit on how much will be dispensed to a value not to exceed 1 pint.
 - ii. Set the overall limit on the table or tab to be commensurate to the equivalent of each person within the group receiving a maximum of three drinks prior to being required to attend the bar for assessment.
 - iii. Where at –ii- above it is safe for a table or tab to be continued, an identical process should be followed when the tab is 're-charged'; i.e. maximum of one pint dispensing and maximum of three drinks per person.
4. Reporting – Manager Responsibilities. During the managers 'Reporting' feature analysis, the Designated Officials should routinely inspect the following:
 - i. Transaction reports
 - ii. Turnover reports
 - iii. Monthly reports

To ensure compliance by staff with 1-3 above

5. Payment/customer issues
 - i. Where payment has been made and the customer limit is reached, any remaining credit on the tab should be refunded in the normal way.

- ii. Where as in -2- above, a table or tab is closed for a specific reason not simply that the customer limit has been reached, in the interests of customer relations, a refund should be offered in line with any credit left on the tab.

Remember: Serving practices in licensed premises are the responsibility of the licensee and/or the designated officials. Please serve responsibly. If you are in any doubt that you can ensure safe serving practices and/or responsible consumption on your premises, **STOP** the service and seek advice from the Court, the Police Alcohol Unit, or the Licensing Forum.

Version 1 – May 2014

Section B – Late Night Licences/Functions/Adult Entertainment

B1.

Manx Entertainment and Nightclub Association - Code of Conduct for Late Night Licensing

M.E.N.A.

"Responsible late night hospitality"

CODE OF CONDUCT

Any on-licence premises on the Isle of Man with a Section 28 music endorsement which allows live or amplified music beyond 01:00am is a "Nightclub" and is required as a condition of licence to become a member of MENA, and to adopt and enforce the following codes of conduct:-

- 1. No admission or re-admission will be allowed after 01.00 on any day*1**
- 2. Door staff is compulsory *2**
- 3. CCTV is compulsory *3**
- 4. For the last 10 minutes of the use of the Section 28 endorsement on any day beyond midnight the tempo and volume of the music played will be substantially reduced.**

** please see guidance notes below for further definition*

These codes of conduct have been produced in partnership with the Isle of Man Constabulary in order to assist in the prevention of crime and disorder within Licensed premises, and throughout the Isle of Man.

GUIDANCE NOTES

1. This does not include smoking requirements, or the existing policy whereby other members of Licensed premises staff, or friends / family of the Manager can be admitted subject to the condition that they contact the premises prior to 1am

2. At peak trading periods, times agreed with the Licensing Court or the Isle of Man Constabulary, or in any event beyond midnight.
3. In accordance with the document "*Isle of Man Constabulary CCTV systems within Licensed premises*"

Note from the Licensing Forum: If your premises is not a 'Nightclub' but in the ordinary course of business has and regularly utilises a section 28 endorsement for music and dancing beyond 1am, and/or in the ordinary course of business admits patrons after 1am, it should, where applicable, seek to comply with the spirit of this Code as a 'Late Night Establishment' as a matter of good practice, whether or not it is required by its Licence to be a member of MENA and have applied to it this Code as a condition of its Licence.

B2.

Isle of Man Licensing Forum Code of Conduct for provision of Adult Entertainment

ISLE OF MAN LICENSING FORUM

Code of Conduct for Premises Providing Adult Entertainment

Introduction

Compliance with this Code does not preclude an establishment from ensuring that its Application and its current Licence includes such entertainment. Currently, the Court application form requires that the Applicant advise the Court to advise of the music and dancing, or other type of entertainment it is proposed to have on the premises.

Section 28 of the Licensing Act 1995 confirms that the Court may include a provision on your Licence authorising music of a description specified in the provision, or dancing to take place on the premises, at such times as and subject to such conditions as may be specified in the provision. It is therefore advisable, if your premises may at some point provide adult entertainment in any form (as there is a wide definition of what this may constitute in the Code below), that you ensure that this is applied for, and/or an application is made as soon as possible to include 'adult entertainment' within any existing section 28 endorsement on your existing Licence by an application to vary your licence. Even if you may not do so now, if your premises is multi purpose, holds function rooms, or could lend itself to other purposes, it is good practice to consider this at the outset in applying for your licence.

This Code is for use by any licensed Premises which provides either temporarily or on a permanent basis any form of adult entertainment for its customers which includes exotic dancing or other types of adult entertainment. It should be implemented and adhered to if any entertainment governed by this Code is to be undertaken at the licensed premises that may fall within the definition of adult entertainment. It may form part of your Licence as an undertaking and/or condition, but in any event this Code is to be taken as "best practice" in the provision of Adult Entertainment at your establishment.

Part A – What is Adult Entertainment?

1. For the purposes of this Code, the term 'Adult Entertainment' may include (but shall not be limited to) the following forms of entertainment:-
 - a. Dancing by a male or female in an exotic or erotic manner of an adult nature;
 - b. A 'striptease' show, stripping, or other like performance;
 - c. Male or female modelling which includes erotic style costumes or nudity (not bona fide fashion shows);

- d. Performance of lap dancing, pole dancing or table dancing either as a private performance or on a stage, platform or podium;
 - e. Entertainment by performers who remove clothing during a performance and/or perform in a sexually suggestive manner;
 - f. Any other form of adult orientated performance including those not suitable for viewing by minors characterised by nudity, sexual content, violence or explicit language.
2. For the purposes of this Code, the term 'Adult Entertainment shall not include:-
- a. Any dancing or performance for which the predominant purpose is exercise (i.e. pole dancing classes, or performances of such classes for prospective members, teachers, family or friends of those classes);
 - b. Any dancing which takes place in a premises within the normal course of music and dancing in a nightclub or discotheque by dancers as patrons or employees of the venue;
 - c. Belly dancing;
 - d. Bona fide modelling or other fashion show where underwear or partial nudity may take place;
 - e. Dramatic performances including theatre shows (such shows taking place within a Theatre setting for example will normally be exempt).

Part B – Obligations of Licensee/Premises

1. Entertainers must not also be servers of food or drink.
2. Entertainers must not carry out any part of their performance on or behind any bar area or food or service area and must not be employed in the Premises whilst working in a role as an Entertainer. When not working as an Entertainer, individuals may maintain a role as servers or otherwise in the course of the same shift, but must first change into appropriate clothing for that role.
3. Servers of food and drink must wear appropriate clothing and must not combine the act of serving with stripping or exotic style dancing.
4. Neither servers or Entertainers should wear brand-identified clothing where the size or nature of the advertising is so prominent that it would result in your establishment promoting a specific brand.
5. You must not allow any Entertainer to partake in any form of adult entertainment if they are under the age of 18.
6. Entertainers must wear appropriate clothing including shoes, and coverage of genitalia both before and after performances.

