Personal Licence (APLH): 40-question mock exam

Level 2 Award for Personal Licence Holders, England and Wales

Practice questions written from legislation and statutory guidance. They are not from any real exam. Your awarding body sets the actual exam.

1. How many statutory licensing objectives are there under the Licensing Act 2003?

A. Three
B. Four
C. Five
D. Six

2. How many members must a licensing committee established under section 6 of the Licensing Act 2003 have?

A. At least five but not more than ten
B. Exactly twelve
C. Any number the council chooses
D. At least ten but not more than fifteen

3. How often must a licensing authority determine and publish a statement of its licensing policy?

A. Every year
B. Every three years
C. Only once, when the Act came into force
D. At least once every five years

4. According to the section 182 guidance, which partner should a licensing authority seek to involve on crime and disorder matters, in addition to the police?

A. The Portman Group
B. The British Board of Film Classification
C. The local Chamber of Trade
D. The local Community Safety Partnership

5. What is an operating schedule?

A. A document in the prescribed form, accompanying the application, that includes the steps proposed to promote the licensing objectives
B. The staff rota kept at licensed premises
C. The list of mandatory conditions issued by the Secretary of State under section 19A, which every premises licence must physically include on its face
D. The licensing authority's timetable of hearings

6. Under section 191 of the Licensing Act 2003, a drink is not treated as alcohol if its strength does not exceed what level at the time of sale?

A. 0.5%
B. 1.2%
C. 2.8%
D. 5.5%

7. What is the UK Chief Medical Officers' weekly low risk drinking guideline for both men and women?

A. Not more than 21 units a week for men and 14 for women
B. Not more than 28 units a week
C. Not more than 14 units a week on a regular basis
D. Not more than 3 units a day

8. What is the maximum strength for a drink described as 'low alcohol' under the Government's descriptors guidance?

A. 2.8 per cent ABV or below, the strength used for the reduced rate of alcohol duty
B. 0.05 per cent ABV or below, with the alcohol extracted before the drink is sold
C. 1.2 per cent ABV or below, with an indication of its maximum ABV on the label
D. 0.5 per cent ABV or below, which is also the threshold for a licensable sale

9. What is the minimum age at which a person may be granted a personal licence?

A. 18
B. 16
C. 17
D. 21

10. Since 6 April 2017 a licensing authority may itself suspend or revoke a personal licence following a conviction. What is the maximum period of suspension under section 132A?

A. Three months
B. Twelve months
C. There is no maximum
D. Six months

11. For how long does a personal licence granted today remain valid?

A. Ten years from the date of grant, after which it must be renewed with the issuing licensing authority
B. Indefinitely, unless surrendered, suspended, revoked or forfeited
C. Five years
D. Until the holder changes employer

12. How is a conviction for a relevant or foreign offence treated if it is spent under the Rehabilitation of Offenders Act 1974?

A. It must be disregarded
B. It must be declared but carries less weight
C. It is treated in the same way as an unspent conviction
D. It bars the applicant for a further five years

13. What is the maximum penalty for failing, without reasonable excuse, to notify the licensing authority of a conviction during the application period?

A. A fine not exceeding level 2 on the standard scale
B. An unlimited fine
C. A fine not exceeding level 4 on the standard scale
D. Six months' imprisonment

14. The police have not given an objection notice within the 14-day period in respect of an applicant with a relevant conviction. What must the licensing authority do?

A. Grant the application
B. Hold a hearing anyway to consider the conviction
C. Reject the application
D. Wait a further 14 days for the police to respond

15. Who may require a personal licence holder who is on premises to make or authorise the supply of alcohol to produce their licence for examination?

A. Any customer
B. Any constable or authorised officer of a licensing authority
C. Only a police officer of the rank of inspector or above
D. Only the premises licence holder

16. Before a licensing authority decides whether to suspend or revoke a personal licence under section 132A, how long does the licence holder have to make representations after the authority's notice is issued?

A. 28 days
B. 7 days
C. 14 days
D. 21 days

17. What is the maximum number of people who may be on the premises at any one time under a temporary event notice?

A. Fewer than 300
B. Fewer than 1,000
C. Fewer than 500
D. There is no limit

18. Which of the following is a description of regulated entertainment under Schedule 1 to the Licensing Act 2003?

A. A pub quiz
B. A poetry reading
C. A performance of a play
D. A bingo session

19. Under the mandatory 'smaller measures' condition, in which measures must gin, rum, vodka or whisky be available when sold for consumption on the premises?

