

**Manchester City Council
Report for Resolution**

Report to: Licensing Committee – 4 March 2024

Subject: Government consultation on age verification and remote sales in connection with alcohol

Report of: Director of Planning, Building Control & Licensing

Summary

This report is to advise the Committee of the UK government’s consultation on whether to allow digital identities and technology to play a role in age verification for alcohol sales and whether for sales of alcohol that do not take place face to face, age verification should take place at the point of delivery as well as sale. The consultation also considers whether the Licensing Act 2003 adequately covers transactions that do not take place face-to-face (remote sales).

Recommendations

The Committee is recommended to:

- review the consultation proposals and provide officers with any views they would like reflecting in a formal response.
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Wards Affected: All

Environmental Impact Assessment -the impact of the issues addressed in this report on achieving the zero-carbon target for the city	The increased use of digital identification would reduce the need for paper-based or plastic identification documents.
Equality, Diversity and Inclusion - the impact of the issues addressed in this report in meeting our Public Sector Equality Duty and broader equality commitments	<i>The proposals may impact on the Age characteristic given the subject is age verification.</i>
Manchester Strategy outcomes	Summary of how this report aligns to the Our Manchester Strategy/Contribution to the Strategy

A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	The proposals have the potential to improve accessibility and availability to age-restricted services requiring identity verification.
A highly skilled city: world class and home-grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	
A liveable and low carbon city: a destination of choice to live, visit, work	The proposals will impact on the controls associated with restricting underage access to alcohol.
A connected city: world class infrastructure and connectivity to drive growth	The report considers the increasing use of digital identities as well as age estimation technology.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

None

Financial Consequences – Capital

None

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

- [Licensing Act 2003](#)
- [Revised Guidance issued under section 182 of the Licensing Act 2003, December 2023](#)

1.0 Introduction

- 1.1 The government is consulting on whether to allow digital identities and technology to play a role in age verification for alcohol sales, as well as whether to amend legislation to specify that for sales of alcohol that do not take place face to face, age verification should take place at the point of delivery as well as at the point of sale.
- 1.2 The consultation is open for eight weeks, from 04/02/2024 until 30/03/2024 and is aimed at the hospitality sector, local licensing authorities, the police, licensed premises, members of the public, technology companies which operate in this area, and other interested parties in England and Wales where these proposals would apply.

2.0 Background

- 2.1 The Licensing Act 2003 covers the retail sale and supply of alcohol. One of the licensing objectives that the Act seeks to uphold is the protection of children from harm, meaning that alcohol must not be sold to someone under 18. Currently, if anyone appears to be under 18, they need to produce identification which bears their photograph, date of birth and either a holographic mark or ultraviolet feature.
- 2.2 In practice this means that currently only physical identity documents are permitted, but as the use of digital identities is becoming more widespread there is an increasing disparity between what existing licensing legislation allows and the forms of identity that people wish to use.
- 2.3 Also, the Act currently only sets out a requirement to verify age at the point of sale or appropriation to a contract, not at the point of delivery. However, the way in which people purchase alcohol has changed, with sales increasingly being made online, as well as in many other settings which do not initially involve face-to-face contact - for example supermarket self-checkout tills and self-scanners, and table service at restaurants.

3.0 Main issues

- 3.1 Technology, including age estimation technology, exists that could help to establish if an individual is of an age that allows them to legally purchase particular products. However, the current wording of the Act does not allow age assurance technology to play a part in the age verification process for alcohol sales. A person must make the decision whether an individual is old enough to purchase alcohol, using physical identification.
- 3.2 The government proposes that a framework of standards and governance will be created to enable the use of digital identity solutions, underpinned by legislation, to allow people to choose to prove their identity digitally as an alternative to using physical documents. Digital identities will not be compulsory but should be inclusive and accessible for all those who choose to use them.

3.3 The government has proposed six options. Options 1 to 3 relate to Digital Identities & Technology and options 4 to 6 relate to remote sales. Options 1 to 3 are to be considered separately from options 4 to 6.

3.4 Digital Identities & Technology

3.4.1 **Option 1** - Do nothing: only traditional identity documents which contain a holographic image or ultraviolet feature are acceptable for age verification for alcohol sales.

3.4.2 **Option 2** - Alongside traditional identity documents, also allow digital identities to be used for age verification for alcohol sales, and / or;

3.4.3 **Option 3** - Alongside traditional identity documents, also allow age estimation and other technology to be used for age verification for alcohol sales.

3.5 Remote Sales

3.5.1 **Option 4** - Do nothing. Age verification checks, checks to establish that an individual is not already intoxicated, and checks that a sale is not a proxy sale must take place at the point of sale/appropriation to a contract.

3.5.2 **Option 5** - Amend the Licensing Act so that age verification checks, checks to establish that an individual is not already intoxicated, and checks that a sale is not a proxy sale must take place at the point of sale/appropriation to a contract and also at the point of delivery/service, or;

3.5.3 **Option 6** - Amend the Section 182 guidance which accompanies the Licensing Act to advise that age verification checks, checks to establish that an individual is not already intoxicated and checks that a sale is not a proxy sale must take place at the point of sale/appropriation to a contract and should additionally take place at the point of the point of delivery/service.

4.0 Recommendations

4.1 The Committee is recommended to:

- review the consultation proposals and provide officers with any views they would like reflecting in a formal response

5.0 Appendices

5.1 The consultation document is attached as **Appendix 1**.