7. All reasonable steps must be taken to confine performances to the stage or other approved areas (as set out on your Licence). No performances should take place in the area designated for customers/the audience).
8. Animals may not form part of a performance of adult entertainment in any way.
9. You must ensure that the Adult Entertainment cannot be viewed from outside the licensed area.
10. You must have surveillance and/or CCTV in any private show/VIP booths.
11. The Premises should at all times ensure that any designated performance areas are covered by the use of CCTV, and where possible radio communications throughout the Premises.
12. Any designated areas for performance should be clearly cordoned, signed and/or marked, and any stage and boundaries shall be securely erected.
13. Clear signage with house rules should be erected in all convenient places and particularly as near to any designated performance area as is possible.
14. A zero tolerance policy on prostitution, solicitation, drug use and/or any other unlawful conduct should be promoted proactively throughout any event and/or Premises which has exotic dancing.

Part C – Conduct of Entertainers

1. Entertainers in the context of this Code are any person employed or sub-contracted by the Licence Holder (whether directly or indirectly via an agent or hirer) to provide adult entertainment at a Premises or anyone partaking in such activities in competition, or through some other form of event.
2. Female Entertainers must not perform topless except in an area designated for the purpose as approved by the Licensing Court
3. Entertainers must maintain one foot on the floor at all times and not place their feet on any of the customer seating.
4. Entertainers may not engage in live, realistic or simulated sex acts, or any acts involving coercion or violence.
5. Entertainers must not insert any object, including their own finger, into any genital opening.
6. Entertainers must not urinate or defecate while performing.
7. Entertainers should not perform whilst intoxicated either through drink or drugs.
8. Entertainers must not be minors.
9. Entertainers must not leave the Premises with customers at any time.

10. At the end of a shift, Entertainers must not leave the Premises until customers have departed from the area designated for performances.
11. Entertainers may only consume alcohol in moderation and shall not be allowed to consume drinks on credit or any other basis. Entertainers may not consume alcohol that has not been purchased on the Premises.
12. Entertainers may participate in stage, podium or pole performances as designated by the Premises staff in line with any agreed particulars of such performances having been first filed with the Police Alcohol Unit.
13. Entertainers costumes, hair and make-up should be presented professionally.
14. At all times, other than during a performance, Entertainers must be fully clothed whilst in any customer or public areas of the Premises.
15. Entertainers must dress fully at the end of each performance save for any photo opportunities or other promotional appearance as may be taking place before or after any such performance.

Part D – Conduct of Customers

1. Customers must conduct themselves appropriately at all times.
2. If partaking in a private show of any nature by an Entertainer, customers must at all times be seated in an upright position against the back of the designated area with their hands by their sides before a dancer can commence such performance, and customers must remain seated during the entire performance.
3. Customers within the performance area are not permitted to dance at any time.
4. Customers must remain appropriately clothed at all times and neither customer nor the Entertainer may remove any of the customer's clothing during a performance.
5. If a customer attempts to touch, or speak to an Entertainer inappropriately, the Entertainer will immediately stop the performance and inform his or her supervisor, who must take all immediate steps to inform the licence holder and/or designated official. If the conduct determines it necessary, the customer shall be immediately removed from the Premises.
6. Topless table dances may only be performed for a pre-determined rate as set by the Premises and/or the organiser of the entertainment. Tips may be paid in addition to such rates at the discretion of the customer, and the Premises if applicable.

Part E - Example: House Rules

PREMISES NAME

CODE OF CONDUCT FOR CUSTOMERS

- **REMAIN CLOTHED AND SEATED (IN SEATING AREAS) AT ALL TIMES**

- **NO PROPOSITIONING**
- **NO SHOUTING OR SWEARING**
- **NO SOLICITATION**
- **NO DRUGS**
- **NO EXCESSIVE ALCOHOL**
- **NO UNLAWFUL CONDUCT**
- **NO TOUCHING THE DANCERS**
- **NO DANCING DURING ANY PRIVATE PERFORMANCE**
- **HANDS BY YOUR SIDES AT ALL TIMES DURING A PRIVATE DANCE**
- **ANY BREACH OF HOUSE RULES WILL RESULT IN IMMEDIATE EXCLUSION FROM THE PREMISES**
- **OVER 21s ONLY**

WE OPERATE A ZERO TOLERANCE POLICY

V1. August 2014

B4. Isle of Man Constabulary Code of Conduct for the Promotion and Hosting of under 18 years events on Licensed Premises and Suggested Protocol for 18th birthday celebrations on Licensed Premises

Code of Conduct for the Promotion and Hosting of under 18 years events on Licensed premises.

As a result of continued dialogue between the various partners of the Chief Minister's Drug and Alcohol strategy, responsible members of the licensing trade and promoters of such events, a Code of Conduct has been drawn up to assist in the smooth running of events. The overriding objective of the Code is to reduce any alcohol related offences and other incidents emanating from the running and participation in such events.

In line with the directions given by the All Island Licensing Court, licensed premises intending to host such events are required to liaise with the Police Alcohol Unit to discuss issues of community safety.

The purpose of this Code therefore is to reduce incidents and increase the dialogue and liaison of the mutually interested parties to any event. To achieve this objective, the following matters are considered to be highly relevant and priority issues.

1. Notice.

The Police Alcohol Unit must be informed at least one calendar month in advance of any proposed event. This notice must include the type and nature of the event, the likely numbers and age group of those attending together with details of the Promoter of the event (contact details must be included).

2. Partnership.

The Promoter must liaise with the Senior Health Promotion Officer with regards to promotional outlets and the supply of any literature felt required for the target group. The Promoter must also act upon any advice from the Senior Health Promotion Officer regarding contact with other agencies as appropriate to the target audience group (i.e. Life

Education staff, Headteacher or nominated person within a particular School, etc.).

3. Premises.

The Licence holder must always comply with any condition placed upon the liquor licence by the All Island Licensing Court. In addition, experience has shown the following points to be highly relevant to the objectives of this Code of Conduct:-

- Strictly no sale of alcohol.
- A strict no entry/re-entry policy to be compulsory at the door to prevent patrons going outside to source alcohol then gaining re-admission.
- A strict searching policy to be adopted at point of entry. Any persons carrying or thought to have been consuming alcohol to be refused admission. Persons in possession of illegal drugs to be handed over to the Police in line with normal operating practice.
- A final entry door time to be imposed 1-1/2 hours after first admissions. For instance, an event where the doors open at 7.00pm would have a final entry time of 8.30pm. This measure has been shown to improve the behaviour and reduce the tendency to consume alcohol by patrons within the vicinity of premises reducing community concerns regarding such events.
- A conclusion time of 11.30pm is felt most appropriate to such events to assist in the arrangement of transport facilities.
- Premises must maintain an incident book and accurately record the details of persons involved and the nature of any incident. Proper recording not only protects the Licensed Premises from spurious allegations but enables the other agencies to make follow up enquiries as appropriate and commensurate.
- Admission to the event is strictly controlled to persons below 18 years of age.
- Cigarette and gambling machines should be disconnected to prevent underage use.

This Code of Conduct may be updated periodically to ensure compliance with the objective.