A. 20 ml or 40 ml
B. 50 ml only
C. 25 ml or 35 ml
D. One-sixth of a gill

20. When the rate of duty or VAT changes, for how long may the old permitted price continue to be applied?

A. For 14 days beginning on the day the new rate takes effect
B. Until the end of the same trading day on which the new rate of duty or VAT takes effect
C. For 28 days
D. Until the next Budget

21. Which of the following events causes a premises licence to lapse under section 27 of the Licensing Act 2003?

A. A change of designated premises supervisor
B. The death, incapacity or insolvency of the licence holder
C. The premises being closed for refurbishment
D. A change in the opening hours

22. Which premises are 'excluded premises' where no premises licence, club premises certificate or TEN can authorise the sale of alcohol?

A. Motorway service areas and premises used primarily as a garage
B. Hospitals and schools, unless the sale is to staff or to visitors attending a social event
C. Cinemas and theatres
D. Sports stadiums

23. Does the designated premises supervisor have to be present on the premises at all times when alcohol is sold?

A. Yes, at all times
B. Yes, except on Sundays
C. No, but the DPS and the premises licence holder remain responsible for the premises at all times
D. No, and responsibility for compliance passes to whichever member of staff is on duty at the time the sale is made

24. What is a premises licence?

A. A licence granted in respect of any premises which authorises the premises to be used for one or more licensable activities
B. A licence granted to an individual to sell alcohol anywhere
C. A certificate issued by the fire and rescue authority confirming that the premises meet fire safety standards for the number of people who may be admitted
D. A notice permitting a one-off event

25. Between which hours does the supply of hot food or hot drink to the public count as 'late night refreshment'?

A. 11.00 pm and 5.00 am
B. 10.00 pm and 6.00 am
C. Midnight and 7.00 am
D. 9.00 pm and 3.00 am

26. Under Schedule 1, a performance of live unamplified music is not regarded as regulated entertainment provided it takes place between which hours?

A. 9am and midnight
B. Noon and 10pm
C. There is no time restriction
D. 8am and 11pm on the same day

27. What is the maximum fine for a drunk or disorderly person who, without reasonable excuse, fails to leave licensed premises when requested to do so?

A. Level 3 on the standard scale
B. Level 5 on the standard scale
C. An unlimited fine
D. Level 1 on the standard scale

28. What is the maximum penalty on summary conviction for carrying on an unauthorised licensable activity under section 136?

A. A fine not exceeding level 3 on the standard scale
B. Imprisonment for a term not exceeding six months, or a fine, or both
C. A fine not exceeding £5,000
D. Imprisonment for up to two years

29. What is the maximum penalty for knowingly or recklessly making a false statement in connection with an application for a personal licence?

A. A fine not exceeding level 2 on the standard scale
B. A fine not exceeding level 5 on the standard scale
C. Three months' imprisonment
D. Automatic forfeiture of the licence

30. Under the mandatory conditions, when may alcohol be dispensed directly by one person into the mouth of another?

A. Never
B. Only before 9pm
C. Only if both people are over 21 and the alcohol is dispensed in a measure no larger than 25 ml
D. Only where the other person is unable to drink without assistance by reason of disability

31. Why does the section 182 guidance treat a capacity limit as a possible measure for preventing disorder?

A. Because overcrowded venues can increase the risk of crowds becoming frustrated and hostile
B. Because a smaller crowd always buys less alcohol and so drinks less over the evening
C. Because the fire and rescue authority requires a crime prevention capacity on every licence
D. Because capacity limits are one of the mandatory conditions in every premises licence

32. To which offences does the due diligence defence in section 139 apply?

A. All offences under the Licensing Act 2003, including the sale of alcohol to children and to persons who are drunk, as well as the failure to produce a licence when required
B. Carrying on an unauthorised licensable activity, exposing alcohol for unauthorised sale and keeping alcohol on premises for unauthorised sale
C. Only the sale of alcohol to children
D. Only the offence of knowingly allowing an unauthorised activity

33. What is the maximum fine for selling alcohol to a person under 18 under section 146?

A. Level 3 on the standard scale
B. £20,000
C. Level 5 on the standard scale
D. Level 1 on the standard scale

34. Which form of proof of age does the Home Office encourage licensed premises to accept as their preferred proof of age?

