



Is there a personal licence holder or DPS present?

Does there always have to be a personal licence holder/DPS on the premises to authorise a sale?

There is nothing in the 2003 Act that requires the DPS to be on the premises always when alcohol is being sold. What will be essential is that the DPS is contactable, particularly should problems arise with the premises.

The fact that every supply of alcohol must be authorised by a personal licence holder does not mean that only personal licence holders can make such sales or must be personally present at every transaction. A personal licence holder may, for example, authorise members of staff to make sales of alcohol during an evening.

It would be expected that the personal licence holder would be available on the premises, but may be absent at times when transactions take place. However, the personal licence holder would not be able to escape responsibility for the actions of those he authorises to make such sales.

Ultimately, it would be for the courts to determine whether the frequency or length of a period of absence meant that the personal licence holder could not, in effect, have authorised the sale.

How we can help?

Call us on **01277 631 811** or complete the form on our [website](#) for more information.