Version 2 – 25th May 2004

B3.

Suggested Protocol for the Promotion and Hosting of Eighteenth Birthday Celebration on Licensed Premises.

The overriding objective of this guidance is to reduce any alcohol related offences and other incidents emanating from the running and participation in such events. This also may assist in the protection of your premises licence which is more exposed to potential offences when these functions are hosted. The Alcohol Unit acknowledges that a majority of licensed premises or clubs have already adopted some of the below listed policies prior to this document being produced and it has been compiled utilising some of the practises that have already been implemented by some premises.

In line with the directions given by the All Island Licensing Court, licensed premises intending to host such events are required to liaise with the Police Alcohol Unit to discuss issues of community safety.

The purpose of this protocol therefore is to reduce incidents and increase the dialogue and liaison of the mutually interested parties to any event. To achieve this objective, the following matters are considered to be highly relevant and priority issues.

1. Notice

The Police Alcohol Unit must be informed at least one calendar month in advance of any proposed event. This notice must include the type and nature of the event, the likely numbers and age group of those attending together with details of the Promoter of the event (contact details must be included).

2. Premises

The Licence holder or Registered Club must always comply with any condition placed upon the liquor licence by the All Island Licensing Court. In addition, experience has shown the following points to be highly relevant to the objectives of this suggested protocol.

- Strictly supervised sale of alcohol to patrons to prevent the supply to juveniles. Patrons who are eighteen are to wear coloured wristbands to verify age whilst juveniles are to wear a different coloured wrist band. This is to instantly identify a juvenile consuming an alcoholic beverage; however, they should still be challenged for identification at the point of sale.
- A strict no entry/re-entry policy to be compulsory at the door to prevent patrons going outside to source alcohol then gaining readmission.
- A strict searching policy to be adopted at point of entry. Any persons carrying or thought to have been consuming alcohol to be refused admission. Persons in possession of illegal drugs to be handed over to the Police in line with normal operating practice.
- A final entry door time to be imposed 1¹/₂ hours after first admissions. For instance, an event where the doors open at 7.00pm would have a final entry time of 8.30pm. This measure has been shown to improve the behaviour and reduce the

tendency to consume alcohol by patrons within the vicinity of premises reducing community concerns regarding such events.

- A suggested time of 11.30pm is felt most appropriate to such events to assist in the arrangement of transport facilities.
- Premises must maintain an incident book and accurately record the details of persons involved and the nature of any incident. Proper recording not only protects the licensed premises from spurious allegations but enables the other agencies to make follow up enquiries as appropriate and commensurate.
- Admission to the event is strictly controlled by a list of invited persons to said function. An invitation list should be provided by the hirer to the premises for door staff to ensure that only persons invited are given entry onto the premises, ie if your name is not down you're not coming in.
- Consideration should be given to the amount of security provided to Police the event, a ratio of 1 to 50 would be deemed acceptable, however a minimum of two in all circumstances.
- Cigarette and gambling machines should either be closely supervised or disconnected to prevent underage use.

3. Health & Hygiene

The Hirer, shall, if preparing, serving or selling food, observe all relevant food health and hygiene legislation and regulations.

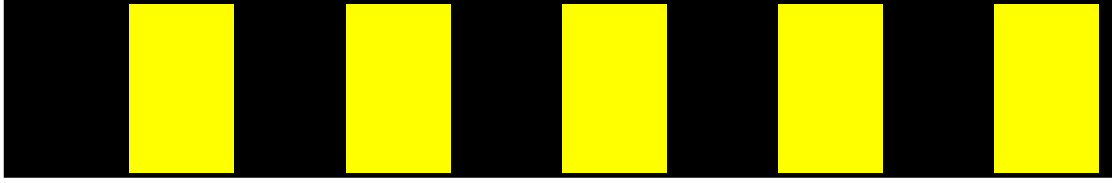
4. Fly Posting

The Hirer shall not carry out or permit fly posting or any other form of unauthorised advertisements for the event taking place at the premises. The use of social websites such as Facebook, Myspace etc should be discouraged at the negotiations for the use of your premises. This prevents a much higher number of people attending and disorder occurring when they are refused.

5. Wristbands

Consideration must be given to the use of coloured wristbands to identify persons aged over 18 years (and 17 years and under) where a party is being held in a function room within concomitantly operating licensed premises.

- The wristbands must be designed so that they can be clearly/seen identified by staff (and/or on any recorded CCTV image).
- For example, incorporating a checker band as below (or similar).
- For example, incorporating a checker band as below (or similar).



(Version 3 15th February 2011)

B4.

**ISLE OF MAN LICENSING FORUM
CODE OF CONDUCT**

**THE SUPPLY OF WHOLE BOTTLES OF SPIRITS TO PATRONS FOR CONSUMPTION ON THE
PREMISES**

- This code of conduct relates only to the holders of an ON-LICENCE.
- Nothing in this code of conduct detracts from a licence-holder's overriding responsibility to comply with all legislation relating to the supply of liquor and the conduct of licensed premises.
- In this code of conduct the following words have the following meanings:
 'Spirit' or 'Spirits' means any spirit or spirits of a strength exceeding [20%?] alcohol by volume.
 'Measure' means 1/5 of a gill and 'measures' shall be construed accordingly.
- Where a licence-holder sells or supplies one or more whole bottle of spirits for consumption on the premises then the following operating practices are to be observed:-
 - Such supply is to take place in an area of the Licensed premises that is directly supervised by a dedicated member of staff (bar, security or otherwise) who will ensure that not more than **2** measures of 'spirit' are poured into a glass at any one time.
 - The minimum number of patrons per group / bottle is to be not less than **5**.
 - No persons aged under 18 years are to be a part of such a group at any time.
 - Pre-booking for such a service is encouraged.
 - A cut off time for arrival for those booking such a service is recommended.
 - A sufficient supply of non-alcoholic mixer drinks must be provided. It is recommended that the cost of such supply be incorporated within the spirits purchase price.
 - No person is to drink directly from the bottle of Spirits supplied, which must be fitted with a measured spirit pourer.
 - Part used bottles are not to be taken away from the premises when any, or all, members of the party leave.

Date of issue: June 2016

Section C – Occasional Licences

C1.

Marquees and Tented Structures – IOM Fire and Rescue Service Guidelines

MARQUEES AND TENTED STRUCTURES

Flammability Standards of Walls and Ceilings

All membranes, fabrics and any other sheet material in the structure must be of a material which has been flame retardant treated or inherently fire resisting to BS 5438 and evidence of such provided.

