

Charitable Functions Licence – Key Information and Proposals

Charitable Functions Licence	<p>This is a licence which authorises a charitable organisation to conduct the retail sale of wine being served with a substantial meal on premises utilised by that charitable organisation, for consumption on those premises. This licence is given in connection with a charitable organisation for a charitable function only.</p> <p>Additionally where a Charitable Functions Licence is in place and the charitable organisation has successfully registered a Responsible Person – then that Responsible Person may apply on the charitable organisation’s behalf for a larger scale Event licence and/or an event licence with liquor other than wine.</p>
Licence conditions	<p>Licence conditions in relation Charitable Functions Licences may include conditions relating to:</p> <ul style="list-style-type: none"> • “Charitable Functions” condition where written notice is given of the intention to host a charitable function • General condition on the service of wine at a charitable function being with a substantial meal • Supervision condition where each charitable function by a nominated person who is familiar with statutory guidance. • Event condition – that for a charitable organisation to apply for an event licence a Responsible Person must be registered and available to supervise that event. <p>This is not an exhaustive list and conditions may be imposed by the Licensing Court on grant of licence or by variation to licence at any time.</p>
Licensee/Licence Holder	<p>The licence application must be made by a person nominated in writing by a charitable organisation. The licence will then be held by the charitable organisation who must nominate a person for each charitable function and/or may Register a Responsible Person.</p>
Nominated Person	<p>For each charitable function with wine that is notified, a nominated person should be indicated who will supervise the function and should be familiar with any statutory guidance.</p>
Responsible Person	<p>Where a charitable organisation wishes to apply for an Event licence – a Responsible Person must be Registered in connection with the Charitable Function Licence and must be in attendance at that Event for its duration.</p>
Validity and Renewal of Licence	<p>See consultation document for details.</p>

Club Licence – Key Information and Proposals

Club Licence	<p>This is an on-licence which authorises the licence holder to conduct the retail sale of liquor on the registered club premises specified in the licence, to members of the registered club, for consumption on the premises.</p> <p>Additionally the Club may apply for an Event licence to host a larger scale event, if the proposals regarding registration of a Responsible Person should be accepted.</p>
Licence conditions	<p>Licence conditions in relation to Club Licences may include conditions relating to:</p> <ul style="list-style-type: none"> • Music & Dancing hours; • Structure of Club; • "Special permissions" condition where written notice is given of the intention to host an event – and the indicated number of such private functions that may take place. • Club Rules must be in place/ no amendment to the Club Rules shall have effect unless approved by the Licensing Court; • Licensed area for liquor consumption; and/or • Compliance with Statutory Guidance and Club Site Management plan to be in place. • Responsible Person condition; <p>This is not an exhaustive list and conditions may be imposed by the Licensing Court on grant of licence or by variation to licence at any time.</p>
Special Permissions	<p>Presently Registered Clubs can apply for special permission under section 53 in relation to selling liquor at private functions – this is a 7 days advanced notice process to seek Licensing Court approval to proceed.</p> <p>It is proposed within the new licensing framework that a condition be applied to Club Licences whereby a set number of private functions that may be held in a rolling 12 month period might take place*, only where the club has sought agreement from the High Bailiff.</p> <p style="color: red;">*see consultation for more information.</p>
Licensee/Licence Holder	<p>Presently, where Club Registration has been approved, the licence is granted to the Club on application made by the Club Secretary.</p> <p>Under the new licensing framework, it is proposed that a Club Licence only be granted to a Club if that Club has nominated and registered at least one appropriate Club member to act as the Club's Responsible Person.*</p> <p style="color: red;">*see consultation for more information.</p>
Responsible Person	<p>It is proposed that the requirement for a Responsible Person to be registered in connection with a Club Licence be commensurate with that of a General On Licence.</p>

Club Licence – Key Information and Proposals

	<p>This will mean that under the new proposed licensing framework, Clubs will also be eligible to apply for a larger scale Event Licence due to having a nominated and registered Responsible Person in place.</p>
Validity and Renewal of Licence	<p>As part of the renewal process, it is proposed that Clubs need to put in place a Responsible Person prior to 01 May 2023.*</p> <p>*see consultation for more information – and for general information around the validity of licences and the transitional period.</p>

