

# **Producing an Operating Schedule for a Premises Licence**

**Licensing Act 2003**

***- A Guide for Applicants***

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## **Introduction**

This guide has been produced by the Licensing Authorities of Leicestershire in conjunction with the responsible authorities who may make representations about applications for premises licences. Those authorities are:

- The Leicestershire Constabulary
- The Leicestershire Fire and Rescue Service
- The Pollution Control Technical Sub-Committee of the Chartered Institute of Environmental Health, who represent Environmental Health officers with responsibility for pollution control
- The Health and Safety Technical Sub-Committee of the Chartered Institute of Environmental Health, who represent Environmental Health officers with responsibility for enforcement of the Health and Safety at Work Act.
- The Leicester and Leicestershire Area Child Protection Committees.

This guide will enable applicants to be aware of the likely requirements of the responsible authorities in respect of applications for premise licences, so that these can be considered by applicants when producing their operating schedules.

Where operating schedules meet the requirements of a responsible authority, then it is unlikely that the authority will make a representation about the application and so the need for a hearing will be avoided. Applicants are also strongly recommended to discuss their operating schedules with the responsible authorities prior to submitting them. The contact details of the responsible authorities are given later in this booklet.

## **Status of the Guidance**

Licensing Authorities are required by the Licensing Act 2003 to publish a statement of their licensing policy every three years. This guidance does not form any part of that policy and is separate from it.

Where representations are made about applications for premises licences and a hearing is held, the Licensing Authority will not simply follow the requirements of this guide, but will consider each case on its merits, taking into account the evidence presented to it at the hearing.

The main purpose of this guide is to enable applicants to be aware of the likely requirements of the responsible authorities. These can be clarified by consultation on individual applications. With this knowledge, applicants will be able to decide whether it is possible for them to meet the requirements of the responsible authorities and so avoid a hearing.

The requirements of this guide will be kept under constant review and may be updated from time to time. It is therefore important for applicants to ensure that they

have the most up to date version of the guide at the time they make their application. The latest version can be downloaded from the Licensing page of [www.blaby.gov.uk](http://www.blaby.gov.uk).

## **The Role of Operating Schedules in Premises Applications**

The Licensing Act 2003 requires that all applications for a premises licence are accompanied by an operating schedule. The operating schedule must be on the official form and give details of:

- the licensable activities that authorisation is being applied for and the times during which the licensable activities will take place
- any other times during which the premises will be open to the public
- if the application is for a limited period
- whether alcohol will be supplied for consumption on or off the premises
- if alcohol will be supplied on the premises information about the designated premises supervisor,
- the steps which will be made to promote the licensing objectives of:
  - the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- as well as other matters that the government may specify.

The operating schedule will allow the responsible authorities to evaluate the application and to decide whether they should make a representation about it or not. It is in the interests of the applicant, the responsible authorities and the licensing authority to avoid unnecessary hearings. This can be achieved if the applicant meets the requirements of the responsible authorities, which can be determined from this guide and in consultation with them.

If there are no representations made about an application, the licensing authority will grant the licence and attach to it only conditions relating to the operating schedule and any mandatory conditions required by the Act. For example, if the operating schedule were to state that windows of the premises would be kept closed when live music was being played, this could be made a condition of the licence. However, unless there was a representation from a responsible authority, a condition could not be made that the windows should be double-glazed.

If a representation were to be made by a responsible authority, a hearing would be held to consider the representation. After the licensing authority had listened to both the applicant and the responsible authority that made the representation, the licensing authority would decide whether to grant the licence or not and what if any conditions it should apply.

# Steps Required to Promote the Licensing Objectives

## Leicestershire Constabulary

Each application will be judged on its merits but the following guide may be helpful to applicants.

### Requirements

Premise Type	Possible Conditions
Town Centre	<ul style="list-style-type: none"><li>• CCTV to be installed following advice from a Leicestershire Constabulary Crime Reduction Officer and maintained in accordance with the Information Commissioners' CCTV Code of Practice (<i>Guide to Best Practice Appendix 1.</i>)</li><li>• Adoption of police drugs policy. (<i>Guide to Best Practice Appendix 2.</i>)</li><li>• Door Supervisors.</li></ul>
Late Night Takeaways	<ul style="list-style-type: none"><li>• CCTV to be installed and maintained under the supervision of the police crime prevention officer.</li></ul>
Trading after Midnight	<ul style="list-style-type: none"><li>• Adoption of the police searching policy and conditions of entry. (<i>Guide to Best Practice Appendix 3.</i>)</li><li>• Adoption of police risk assessment policy in relation to events. This details the nature of the event and seeks to highlight any risks so as to promote public safety.</li><li>• Door Supervisors.</li></ul>

Applicants may also wish to consider other conditions, which will promote the prevention of crime and disorder. Examples are given in Annex D to the Guidance under Section 182 of the Act.