Means of Escape

All means of escape with which the structure is provided must be kept free and clear from obstruction so as to be readily available for use by persons within the premises at all material times

Fire Exit Signs

Fire exit signs must be provided and sited so as to clearly indicate each individual fire exit

Lighting

All means of escape must be illuminated by normal lighting during the hours of darkness, or if the light is insufficient, during the daylight hours and by emergency lighting which is energised from a separate source when normal supply fails, and evidence of such provided

Note: Electrical installations must comply with the provisions of the IEE Regulations for electrical installation

Firefighting Equipment

One portable (minimum 13A fire rating) extinguisher to be provided for every 200m² of the floor area or part thereof with not less than two (2) such extinguishers on each floor

LPG and Flammable Liquids

Where LPG cylinders are used, the cylinders must be sited outside the structure, in a safe position, and the supply pipe to the apparatus fitted with approved flexible piping and connections and must at all times be supervised and handled by persons fully conversant with the manufacturers instructions
The use or storage of flammable liquids in or around the structure is prohibited

Housekeeping

Isle of Man Licensing Forum – Codes and Guidelines Booklet – June 2017 V1.2

Adequate metal receptacles must be provided for all rubbish. Spaces beneath stands must be kept clean and on no account should these areas be used for storing any combustible materials.

Isle of Man Fire and Rescue Service Guidance Document For Marquees and Temporary Structures

1. Introduction

This Note is prepared for the benefit of those who are planning functions in tented or temporary structures.

It must be noted that the guidance can only be of a fairly general nature, its specific application may vary depending upon the site location, conditions etc. More detailed advice can be obtained from the Isle of Man Fire and Rescue Service, Fire Safety Department and the Guide to Fire Precautions in Existing Places of Entertainment and Like Premises issued by the Home Office.

Where functions are being planned for public entertainment and or licensed to sell alcohol to members of the public by retail, early application must be made to the Department of Home Affairs, Woodbourne Road for a Fire Certificate in accordance with **The Fire Precautions Act 1975, Licensed Premises/ Entertainment Premises Designating Orders 1997**. This is irrespective of whether entertainment is provided on a chargeable basis or not. Fire Certificate applications are available from www.iomfire.com.

2. Site Selection and Access

- 2.1. The selected site is, wherever possible, to be well clear of buildings or activities likely to create a fire hazard. It should also allow easy access and ample clear space to enable the occupants to get to a place of safety in the event of a fire.
- 2.2 Spacing between structures should be not less than 6m in all directions.
- 2.3 Grass is to be cut as short as possible before the erection of temporary structures and the cuttings raked clear. In dry conditions the site should be watered before erection.
- 2.4 The site is to be so arranged as to allow access by fire engines to within 45 to 50 metres of every part of the structure.

- 2.5 Access routes are to be no less than 4m wide and have a clearance of no less than 4 m above the ground,
- 2.6 Emergency access routes and access to hydrants and other water supplies must be kept clear at all times.

3. Construction of Marquee

- 3.1. The marquee must be manufactured or treated so as to reduce the flame spread hazard associated with the use of large areas of textile materials.
- 3.2. New fabrics are to be inherently or durably flame retarded when tested to BS 7837: 1996. However, fabrics tested to the following national standards are also acceptable:-

British Standard 5438, Tests 2A and 2B,
British Standard 7157,
French Standard NFP.92503, Performance Level M2,
German Standard DIN 4102, Part 1, Performance Level B1,
Italian Standard UNI 9174, Performance Level M2,
USA Standard NFPA 701, Large scale test.
- 3.3. The use of structures manufactured to British Standard 5438: 1989 are still deemed acceptable at this time.
- 3.4. All unattached lining materials are to comply with British Standard 5867: Part 2, fabric type B, the specification for fabrics for curtains and drapes.
- 3.5. Linings for marquees and large tents may be suspended using ropes constructed from man-made or natural fibres and may be laced together using the same materials. Linings are only to be used if constructed from an appropriately flame retardant fabric.
- 3.6. It should be appreciated that any subsequent treatment to the fabric, such as the use of colour dyes, may have an adverse effect on its flammability performance and that in such circumstances the required performance level will need to be restored.
- 3.7. Where the marquee is provided for the purpose of public entertainment, and or for the purpose of a Licensed Premise, the Licensing Authority, will require the production of a Certificate showing compliance with one of the above Standards. (see 3.2)
- 3.8. The marquee is to be erected by a competent person and must not readily collapse when exposed to fire.

3.9. Some floor coverings may react in fire to produce large amounts of heat and smoke, although the rate of surface spread of flame may be relatively slow. The environment may also have a significant effect on the burning behaviour of materials, as wind can cause a fire to spread more rapidly. It can also blow smoke into escape routes and so adversely affect the means of escape.

A similar situation may occur where a lack of adequate ventilation causes smoke to be concentrated in a particular area.

3.10. Floor coverings used in tents and marquees may be reusable, such as coir or synthetic matting, or disposable, such as lightweight polypropylene carpets.

3.11. The most appropriate fire test for reusable floor coverings is BS 4790. Such flooring should comply with the low radius of effect of ignition in Table 1 of BS 5287 (specifically for assessment and labelling of textile floor coverings tested to BS 4790). Disposable floor covering, which is through necessity lightweight, may not meet the performance specification in BS 5287. Nevertheless, such material may be accepted for a single use inside a marquee or tent provided that it falls within one of the classifications in BS 5287 and the flame spread time does not exceed 52mm/minute.

4. Temporary decorations/fabric tableware

4.1. The flame retardant properties of all materials are to be in accordance with the relevant British Standard or equivalent European Standard.

4.2. Any proposal to use combustible decorative materials is to be notified to the Isle of Man Fire and Rescue Service, Fire Safety Department in writing and accompanied by full details, including samples (not less than 1 x 0.5m) of the material proposed to be used where requested.

5. Organiser's Responsibility

It is the responsibility of the event organiser to ensure that the safety of the occupants is not compromised. To this end, organisers should consult "The Event Guide" published by the Health and Safety Executive and the "Guide to Fire Precautions in Existing Places of Entertainment and Like Premises" published by the Stationery Office. Before people are admitted to the marquee, he/she must ensure that all relevant fire safety precautions have been taken and are being maintained.

6. Exits

- 6.1. In marquees intended to accommodate more than 50 people, a minimum of two exits must be provided. The minimum size of any exit is to be 1.05 metres. The travel distance from any part of a tent should not to exceed 24 metres without the prior consultation of the Isle of Man Fire and Rescue Service, Fire Safety Department.
- 6.2. Exits are to be clearly indicated by pictorial exit signs at least 125 mm high complying with the Health and Safety [Safety Signs and Signals] Regulations 1996 or British Standard 5499, Part 1 or equivalent European Standard.
- 6.3. Where a traditional "pole" marquee is to be erected on uneven ground, a solid door frame arrangement may not be suitable as the frame may become distorted and result in the door jamming. Alternatives are to provide a suitable single-action opening device or a Velcro fastening. The latter, under reasonable pressure, can allow the whole wall to open back providing a wide exit for all present.
- 6.4. The main criteria however, are that the fastenings are suitable for the occupant capacity, are capable of being opened by one simple action requiring no manual dexterity, and are such that people can immediately escape.
- 6.5. All means of escape with which the structure is provided must be kept free and clear from obstruction so as to be readily available for use by persons within the premises at all material times.
- 6.6. The following are factors which an Organiser and Fire Safety Officer should take into account in deciding what form of door fastening is acceptable:-
 - the purpose for which the structure is being used, e.g. as a restaurant, for entertainment etc, and whether there is tiered seating or an informal seating arrangement with tables;
 - whether there is permanent and full-time professional management;
 - whether there are sufficient trained staff to make sure that people can leave safely (including staff on each exit);
 - the proposed number of people occupying the structure (including children, the elderly and people with disabilities);
 - the floor area, number of exits and whether additional exits can be made available;
 - the means for raising the alarm (including whether a PA system is provided);

the fire fighting arrangements;

- the directional signs and emergency escape lighting;
- whether the use of LPG is proposed;
- the presence of other hazardous substances; and
- the housekeeping arrangements.