Consultation Draft

Event Licence – Key Information and Proposals

Event Licence	<p>This is a licence which authorises the licence holder, who must be an existing licence holder, to conduct the retail sale of liquor on the premises specified in the event licence, that may either be during a one-off or recurring event. This is largely a restating of the existing Occasional Licence.</p> <p>A proposed maximum of 16 days is to be provided for in any Event licence.</p> <p>The application must set out in detail the intended location in which the event is proposed to take place and also demonstrate that a suitable infrastructure is proposed to support the event. This will include facilities such as parking/toilets and indication that consideration of safety matters such as security for the event and public liability have been made.</p>
Licence conditions	<p>For these licences compliance with the applied for / approved licence requirements and general management of the event in the manner set out in the event licence is a pre-requisite.</p> <p>Each Event Licence application must be accompanied by a completed Event Management Plan/Risk Assessment and compliance with that Plan will be a condition.</p>
Re-occurrence	<p>There is potential for this licence to be a re-occurring event where the parameters associated with the event do not change. So for example such an event may re-occur annually, subject to the opportunity for complaints/objections connection with the planned date for this event.</p> <p>The mechanism for these objections would be to ensure that (if the event was planned to re-occur) the ability to register legitimate objection was provided while the event was taking place in addition to prior to consideration of the application.</p>
Licensee/Licence Holder	<p>Granting of such a licence would only be considered when application is made by an existing licensee/licence holder who holds a valid licence.</p> <p>Each Event must have at least one licensee/Responsible Person who is Registered and the Event Licence Holder must ensure that such a Registered Responsible Person is supervising the event at all times when the event is open to the public.</p>
Responsible Person	See On-Licence information
Validity and Renewal of Licence	To be determined based on consultation results.

Host Licence – Key Information and Proposals

This licence is included for consultation purposes but is not proposed to be implemented on 01 November 2022

<p>Host Licence</p>	<p>This licence proposal relates to provision of a dedicated area suitable to host an event where the organiser of the event acts in the capacity of a “host” and:</p> <ul style="list-style-type: none"> • is responsible for ensuring the infrastructure of the event including (as applicable) security, access to toilets, parking (public liability insurance)etc. are in place; and, • for verifying that any licence holder/licensee they permit to operate at this “hosted” event has a valid licence in place (general on-licence, mobile licence etc) and that the “pitch” be conducted by a Responsible Person. <p>What this means is that the host would be responsible for sub-letting of booths/pitches to other individuals who were already Licensees/Licence Holders/Responsible Persons.</p> <p>The host is not required to be a licensee/licence holder for any other type of licence themselves unless they plan to actively conduct the retail sale of liquor (including for consumption at the hosted event) themselves during the event. There will however need to be clear responsibilities and penalties on the Host in connection with safe and orderly running of each event.</p>
<p>Licence conditions</p>	<p>For these licences, compliance with the applied for / approved licence requirements and general management of the event in the manner set out in the Host licence would be a requirement.</p> <p>Each Host Licence application would require to be accompanied by a completed Host Management Plan/Risk Assessment and compliance with that Plan would be a condition of the licence.</p>
<p>Re-occurrence</p>	<p>There is potential for this licence to be a re-occurring event where the parameters associated with the event do not change. So for example such an event may re-occur annually, subject to the opportunity for complaints/objections connection with the planned date for this event.</p>
<p>Licensee/Licence Holder/ Responsible Person</p>	<p>This would be the type of overarching licence that would not require the hosting venue/organisation to be a Licensee/Licence Holder unless they intended to actively participate in the event.</p> <p>The licence holder is responsible for the management of the event and may request that an additional named individual is included within the Host licence in order that supervision of the event can be maintained at all times when the event is taking place – this is especially relevant if the event takes places over an extended period.</p> <p>The host would not be required to be a licensee for any other type of licence themselves, unless they planned to actively conduct the retail sale of liquor (including for consumption at the hosted event) themselves during the event. There would however be clear</p>

Host Licence – Key Information and Proposals

This licence is included for consultation purposes but is not proposed to be implemented on 01 November 2022

	responsibilities and penalties on the Host in connection with safe and orderly running of each event.
Validity and Renewal of Licence	N/A for the purpose of this consultation.