These include:

- Bottle Bans
- Plastic Containers and Toughened Glass
- Open containers not to be taken from premises
- Restrictions on Drinking Areas
- Capacity limits
- Proof of Age Cards
- Crime Prevention Notices
- Drinks Promotions
- Signage
- High Volume Vertical Drinking Premises
- Drugs

### **Saturation Policies.**

Details of areas, which have been designated as saturated with licensed premises, may be obtained from the Local Authority Licensing Section.

As a rule, applicants should expect the Leicestershire Constabulary to object to a new application in any area that has been declared saturated with licensed premises.

### **Address for Correspondence**

Any notice to the police, in Leicester, Leicestershire and Rutland, required under the legislation should be served on;

The Chief Officer of Police,  
The Licensing Section,  
Mansfield House,  
74 Belgrave Gate,  
Leicester LE1 3GG.

Telephone: 0116 248 4331 (City) or 4332 (County).  
Fax: 0116 248 4337.  
E-mail: [Licensing.team@leicestershire.pnn.police.uk](mailto:Licensing.team@leicestershire.pnn.police.uk)

Because of the tight time constraints imposed by the Act the use of e-mail, when available, is recommended by the Constabulary.

Faxed notices are acceptable as are those sent by traditional mail.

## **Contact for Advice**

Sean Moore Ps567  
The Licensing Section,  
Mansfield House,  
74 Belgrave Gate,  
Leicester LE1 3GG.

Telephone: 0116 248 4331 (City) or 4332 (County).  
Fax: 0116 248 4337.  
E-mail: [Licensing.team@leicestershire.pnn.police.uk](mailto:Licensing.team@leicestershire.pnn.police.uk)

## **Leicestershire Fire and Rescue Service**

### **Requirements**

A fire risk assessment of the workplace must be carried out which must consider the adequacy of the means of escape, fire safety signs and notices, emergency lighting, fire warning systems, fire-fighting equipment and training.

The significant outcomes of this risk assessment, including occupancy figures, designated escape routes, evacuation procedures etc., should be included in the operating schedule accompanying the application to facilitate an evaluation as to their suitability.

Guidance can be found in a booklet called "Fire Safety An Employer's Guide" published by H.M. Stationery Office ref: ISBN 0-11-341229-0 and "Guide to Fire Precautions in Existing Places of Entertainment and Like Premises" published by H.M. Stationery Office ref: ISBN 0-11-340907-9.

### **Address for Correspondence**

The Chief Fire Officer  
Risk Management  
Southern Fire Station  
Meridian Business Park  
Meridian East  
Leicester  
LE19 1WZ

Telephone: 0116 2292125  
Fax: 0116 2292120  
E-mail: [licensing@lfrs.org](mailto:licensing@lfrs.org)

Because of the tight time constraints imposed by the Act the use of e-mail, when available, is recommended by the Fire & Rescue Service.

Faxed notices are acceptable as are those sent by traditional mail.

### **Contact for Advice**

Risk Information Advisory Team  
Southern Fire Station  
Meridian Business Park  
Meridian East  
Leicester  
LE19 1WZ

Telephone: 0116 2292125  
Fax: 0116 2292120  
E-mail: [licensing@lfrs.org](mailto:licensing@lfrs.org)

## **The Pollution Control Technical Sub-Committee**

### **Requirements**

All licensed premises that have the potential to generate noise from within the premises or from their customers in the immediate vicinity of the premises **must** take steps to prevent public nuisance. These steps should be determined by carrying out a noise impact assessment from which a strategy for noise management can be developed. This must be included in your Operating Schedule

#### **Step 1 Carrying out a Noise Impact Assessment**

- Part 1 List the sources of noise likely to be generated by the premises.  
Examples are:  
Amplified music (pre recorded or live)  
Amplified voices (karaoke, DJ or announcements)  
Noise from patrons using the premises (pub gardens, play areas)  
Plant noise (refrigeration units, air conditioning units, etc)  
Noise from patrons leaving the premises
  
- Part 2 Determine how, and from where, each of these noises could be emitted from the premises. For all internal noises determine the doors, windows and ventilation openings through which it can escape. For external noises, the areas of the premises where they will be created.
  