6.7. The following numbers, calculated from the formulae given in Chapter 5 of the Guide to Fire Precautions in Existing Places of Entertainment and Like Premises is for the guidance of organisers. The actual number, location and size of exits may vary and is subject to conditions imposed by the Isle of Man Fire and Rescue Service, Fire Safety Department if the proposal falls within the scope of The Fire Precautions Act 1975.

51 - 160 people 2 x 1.05m exits, 161 - 240 people 2 x 1.50m exits,

6.8. Guy ropes, tent pegs and stakes must not obstruct a route to a place of safety. Where they flank such a route, they are to be shielded to form a passageway or be hazard taped, padded and illuminated so that they can be clearly seen at all times. Furthermore, they are to be regularly inspected and maintained in good order.

7. Fire Extinguishers

- 7.1. Fire extinguishers should be provided on the basis of one 9 litre water type extinguisher (or similar rating - 13A) per 200m² floor area, with a minimum provision of two such extinguishers. The extinguishers should be accompanied by CO₂ extinguishers in case of a fire involving the electrics.
- 7.2. In addition to 7.1 above, separate extinguishers will need to be provided for specialist equipment such as cooking (see 13.2 below) or disco equipment.
- 7.3. Extinguishers should be grouped to form fire points, be clearly indicated and located in positions which will prevent unauthorised malicious operation. Attendants are to be aware of their location and method of operation.
- 7.4 Extinguishers provided must have been serviced by a competent engineer within the previous twelve months, and documentation provided.

8. Warning in Case of Fire

- 8.1 A means of giving warning in case of fire is to be provided. The use of a public address system procedure may be sufficient. This issue is to be agreed with the Fire Safety Department.
- 8.2 A telephone is to be readily accessible within close proximity to the site. If none is available, a mobile telephone with good reception is to be provided to call the emergency services if needed.

9. Electrical Installations and Lighting

- 9.1 Electrical installations should be installed, tested and maintained in accordance with the provisions of normative standards or national guidelines such as the IEE Regulations for Electrical Installations. Work on electrical installations and appliances should only be carried out by competent persons.
- 9.2. All parts of a marquee to which the public will have access during the hours of darkness, are to be provided with a normal electric lighting system. The system is to provide adequate illumination to allow people to leave safely and should include outside areas to a place of final safety.
- 9.3. Where lighting is necessary, a system of emergency lighting is also to be provided to comply with British Standard 5266. The system must be capable of operating independently of the central source of power and should give sufficient illumination of escape routes.
- 9.4. In addition, exit signs, as required by 6.6 above, must be illuminated or be of the self-luminous type.

10. Seating

- 10.1. Seating for any performance is to be arranged with adequate gangways to discharge to exits by the most direct route possible.
- 10.2. The numbers of seats in a row are not to exceed 7 where there is a gangway at only one end, or 14 where there is a gangway at both ends of the row. The above may be increased in accordance with conditions laid down in the "Guide to Fire Precautions in Existing Places of Entertainment and Like Premises" and BS 5588 Part 6 1991. Layouts for premises requiring Fire Certification in accordance with The Fire Precautions Act 1975 will have to be agreed by the Fire Safety Department.

10.3. Seats laid out in theatre style rows in marquees for more than 30 people must either be fixed in position or linked securely in rows of not less than 4 seats nor more than 12. All seats on a sloping floor must be fixed in position.

10.4. Where more than 250 temporary seats are to be used, they must be secured in the following manner:

- i. Seats to be linked together in lengths not less than 4, or more than 12.
- ii. Rows of seats flanking gangways to be fixed to the floor. This may be achieved by the use of floor bars extending beyond the row to be fixed, to at least two adjacent rows, but not across gangways. Floor bars are to have a cambered top surface and be no more than 25 mm in height.

10.5. Gangways are to be not less than 1.2m wide with no projection into the gangway allowed to diminish its width.

10.6. Spaces beneath seating must be kept free from combustible materials, especially the accumulation of combustible waste.

11. Attendants

11.1. Attendants/ stewards, in addition to the person in charge, are to be provided on the basis of one for every 100, or part of 100 persons in the structure.

11.2. The attendants are to be easily identifiable by means of some form of conspicuous clothing or marking system, which is visible under all lighting conditions.

11.3. Attendants are to be fully aware of their responsibilities in the event of a fire. They are also responsible for ensuring that safe conditions are maintained at all times, including checking that exits remain unobstructed and that overcrowding does not occur.

11.4. A pre-arranged action plan in case of emergency is to be made, and all officials and staff made fully conversant with the action necessary to safeguard all persons on site.

11.5. Staff instruction should include:-

- i. The method of calling the emergency services,
- ii. The evacuation of persons safely from structures and location of assembly points.
- iii. The use of fire fighting equipment.

12. Housekeeping

- 12.1. Adequate metal receptacles must be provided for all rubbish. Spaces beneath stands and seating must be kept clean and on no account should these areas be used for storing, or a build up of any combustible materials.

13. Heating and Cooking Appliances

- 13.1. Heating appliances using a naked flame or not fixed in position are not to be used when the public are in attendance. If heaters are to be used, they are used to preheat the marquee, then switched off and removed before the marquee is occupied.
- 13.2. Cookers, using gas or any other open flame source are not to be used in marquees. Cooking is to be carried out outside or in a separate structure and separated from the marquee by a distance of at least 6m. Such separate cooking facilities are to be provided with adequate fire extinguishers. This would normally take the form of a minimum of 1 x 5 kg dry powder extinguisher and 1 fire blanket.
- 13.3. Gas cylinders and their respective appliances are not to be used in marquees when the public are present. Cylinders are to stand outside the tent and only be handled and changed by persons fully conversant with the supplier's instructions.

14. Mobile "Fast-food" Vehicles

- 14.1. Where the use of ice-cream, hot dog or other such sales vehicles is intended, they are to be sited clear of access roads, so that the sales area is away from access roads.
- 14.2. Each operator must be responsible for the safety and safe operation of his vehicle, and must be made aware of the site safety plan.
- 14.3. Operators are to be instructed to have only sufficient LPG cylinders for the day's use, if no suitable store facilities are available.

C3.