A. Cards bearing the Proof of Age Standards Scheme (PASS) hologram
B. A student union card
C. A birth certificate
D. A bank card

35. Under section 149, what offence does a person aged under 18 commit in relation to alcohol?

A. Entering licensed premises
B. Buying or attempting to buy alcohol
C. Being in the company of adults who are drinking
D. Working in a restaurant that serves alcohol

36. A closure notice under section 169A for persistently selling alcohol to children proposes a prohibition on alcohol sales. For how long may that prohibition run?

A. Exactly 24 hours
B. Up to three months
C. At least 48 hours but not more than 336 hours
D. Up to 7 days

37. Who may apply to the licensing authority for a review of a premises licence under section 51?

A. Only the chief officer of police
B. Only the licence holder
C. Only a magistrates' court
D. A responsible authority or any other person

38. Who may apply to a magistrates' court for an order closing premises in an area experiencing disorder under section 160?

A. Any constable
B. A police officer of the rank of superintendent or above
C. The licensing authority
D. Any local resident

39. What power does section 180 of the Licensing Act 2003 give a constable?

A. To revoke a premises licence on the spot where the constable is satisfied that continuing to trade would undermine the crime prevention objective, subject to review by the licensing authority
B. To arrest the DPS without cause
C. To enter and search any premises where they have reason to believe an offence under the Act has been, is being or is about to be committed
D. To confiscate the premises licence

40. What must the magistrates' court do if it makes a closure order under the Anti-social Behaviour, Crime and Policing Act 2014 in relation to premises with a premises licence, and what follows?

A. Revoke the premises licence itself
B. Notify the relevant licensing authority, which must then review the premises licence
C. Notify the Home Office only
D. Nothing further; the closure order is the end of the matter and the licensing authority may not review the licence for a further twelve months

Answers

1. B: Four
Section 4(2) sets out four objectives and the section 182 guidance stresses that there are no others. Every licensing decision must be tied back to at least one of them.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 1.4

2. D: At least ten but not more than fifteen
Each licensing authority must establish a licensing committee of between ten and fifteen of its members. Most licensing decisions are taken by sub-committees of that committee.
Licensing Act 2003 · s.6(1)

3. D: At least once every five years
Section 5 works in five-year periods. The authority must determine its policy and publish the statement before each period begins, and must keep it under review during the period.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 1.11

4. D: The local Community Safety Partnership
The guidance names the police as the main source of advice on crime and disorder and tells licensing authorities to involve the Community Safety Partnership, the multi-agency body that brings together the council, police, fire, health and probation services.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 2.1

5. A: A document in the prescribed form, accompanying the application, that includes the steps proposed to promote the licensing objectives
Section 17(4) defines the operating schedule. It states the licensable activities, the proposed hours, any limited period, details of the proposed DPS, whether alcohol is for consumption on or off the premises, and the steps proposed to promote the licensing objectives.
Licensing Act 2003 · s.17(4)

6. A: 0.5%
The Act defines alcohol as spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor, but excludes liquor of a strength not exceeding 0.5% at the time of the sale or supply.
Licensing Act 2003 · s.191(1)(a)

7. C: Not more than 14 units a week on a regular basis
Since January 2016 the guideline has been the same for men and women: to keep health risks low it is safest not to drink more than 14 units a week on a regular basis.
UK Chief Medical Officers' Low Risk Drinking Guidelines (Department of Health) · Weekly drinking guideline

8. C: 1.2 per cent ABV or below, with an indication of its maximum ABV on the label
'Low alcohol' tops out at 1.2 per cent ABV and the label should show the maximum strength. It is the only descriptor that does not require the alcohol to have been extracted.
Low alcohol descriptors guidance (Department of Health and Social Care) · The Descriptors, para 1.7

9. A: 18
Section 120(2)(a) makes being aged 18 or over the first condition for grant. An applicant under 18 must be refused.
Licensing Act 2003 · s.120(2)