Consultation Draft

Liquor Production and Sales Licence – Key Information and Proposals

Liquor Production and Sales Licence	This is a proposal for a standard off-licence which authorises the licence holder to conduct the direct sale of liquor that it produces, on the premises specified in the licence, for consumption off the premises.
Licence conditions	<p>This licence would cover the craft distillers or artisan brewers for direct sales for offsite consumption, mail order and limited tasting sessions as part of face to face events at their primary premises (general business events).</p> <p>They would be subject to licence conditions akin to an off-licence and would need to have a suitable licensee/licence holder along with suitably trained responsible person(s).</p> <p>Premises would be individually verified according to the physical premises plan and those individual conditions would form part of their licence.</p> <p>It would NOT allow them to open a public bar or restaurant on site and make sales from there of general alcoholic beverages they had not produced on site.</p> <p>This licence is also proposed to allow licensees to be considered licensees for the purposes of attending a Hosted Event, only where the attendance would be to make sales of capped vessels or to offer limited tasting samples, where such an event was provided for under a Host Licence.</p>
Licensee/Licence Holder	As Off-Licence.
Responsible Person	As Off-Licence
Validity and Renewal of Licence	To be determined based on consultation results.

Manx Transport Licence – Key Information and Proposals

<p>Manx Transport Licence</p>	<p>This licence authorises the licence holder to conduct the retail sale of liquor on the passenger vessel/moving vehicle specified in the licence, on the Island or within Island waters, for consumption on the vessel/vehicle.</p>
<p>Licence conditions</p>	<p>Licence conditions in relation to Manx Transport Licences may include:</p> <p><u>Location of sale conditions</u>: e.g. that sale by retail of liquor for consumption on the vessel/vehicle is authorised to any passenger whilst the vessel/vehicle is plying from place to place, but no sale is authorised to take place when the vessel/vehicle is in harbour/is at a station.</p> <p><u>Standard conditions</u> relating to:</p> <ul style="list-style-type: none"> ▪ provision of free tap water; ▪ sale of reasonably priced non-alcoholic beverages; ▪ requirement to obtain and comply with fire certification/relevant safety guidance for the vessel/vehicle when given by the individual with responsibility for safety on that vessel/vehicle (i.e. member of staff, member of crew, guard or officer); or, ▪ compliance with the licensed area that was approved by the Licensing Court. <p><u>Restaurant conditions</u> that require alcohol sales to accompany the sale of a “substantial meal”.</p> <p><u>Music and Dancing conditions</u>:</p> <ul style="list-style-type: none"> ▪ restricting the days/hours during which a vessel/vehicle may have/host such activities to times approved by the Licensing Court. <p><u>Company conditions</u> relating to companies who hold licences, those appointed as Responsible Persons in relation to companies, duties of the licence holder to notify the Licensing Court of relevant changes to Responsible Persons or company structures.</p> <p><u>Minors conditions</u> specifying:</p> <ul style="list-style-type: none"> ▪ any restriction to the attendance at the vessel/vehicle by those below the age of 18 or below the age of 16 either in general, or during certain times; ▪ compliance with conditions such as those stipulating that “adult supervision” is required; ▪ written notification to the Chief Constable that a specific event will take place at which those under 18 will be permitted without “adult supervision” and in accordance with any advice that the Chief Constable provides; or, ▪ that certain areas e.g. children’s play areas are prohibited to be used for the taking/consumption of alcohol. <p><u>Statutory guidance</u> conditions relating to compliance with such relevant statutory guidance alongside the duty to maintain an up-to-date completed vessel/vehicle Site Management Plan/Risk Assessment document setting out the approved manner in which that vessel/vehicle operates. This condition ensures that all licensees are fully aware of this guidance and maintain compliance with it.</p> <p>This is not an exhaustive list and specific or unique conditions may be imposed by the Licensing Court on grant of licence or by variation to licence at any time.</p>

Manx Transport Licence – Key Information and Proposals

Licensee/Licence Holder	See On-Licence information
Responsible Person/Other	See consultation document for more details. Presently the Designated Official in connection with a vessel is the master of the vessel.
Validity and Renewal of Licence	See consultation document for more details.

Consultation Draft

Mobile Licence – Key Information and Proposals

Mobile Licence	<p>This is a proposal for a standard on-licence which authorises the licence holder to conduct the retail sale of liquor on the mobile premises specified in the licence, during a one-off or recurring event which has been separate applied for.</p> <p>Holders of a mobile licence can only operate from licensed premises and are not permitted to operate on an ad-hoc basis in a public place i.e. no spontaneous sales are permitted.</p>
Licence conditions	<p>This would be a temporary ability to make sales of alcohol at an event which is separately licensed – holding a Mobile licence provides that the licence holder is considered to be an appropriate person to make an application for an Event licence and to register Responsible Persons.</p> <p>Licence conditions in relation to Mobile Licences would be set following consultation feedback and would be aligned with those of other on-licensed premises where applicable.</p>
Licensee/Licence Holder	See On-Licence information
Responsible Person	See On-Licence information
Validity and Renewal of Licence	To be determined based consultation results.