Plastic Glasses/Short Measures Guidelines

Guidance from Office of Fair Trading issued on 19th June 2009 to Licensing Forum and Isle of Man Constabulary

- Plastic glasses are often used for the serving of draught beer during events such as the TT and pop concerts.
- This public safety approach has been promoted by the Isle of Man Constabulary.
- Although the public safety approach is supported by the Office of Fair Trading, licensees should be aware that there should not be instances of short measures of draught beer being served in wholly inappropriate glasses.
- In order to conform to the 'top up policy' ensuring customers obtain a full measure, the Office of Fair Trading insist that plastic glasses used for the serving of draught beer must be stamped. Only plastic glasses that are lined measures as opposed to brim measures should be used. Plastic glasses that are lined in both imperial and metric quantities should not be used.
- Enforcement action may ensue if inspection by the officers of the Office of Fair Trading find short measures being served in plastic glasses that are not 'stamped' or are otherwise inappropriate, e.g. that are lined in both imperial and metric quantities.
- If short measures are consistently being served in a particular establishment, the business concerned is not trading fairly from the respective standpoints of consumers and competitors.
- Under section 36 of the Weights and Measures Act 1989, the gas comprised in any foam on the beer shall be disregarded in ascertaining the quantity of any beer. This basically means that pints of beer served in licensed premises should be full pints of liquid, i.e. they should not include a 'head'. Similarly, other measures, e.g. half pints, of beer served in licensed premises should not include a 'head'.
- At a meeting held in December 2008, the Board of the Office of Fair Trading made a fully informed policy decision as to what constitutes a full measure of beer for enforcement purposes. The views of the trade and the nature and numbers of consumer complaints received were considered in addition to the results of test purchases and the rationale of section 36. As such, there is a permitted tolerance in general of 2.5% in deficiency (5% for stouts).
- The trade are expected to implement an on-going 'top-up' campaign and code of practice.
- Enforcement action could move from informal warnings to legal proceedings. Repeat offences and mitigating circumstances will be considered.
- For the purpose of this guidance note, the term 'beer' includes stout, cider and lager.

Section D - Off Licences

D1.

Off Licence Code of Conduct – Issued by the Responsible Liquor Off-Sales Group



Isle of Man Government

Reiltys EllanVannin

The Isle of Man Code of Practice on the Display and Sale of Alcohol Products in Off-Licensed Premises

Issued by the Responsible Liquor Off-Sales Group

(a partnership between Off-Watch, the Department of Home Affairs, and the Alcohol Unit)

Code of Practice

The provisions and the requirements of Code are detailed in this document. In addition a Code of Practice Certificate which provides a list of the principles of the Code can be found at appendix 1 which is a briefing document and is intended to help initial briefing of in-store staff on the Code of Practice which has been agreed by the Off-Licensed Trade. It seeks to give an explanation of the key features of the Code which will also be displayed in all off-licensed premises.

What is the Code?

The basic principle underpinning this Code of Practice is that alcohol is not an ordinary household product despite being sold in many large and small retailers.

As a result Off Watch, the Department of Home Affairs, and the Isle of Man Constabulary meeting as the Responsible Liquor Off-Sales Group, having consulted the Licensing Court, have drawn up this Code on the responsible retailing of alcoholic products and have committed to the member responsible for the Chief Minister's Drugs and Alcohol Strategy, W M Malarkey MHK, and the Minister for Home Affairs, Hon A J Earnshaw MHK, that the code be implemented in full by all members of Off Watch (all off-licences).

Code launch and full effect dates

The requirements of the Code must be complied with by the 1st January 2010 for example removing unsuitable satellite areas, and putting up signs, removing advertisement, removing bulk sales from outside of main alcohol sales area, providing health leaflets etc.

Only where compliance requires building alterations or other major moving of shelving will the final compliance date of the 14th May 2010 apply.

The Code went live on the 12th November 2009. **How to Implement the Code**

The Code covers 10 main areas. Understanding of, and commitment to, these principles are essential for all managers, licensees and store employees involved in the display and sale of alcohol.

1. Display of the Code

The laminated copy of the Code of Practice Certificate to be sent to every participating retailer must be placed in a conspicuous space, in clear sight of every customer who visits the store. In larger stores a number of laminated copies may need to be displayed including one in the Alcohol Sales Area.

The laminated Code of Practice Certificate represents the commitment of the licence holder to implement the standards of the Code and abide by its provisions. It alerts customers to the standards which they are entitled to expect. A space has been provided on each laminated copy of the Code of Practice Certificate for each store to attach a printed label with the name and business address of the licence holder. It is essential that this is correctly completed, especially in the event of a customer complaint. In addition the address and website details of the Department of Home Affairs will be pre-printed on each sheet.

2. Display of Alcohol

The display of alcohol products must be in one single main area in all retail premises that sell alcohol.

All small stores to have one area for the sale of liquor and no satellite areas in the store, the exception being with the approval of the Licensing Court, one additional area for special events such as Valentine's day, Mother's day etc, or for meal deals.

Large stores to be permitted to have satellite areas where liquor can be sold but to use only one at any one time and then only for special events such as Valentine's day, Mother's day etc, or for meal offers. Satellite areas will not be permitted to be used for bulk sales, for example packs of lager, cases of wine, or for any beer or cider;

No sales of liquor to be permitted next to tills in large stores, although permitted in small stores where, for example, spirits are kept behind the counter for security reasons;

No liquor sales areas to be permitted at the entrance to large stores, a common sense approach to be taken on the distance from the entrance and subject where necessary to consideration by the Responsible Liquor Off-Sales Group where a licensee is unsure as to what is permitted. A framework for what is permitted will be established in time by working through on a case by case basis.

Display of alcohol products should be confined in an area of large stores that customers do not have to pass through in order to gain access to other beverages and food products. Where compliance will result in an increase in the alcohol sales area of stores, or other problems, the Responsible Liquor Off-Sales Group will consider approving the nearest accepted solution.

If there is doubt about the category, large or small store, in relation to what requirements a store must comply with then referral to the Responsible Liquor Off-Licence Sales Group

should be made.

The Group is in the process of producing clearer guidelines as to the cut off between large and small stores accepting there will be some stores where this may not be clear.

3. Advertising of Alcohol

Advertising of price promotions for liquor products, e.g. two for one, percentage reductions in price, and offers are only to be permitted within the alcohol sales area in large stores and not on windows facing in or out, around the store (except in satellite area advertising the product sold in that area only), or in the car parks of the stores.

The use of pictures or text simply advising that wine, beer etc is for sale in a large store is allowed outside alcohol sales area but must not include any specific inducement to purchase.

Small stores are required to limit advertising on price promotions for liquor products to within the alcohol sales area. The use of pictures or text simply advising that wine, beer etc is for sale in a store is allowed but must not include any specific inducement to purchase.

Advertising must not be aimed at minors, seek to glamorise alcohol consumption, or encourage excessive consumption.