10. D: Six months
The Policing and Crime Act 2017 gave licensing authorities a power matching that of the courts: suspend for up to six months or revoke. The holder must first be given notice and 28 days to make representations.
Licensing Act 2003 · s.132A(3)

11. B: Indefinitely, unless surrendered, suspended, revoked or forfeited
The original ten-year term and the renewal process were abolished by the Deregulation Act 2015 with effect from 1 April 2015. Licences now remain valid unless brought to an end.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 4.58

12. A: It must be disregarded
Section 114 removes spent convictions from the picture entirely for Part 6 purposes. Only unspent convictions are notified to the police.
Licensing Act 2003 · s.114

13. C: A fine not exceeding level 4 on the standard scale
Section 123(3) sets the penalty at level 4. This is higher than the level 2 penalties that apply to most of the other notification duties of a personal licence holder.
Licensing Act 2003 · s.123(3)

14. A: Grant the application
Section 120(6) leaves the authority no discretion: if no objection notice is given within the period, or one is given and withdrawn, the application must be granted.
Licensing Act 2003 · s.120(6)

15. B: Any constable or authorised officer of a licensing authority
Section 135 gives the power to any constable and to any officer of a licensing authority authorised for the purposes of the Act. An authorised officer must show evidence of authority if asked. Failure to produce without reasonable excuse is an offence with a level 2 fine.
Licensing Act 2003 · s.135(2)

16. A: 28 days
The holder gets 28 days from the day the notice was issued. If the authority then proposes not to revoke, it must invite the chief officer of police to make representations within 14 days.
Licensing Act 2003 · s.132A(6)

17. C: Fewer than 500
Section 100(5)(d) requires the notice to state a maximum number of persons that is less than 500, so the practical ceiling is 499 including staff. Exceeding it makes the event unauthorised.
Licensing Act 2003 · s.100(5)(d)

18. C: A performance of a play
Paragraph 2 of Schedule 1 lists plays, film exhibitions, indoor sporting events, boxing or wrestling, live music, recorded music, dance and similar entertainment, provided they are for an audience and meet the relevant conditions.
Licensing Act 2003, Schedule 1 — regulated entertainment · Sch 1 para 2(1)

19. C: 25 ml or 35 ml
The condition requires beer or cider in half pints, gin, rum, vodka or whisky in 25 ml or 35 ml, and still wine by the glass in 125 ml. Customers must be made aware of these measures.
The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 · Schedule para 4

20. A: For 14 days beginning on the day the new rate takes effect
Paragraph 4 of the Schedule gives businesses a 14-day grace period after a change in duty or VAT before the new permitted price must be applied.
The Licensing Act 2003 (Mandatory Conditions) Order 2014 · Schedule para 4(2)

21. B: The death, incapacity or insolvency of the licence holder
A premises licence normally lasts indefinitely, but it lapses if the holder dies, loses capacity, becomes insolvent, is dissolved or, if a club, ceases to be a recognised club. An interim authority notice or a transfer application can reinstate it.
Licensing Act 2003 · s.27(1)

22. A: Motorway service areas and premises used primarily as a garage
Section 176 bars alcohol sales at facilities on special roads such as motorway service areas and at premises used primarily as a garage, meaning for retailing petrol or derv, or selling or maintaining motor vehicles.
Licensing Act 2003 · s.176(2)

23. C: No, but the DPS and the premises licence holder remain responsible for the premises at all times
Neither the Act nor the guidance requires the DPS to be physically present for every sale. Responsibility for compliance with the Act and the licence conditions nonetheless stays with the DPS and the licence holder.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 10.28

24. A: A licence granted in respect of any premises which authorises the premises to be used for one or more licensable activities
The premises licence is the main authorisation under the Act. It attaches to the premises, lists the licensable activities permitted there and carries the conditions under which they may be carried on.
Licensing Act 2003 · s.11

25. A: 11.00 pm and 5.00 am
Schedule 2 defines late night refreshment as the supply of hot food or hot drink to the public between 11pm and 5am, for consumption on or off the premises, unless an exemption applies.
Licensing Act 2003, Schedule 2 — late night refreshment · Sch 2 para 1(1)