Off-licence – Key Information and Proposals

Off-licence	This is a standard off-licence which authorises the licensee/licence holder to conduct the retail sale of liquor on the premises specified in the licence, for consumption off the premises.
Licence conditions	<p>Licence conditions in relation to premises with an off-licence may include:</p> <p><u>Minors sale</u> conditions: stipulating that alcohol may not be sold or supplied by any person under the age of eighteen unless there is adequate and proper supervision of such sale or supply by a person over the age of eighteen years.</p> <p><u>Alcohol display</u> conditions: Only the premises, or that part of the premises delineated on the plans approved by the court on granting of a licence may be used to store or display alcohol. The specific size of the area permitted for the display of alcohol will also govern whether the premises is required to have a Responsible Person in place at all times when the premises open.</p> <p><u>Licensee/Responsible Person</u> condition: restatement of the general legal requirement that a Licensee/Responsible Person must be appropriate registered and must be in general attendance during the hours the premises is open for the sale/supply of intoxicating liquor (with sole exception of meal breaks/such unavoidable absences for caring responsibilities or medical treatment),</p> <p><u>Company</u> conditions relating to companies who hold licences, those appointed as a Responsible Person in relation to companies, duties of the licence holder to notify the Licensing Court of relevant changes to Responsible Persons or company structures.</p> <p><u>Statutory guidance</u> conditions relating to compliance with such relevant statutory guidance alongside the duty to maintain an up-to-date completed premises Site Management Plan/Risk Assessment document setting out the approved manner in which that premises operates. This condition ensures that all licensees are fully aware of this guidance and maintain compliance with it.</p> <p>This is not an exhaustive list and conditions may be imposed by the Licensing Court on grant of licence or by variation to licence at any time.</p>
Licensee/Licence Holder	All Off-licences must have a licence. See On-Licence information
Responsible Person	See On-Licence information
Validity and Renewal of Licence or Variation to Licence	See consultation document for more details.

General Premises Licence – Key Information and Proposals

General Premises Licence	This is the “standard” on-licence which authorises the licensee/licence holder to conduct the retail sale of liquor on the premises specified in the licence for consumption on or off the premises (as “carry out”), subject to conditions stipulated within the licence.
Licence conditions	<p>Licence conditions in relation to General Premises Licences may include:</p> <p><u>Standard conditions</u> relating to:</p> <ul style="list-style-type: none"> ▪ provision of free tap water; ▪ sale of reasonably priced non-alcoholic beverages; ▪ requirement to obtain and comply with fire certification; ▪ general attendance of Licensee/Responsible Person during all hours in which the premises are open for the sale of alcohol; or, ▪ compliance with the licensed area that was approved by the Licensing Court. <p><u>Public Entertainment conditions</u>:</p> <ul style="list-style-type: none"> ▪ restricting the days/hours during which a premises may have/host such activities to times approved by the Licensing Court. <p><u>Company conditions</u> relating to companies who hold licences which are similar to those under the present licensing framework and relate to the structure of the company etc.</p> <p><u>Minors conditions</u> specifying:</p> <ul style="list-style-type: none"> ▪ any restriction to the attendance at the premises by those below the age of 18 or below the age of 16 either in general, or during certain times; <p><u>Restaurant conditions</u> that require alcohol sales to accompany the sale of a “substantial meal”.</p> <p><u>Residential conditions</u> that limit the sale of alcohol to those who are “resident” on the premises.</p> <p><u>Late Night conditions</u> that come with the requirement for the premises to ensure that Registered Door Security staff are in place to manage entry and exit from these premises.*</p> <p>*see consultation document and questionnaire ref Schedule 2.</p> <p><u>Statutory guidance conditions</u> relating to compliance with such relevant statutory guidance alongside the duty to maintain an up-to-date completed premises Site Management Plan/Risk Assessment document setting out the approved manner in which that premises operates. This condition ensures that all licensees are fully aware of this guidance and maintain compliance with it.</p> <p><u>Responsible Person condition</u> relating to Registration and any transfer of Responsible Persons within the Register.</p> <p><u>Door Security Staff conditions</u> specifying that:</p> <ul style="list-style-type: none"> ▪ Door Security staff are employed in accordance with Regulations made under section 19; ▪ they must be registered and have a valid certification (badge/armband); ▪ they must clearly display their certification (badge/armband) whilst on duty; and, ▪ conditions relating to the notification that must be made by the licence holder/licensee to the Department of Home Affairs if they become aware that