4. Alcohol Sales Area Signage

All entrances and exits to areas where liquor is sold to have signs to warn that customers are entering and exiting an alcohol sales area signs to have the following wording: -

**"This is an ALCOHOL SALES AREA -
Please drink safely and in moderation it could save your life".**

The sign to also include the Challenge 25 logo. A similar message to the "Please drink safely etc" can be provided which perhaps is more suitable for the signage design or to fit in with the stores ambience subject to agreement of the Responsible Liquor Off-Sales Group.

It will not be illegal for under 18s to enter these areas because this would be difficult to Police but it will act as a reminder and a deterrent.

The signs preferably to be positioned at the side of the entrance and exit of the aisle. It will also be possible to position them on the floor or to hang them above the entrance, if this provides greater CCTV or staff visibility or is more suitable for the design of the store. The sales area will have a clear entrance and exit so there is no doubt to customers that they will be entering an area where liquor is for sale. This will allow those who wish to avoid these areas to do so without it denying them access to other products. Parents who do not wish to take their children into these areas, in order to avoid their exposure to liquor products, will also be able to do so more easily.

Small stores will have signs on, above, or at the sides of the shelves selling liquor with the same wording as the signs at the entrance to alcohol sales areas in large stores;

5. Health Leaflets

All off-licences are to provide space, within the alcohol sales area for Health Leaflets to be displayed proportionate to the linear footage. The leaflets will provide advice on safe drinking, where to seek help, etc.

6. Proof of Age

Production of a proof-of-age document must be demanded in all cases where the customer appears to be under the age of 25 years or otherwise where there may be a doubt about his or her age. The forms of identification permitted are a Passport, EU type Driving Licence, OFT identity card (or Customer First), or an identity card issued by the Department of Education and the Foreign National Identity Card.

7. Staff Training

Store Managers and/or Licence Holders will ensure adequate training of staff members engaged in the display and sale of alcohol products and, in particular, ensure that such staff members have an adequate knowledge and understanding of the relevant areas of licensing law and of the Code of Practice.

8. Audit

The Responsible Liquor Off-Sales Group will audit compliance with the Code of Practice. This audit and verification process will be carried out on an ongoing basis by the Isle of Man Constabulary's Alcohol Unit, reporting to the Department where problems are identified. The Code will be up-dated from time to time.

The outcomes of the audit will be reported to the Department of Home Affairs by the member with responsibility for the Chief Minister's Drugs and Alcohol Strategy. The first report being in April 2011.

9. Complaints Procedure

A transparent and credible complaints procedure regarding the implementation of this Code will be critical to its success. Complaints regarding implementation of the Code should in the first instance be acknowledged, dealt with and resolved at a store level by the Store Manager or the holder of the alcohol licence.

It should be noted that if a customer's complaint regarding compliance to the Code is not dealt with to their satisfaction that they have the right to forward their complaint to the following address: The Director of Administration and Legislation, The Responsible Liquor Off-Sales Group, Department of Home Affairs, 88 Woodbourne Road, Douglas, Isle of Man. IM2 3AP.

The complaint will then be considered and any necessary recommendation made to the licensee by the Responsible Liquor Off-Sales Group. Any appeal against the recommendation will be considered by the Chief Executive of the Department of Home Affairs.

10. Further Guidance

Should an individual store have any queries regarding the Code of Practice it should seek clarification from the Responsible Liquor Off-Sales Group. Should the store require further electronic copies of this document, they will be available from the Responsible Liquor Off-Sales Group, Department of Home Affairs website (www.gov.im/dha).



CERTIFICATE OF COMPLIANCE

with the Isle of Man Code of Practice on the
Display and Sale of Alcohol Products in Off-Licensed Premises

Issued by the Responsible Liquor Off-Sales Group

(a partnership between Off-Watch, the Department of Home Affairs, and the Police Alcohol Unit)

ATTACH LABEL WITH NAME, BUSINESS ADDRESS, AND
CONTACT DETAILS OF LICENCE HOLDER

The Isle of Man Code of Practice on the Display and Sale of Alcohol Products in Off-licensed Premises obliges all off-licence holders to comply with the following:-

- The display of this notice in a conspicuous place in the store;
- The alcohol sales area should be clearly marked with signage at any entrance to the area, or above the area in small stores;
- Health leaflets must be displayed in the alcohol sales area;
- No advertising of alcohol should take place outside of the alcohol sales area;
- Restrict alcohol sales to one area, with one additional satellite area in use at any one time for meal deals or special events;
- No sale of alcohol near the entrance to large stores;
- No bulk sales of alcohol outside of the main alcohol sales area;
- No sale of alcohol near tills except where, for example, spirits are kept behind the counter for security reasons;
- There should not be a requirement to enter the alcohol sales area to purchase a non alcohol product;
- Proof of age must be requested from anyone who appears to look under the age of 25;
- All staff must be trained and aware of the requirements of the Code.

COMPLAINTS

Any complaints regarding implementation of the Code should be referred by the customer to the Store Manager or the holder of the off-licence.

If the customer is not satisfied they have the right to forward their complaint to the following address:

Director of Administration and Legislation, The Responsible Liquor Off-Sales Group,
Department of Home Affairs, 88 Woodbourne Road, Douglas, Isle of Man. IM2 3AP.

D2.

Drinks Tasting Promotions Guidelines

GUIDELINES FOR TASTING TYPE PROMOTIONS OF WINES BEERS AND SPIRITS

1. All tasting must be carried out and supervised by the Licensee or a Designated Official and where appropriate (for example with expensive wines beers and spirits) in conjunction with knowledgeable agents of the suppliers of the liquor in question.
2. Tasting sessions must always be manned (i.e. no alcohol left unsupervised) and prevailing food hygiene guidelines and regulations strictly adhered to.
3. Persons under the age of 18 or persons disqualified from licensed premises must not be allowed to participate in tastings.
4. All tastings must be with at least 14 days prior written notice to the Chief Constable/Central Alcohol Unit giving particulars of the nature and type of tasting; the location of the tasting and the anticipated times of the tasting.
5. Ordinarily plastic serving glasses or thimble type glasses should be used with a small measure, however if the tasting is one that is suitable for expensive glasses to be used, then confirmation of the intention to use such glasses should be included within the 14 days prior written notice given to the Chief Constable/Central Alcohol Unit of the tasting. (For example the tasting of expensive champagne may require the use of champagne flutes.)
6. Tastings which take place other than on the Licensee's licensed premises must be by invitation only and not for the benefit of the general public. At such tastings all sales must be by order and there must be no retail sales resulting in the supply of intoxicating liquor at the time of the tastings to the intent that the point of sale shall be the licensee's licensed premises and not otherwise.
7. All staff are reminded of their obligations under Section 42 of the Licensing Act 1995. (Consumption on or near licensed premises) and in particular, drunkenness and rowdy behaviour must be contained at all times, and consumers must not be supplied with excessive amounts of alcohol.