26. D: 8am and 11pm on the same day
The Live Music Act 2012 and later deregulation removed most daytime and evening music from the licensing regime. Unamplified live music is exempt between 8am and 11pm regardless of audience size, subject to conditions reinstated on review.
Licensing Act 2003, Schedule 1 — regulated entertainment · Sch 1 para 12C

27. D: Level 1 on the standard scale
Section 143(3) sets the lowest penalty in Part 7, level 1. The heavier penalties fall on those who serve drunk people or allow disorder.
Licensing Act 2003 · s.143(3)

28. B: Imprisonment for a term not exceeding six months, or a fine, or both
This is one of the most serious offences in the Act. The fine is unlimited in the magistrates' court since 2015, and the guidance describes it as an unlimited fine.
Licensing Act 2003 · s.136(4)

29. B: A fine not exceeding level 5 on the standard scale
Section 158 covers false statements in any application or notice under the Act, including personal licence applications. Producing or signing a document containing a false statement counts as making it.
Licensing Act 2003 · s.158(3)

30. D: Only where the other person is unable to drink without assistance by reason of disability
The 'dentist's chair' style of promotion is banned. The single exception is assistance for a customer who cannot drink unaided because of a disability.
The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 · Schedule para 1(2)(e)

31. A: Because overcrowded venues can increase the risk of crowds becoming frustrated and hostile
The link the guidance draws is between overcrowding and temper, not between capacity and consumption. A capacity condition is only appropriate where no capacity is already imposed by other legislation.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 2.17

32. B: Carrying on an unauthorised licensable activity, exposing alcohol for unauthorised sale and keeping alcohol on premises for unauthorised sale
Section 139(2) confines the defence to sections 136(1)(a), 137 and 138. The 'knowingly allows' limb in section 136(1)(b) has its own mental element and is not covered. Underage sales have their own separate defences in section 146.
Licensing Act 2003 · s.139(2)

33. C: Level 5 on the standard scale
Section 146(7) sets a level 5 fine. Since 2015, level 5 in the magistrates' court means an unlimited fine. Allowing the sale (section 147) carries the same maximum.
Licensing Act 2003 · s.146(7)

34. A: Cards bearing the Proof of Age Standards Scheme (PASS) hologram
PASS cards carry a hologram and meet the mandatory condition. Passports and photocard driving licences also qualify. Documents without a photograph and security feature, such as birth certificates, do not.
Revised guidance issued under section 182 of the Licensing Act 2003 (Home Office) · para 10.46

35. B: Buying or attempting to buy alcohol
Section 149(1) makes it an offence for an under-18 to buy or attempt to buy alcohol, punishable by a level 3 fine. There is an exception for test purchases made at the request of a constable or weights and measures inspector.
Licensing Act 2003 · s.149(1)

36. C: At least 48 hours but not more than 336 hours
The closure notice offers the licence holder a way to discharge criminal liability by accepting a ban on alcohol sales of between 48 hours and 336 hours (14 days). It may be given by a police superintendent or a weights and measures inspector within three months of the last sale.
Licensing Act 2003 · s.169A(4)

37. D: A responsible authority or any other person
Since 2012 any person, including a local resident or business, may seek a review, provided the grounds are relevant to a licensing objective and, for non-responsible authorities, not frivolous, vexatious or repetitious.
Licensing Act 2003 · s.51(1)

38. B: A police officer of the rank of superintendent or above
Area closures are a significant interference with lawful businesses, so the Act reserves the application to senior police officers and requires the court to be satisfied the order is necessary to prevent disorder.
Licensing Act 2003 · s.160(2)

39. C: To enter and search any premises where they have reason to believe an offence under the Act has been, is being or is about to be committed
Section 180 is broader than section 179: it allows entry and search in connection with any offence under the Act, and reasonable force may be used if necessary.
Licensing Act 2003 · s.180(1)

40. B: Notify the relevant licensing authority, which must then review the premises licence
Section 80(9) of the 2014 Act requires the court to notify the licensing authority, and section 167 of the Licensing Act then obliges the authority to review the licence, with a hearing within ten working days and a determination within 28 days.
Anti-social Behaviour, Crime and Policing Act 2014, Part 4 Chapter 3 — closure of premises · s.80(9)

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