General Premises Licence – Key Information and Proposals

	<p>the member of Door Security Staff is convicted/attempts to operate without valid certification (badge).</p> <p>This is not an exhaustive list and specific or unique conditions may be imposed by the Licensing Court on grant of licence or by variation to licence at any time.</p>
<p>Licensee/Licence Holder</p>	<p>All General Premises must have a licence.</p> <p>Corporate licences will be issued to a licence holder and must have at least one Registered Responsible Person who will be responsible for operation of that premises during opening hours. This would ordinarily be the manager of the premises.</p> <p>Individual licences will be issued to a licensee who is named and will be responsible for operation of that premises during opening hours.</p> <p>The licence holder/licensee must ensure that the licensee or a responsible person is on the licensed premises at all times when the premises are open to the public.</p> <p>According to Regulations made under the Liquor Licensing and Public Entertainments Act 2021 – a licence may be granted to:</p> <ul style="list-style-type: none"> • one or more persons; or, • a company (or individuals within the company). <p>A licence may be granted in respect of one or more premises or one or more activities specified in the Regulations.</p> <p>If more than one Licensee/Responsible Person is in place for a premises, then a duty log must be maintained which allows clear identification of exactly which individual was responsible for management of the licensed premises at any time.</p> <p>A register of Responsible Persons associated with licensed premises and the named licence holder/licensee for that premises are proposed to be made available online.</p> <p>Full detail as to the training requirements for a licensee/Responsible Person alongside other key information about these role can be found within the Liquor Licensing and Public Entertainments Act 2021 and the relevant Regulations made under that Act.</p>
<p>Responsible Person</p>	<p>A responsible person is a person designated by the licensee as having personal responsibility for the premises in the absence of the licensee.</p> <p>A Responsible Person must be registered in accordance with Regulations made under section 19 of the Liquor Licensing and Public Entertainments Act 2021. More than one Responsible Person may be registered per premises, and a Responsible Person may act for multiple premises if appropriately registered to do so. Specific training requirements relating to the operation of either on-licence premises or off-licence premises must be met by a Responsible Person seeking registration.</p> <p>If more than one Licensee/Responsible Person is in place for a premises, then a duty log must be maintained which allows clear identification of exactly which individual was responsible for management of the licensed premises at any time.</p> <p>For licences held by companies under the new licensing framework a "Responsible Person" is the new terminology which will apply to an individual formerly referred to as</p>

General Premises Licence – Key Information and Proposals

	<p>a “Designated Official”. It will be possible under the new licensing framework to seek to register Responsible People for non-corporate (individual) licensed premises.</p> <p>A register of Responsible Persons associated with licensed premises and the named licence holder/licensee for that premises are proposed to be made available online.</p> <p>Once a Registered Person is initially registered in accordance with Regulations made under section 19 of the Liquor Licensing and Public Entertainments Act 2021, that Responsible Person may transfer their registration to a different premises/multiple premises providing that they have a suitable training certification in place (for the nature of premises which they will be acting as Responsible Person for) and that the licensee/licence holder of that premises has made a written notification to the Isle of Man Constabulary.</p>
Door Security Staff	<p>Door Security Staff may be directly employed by a licensed premises or may be independently registered and contracted to a licensed premises.</p> <p>All Door Security Staff must be registered in accordance with Regulations made under section 19 of the Liquor Licensing and Public Entertainments Act 2021. On successful registration, Door Security Staff will be issued with a certification (badge/armband) that they must display clearly at all times whilst on duty.</p> <p>A register of Door Security Staff is currently available online and it is proposed that the Licensed Staff Register would be very similar to this.</p>
Validity and Renewal of Licence	<p>See consultation document for more details.</p>

Public Entertainment Licence/Public Entertainment Event Licence – Key Information and Proposals

Public Entertainment Licence	This is a standard Public Entertainment which authorises the licence holder to conduct the types of public entertainment specified in the licence, on the premises specified in the licence.
Public Entertainment Event Licence	<p>This is Public Entertainment Event licence which is proposed to authorise the licence holder to conduct the types of public entertainment specified in the licence, on the premises specified in the licence for a duration of no more than 16 days.</p> <p>This would largely be a restating of the existing Occasional licence.</p>
Licence conditions	To be determined based consultation results.
Re-occurrence of Public Entertainment Event Licence	
Licensee/Licence Holder	
Event Supervisor	
Validity and Renewal of Licence	

Consultation Draft