Section E – Specific Types of Undertakings (Restaurant/Events)

In terms of licensing on the Isle of Man, there is no separate category of licence for 'restaurants' as opposed to a full on-licence or other 'restricted' form of licence if you apply for an on-licence. A full on-licence is applied for in all circumstances where drinks are to be consumed on the premises, and this applies whether the premises in question is a small coffee bar serving the odd glass of wine, a café, or a large restaurant or public house.

The Licensing Court can impose conditions upon the Licence if you intend to only use the premises in a certain way. In some cases, this may ultimately persuade the Court of the necessity for your Licence. Below are examples of undertakings that could be agreed and/or proposed as part of your application.

◆ In respect of alcohol purchased for consumption off the premises:-

- 1.1 No alcohol shall be sold unless the same is sold with seals, fastenings, lids or other covers attached and intact, no alcoholic beverages shall be opened or otherwise decanted for consumption off the premises prior to sale;
- 1.2. No vessels, containers or otherwise to assist with drinking the alcohol off the premises shall be supplied;
- 1.3 Signage shall be erected and clearly displayed at the premises at the till point and/or on or near the service area confirming that no alcohol purchased at the till point is to be consumed on the premises, or consumed in the street/curtilage outside the premises.

NB – this style of undertaking can be used where the sale of alcohol for consumption off the premises is ancillary to the use of a retail outlet for other purposes i.e. café, deli, bakeries etc.

● In respect of alcohol purchased for consumption on the premises:-

- 2.1 Alcoholic products shall be served by waitress only not by bar service;
- 2.2 Alcoholic products shall (where possible) only be served when patrons order food from the full menu (albeit that this may only be a light snack) and no excessive alcohol shall be served if patrons are not taking a meal within the 'restaurant' area of the premises;
- 2.3 If alcohol is served for consumption on the premises it shall not be subsequently decanted or otherwise supplied in a vessel for 'takeaway' purposes and must be consumed on the premises;
- 2.4 All beverages must be supplied and consumed within a glass vessel suitable for consumption on the premises.

NB – this style of undertaking can be used for restaurant/café types of premises with table service.

◆ In respect of the premises generally:-

- 3.1 The business carried on at the premises shall not be carried on in a manner which could be likened to a public house;

- 3.2 Alcohol will only be sold to clientele in keeping with the business model supplied to this Court by way of application;
 - 3.3 If alcohol is supplied to be consumed in the outdoor area comprising of [] a clear boundary will be identified by appropriate signage and/or boundary markers under advice from the Police Alcohol Unit shall be in place;
 - 3.4 No person shall be allowed to enter the area with alcoholic liquor not purchased within the premises for consumption on those premises;
 - 3.5 No person shall be allowed to leave the premises with open vessels containing liquor;
 - 3.6 Any other signage reasonably required by the Police Alcohol Unit regarding the service and consumption or takeaway of alcoholic beverage shall be considered and implemented within a reasonable time;
 - 3.7 An appropriate 'proof of age' policy shall remain in place and 'Challenge 25' shall apply (whereby persons who look under the age of 25 years old shall be asked for I.D.);
 - 3.8 Any liquor only for off-sales shall be clearly labelled/stored and presented as such;
 - 3.9 Any liquor only for on-sales shall be clearly labelled/stored and presented as such.
- NB – the above forms of undertaking or condition may be used in general in respect of good management of your style of premises.

Specific Undertakings – Occasional Licences/Events

You may wish to consider the following:-

- ◆ A curtilage to be created with fixed fencing around the whole site including the toilet facilities in line with plans supplied to the Licensing Court.
- ◆ The entrance and exit to be licensed area should be clearly defined and fit for use.
- ◆ Suitable signage to be displayed indicating that the area being entered is a licensed area.
- ◆ Consultation should take place with the Isle of Man Fire Service to ensure current Fire Safety Regulations are adhered to.
- ◆ Suitable cleansing arrangements to be placed for staff.
- ◆ Site to be cleaned at the end of each working day of all refuse/debris to be removed.
- ◆ The open area created at each side for patron entry/exit to be operated by Registered Security Staff at all time when such control is required (in accordance with advice given by the Police Alcohol Unit), all Security Staff to wear florescent type bibs so as to be easily identifiable.
- ◆ No person to enter area with liquor not purchased 'on site', i.e. carry outs not permitted.

- ◆ Persons not to leave curtilage with open vessels containing liquor.
- ◆ Signage to be erected in line with Police Alcohol Unit advice.
- ◆ All liquor sales and music to be in line with Occasional Licence conditions.
- ◆ 24 hours staffing on site.
- ◆ No "Hammer of Strength or Punch Ball" attraction or similar to be placed within the licensed area.
- ◆ Enforce the appropriate "proof of age" code, i.e. any persons who look under the age of 25 to be asked for I.D.
- ◆ Liquor to be secured at the end of each day, container to be alarmed.
- ◆ All service to be plastic receptacles. No cans or bottle to be served.
- ◆ Cash should be removed off site at regular intervals (although at random times) to prevent large amounts accumulating.
- ◆ Security to be on site at all times when alcohol is being served.
- ◆ Consultation to be continued with Douglas Corporation, Isle of Man Constabulary and all other statutory bodies. (fire, environmental health).
- ◆ General - running of the event in accordance with the guidelines and policy set out in the event plan/manual/written specification filed with the Licensing Court.
- ◆ Plans - that the licensed areas, boundaries and so on will accord with the plans attached to the application with any material changes notified to the Police Alcohol Unit and the Court.
- ◆ External agencies - that if it comes to the organiser's attention that any external agencies i.e. security, ambulance, fire, Police or otherwise are unable to attend in the numbers quoted in documents filed with the Licensing Court, that the Court/Police will be informed.
- ◆ Fire - that no action will be taken that may make the fire certification invalid, and that reasonable precautions will be taken to minimise the risk of fire
- ◆ Underage drinking/Excessive consumption - bag checks, security searches, ID checks etc shall be carried out as detailed in the documents filed with the Licensing Court.

USEFUL LINKS

For more information, you may wish to consult the following sources of information:-

The Licensing Forum (Government Website)

www.gov.im/categories/home-and-neighbourhood/licensing-forum

Isle of Man Constabulary (Alcohol Unit)

www.gov.im/categories/home-and-neighbourhood/emergency-services/Police/Police-support-services

The Licensing Court (Government Website)

www.courts.im

All Island Pubwatch

www.isleofmanpubwatch.com

Isle of Man Fire and Rescue (Government Website)

www.gov.im/categories/home-and-neighbourhood/emergency-services/fire-and-rescue-service

Alcohol Awareness and Information

Isle of Man Government:-

www.gov.im/categories/health-and-wellbeing/healthy-living/alcohol

www.gov.im/categories/caring-and-support/mental-health-service/drug-and-alcohol-team/

www.gov.im/about-the-government/departments/home-affairs/chief-executive's-office/joint-drug-and-alcohol-strategy

Other Sources:-

<http://www.motiv8.im/>

www.drinkaware.co.uk

<http://www.portmangroup.org.uk/>

http://www.gamcare.org.uk/pages/gamcare_partner_gamcare_isle_of_man.html