- Part 3 Establish the nature of the surrounding community and where the nearest persons who will be affected by noise from the premises live.
  
- Part 4 Establish the whereabouts of other local premises that may encourage street activity, in particular fast food outlets, for these may encourage customers leaving a licensed premise to remain in the area longer than would otherwise be the case.

- Part 5 Is it likely that most customers leaving the pub at closing time will pass through a residential area? How many other local licensed premises are there which will also contribute to this?

Use this information to establish what local properties are at greatest risk of being affected by noise from your premises. Where there are no local residential properties likely to be affected there is no need to develop a Noise Management Strategy, but the reasons for this decision this **must** be justified in the operating schedule.

### Step 2 Developing a Noise Management Strategy

This is about finding solutions to the potential problems you have identified from step 1. Management measures to protect immediate neighbours will differ from those protecting residents living several tens of metres away. The method to control noise is a matter for the licensee. *The goal should be for noise from the premises to not exceed the background noise at the boundary of the nearest residential property.*

The following steps should be considered as part of developing a Noise Management Strategy. What you are going to do must be specifically stated in your Operational Statement. Some suggestions are:

#### Amplified music and Voices

As a matter of principle the noise from the licensed premises should not result in an increase in the background noise:

- If the volume of music needs to be controlled, a noise-limiting device must be used. Once set this should be inaccessible to the licensee or his staff. Access to the device should only be available to an appropriate “noise engineer”.
- “Zoning” within a licensed premise may be appropriate, where noisy areas, such as dance floors, are away from walls, windows or doors where noise breakout may otherwise occur.
- Where there is any residential building close to the premise all windows should be closed after a specified time, particularly for “concertina” style windows that allow a large opening in an external wall. The premise management or owner must ensure that ventilation and air conditioning is adequate to discourage customers from opening windows or doors in warm weather.
- There should be no outside speakers other than for special events.
- Sound trap lobbies or automatic door closers may be installed to prevent noise escaping through external doors.
- Emergency exits should be fitted with acoustic doors to prevent noise breaking through.
- Windows in noisy rooms should be double glazed or acoustically sealed.
- Openings in the wall for ventilation should be acoustically protected. Better still, ventilation openings can be sealed if air conditioning is installed.

- The type of, position and orientation of loud speakers should be such as to focus music where it is wanted and avoid it escaping to where it is not wanted.
- The bass content of the music should be controlled.

Setting a measurable noise level at a relevant monitoring location can be considered although this tends to be expensive and time consuming. It is generally considered better to identify and implement practical steps, such as those mentioned above rather than going to the extent of employing noise consultants to measure noise levels and who may simply end up making these suggestions anyway.

However in some situations setting acceptable noise levels is appropriate. It is possible to set a Noise Standard to be achieved at the nearest sensitive premises. From this it will be possible to identify an internal Noise Equivalent which meets this Noise Standard. This allows easier assessment of compliance with the Noise Standard by the licensee. Noise Standards and Noise Equivalents should be expressed as equivalent continuous A weighted sound pressure levels over a given reference time interval –  $L_{(A)eqT}$ . This measurement is commonly used and will be familiar to an acoustic consultant.

The Noise Standard adopted will also need to take account of low frequency (bass) noise particularly in the octave bands of 63 and 125Hz. Noise Standards and Noise Equivalents for low frequency noise should be expressed as equivalent continuous unweighted sound pressure levels over a given reference time interval –  $L_{eqT}$

Different Noise Standards and Noise Equivalents may be appropriate for different times; for example after 11.00 pm the levels may need to be less.

#### Noise from Patrons Using the Premises

- Noise from gardens (or other outdoor areas) of licensed premises is a common, if seasonal, problem in residential areas. Music should not be audible from a garden in such circumstances. Even if music is inaudible outside the garden boundary, music audible within the boundary will cause higher noise levels from customers talking over the music.
- Rowdy behaviour of patrons in beer gardens and outdoor areas should be controlled by premises managers.
- The use of any garden located near to noise sensitive premises should be limited to daytime and early evening, with access prevented after a specified time (perhaps 9.30 pm. or 10.00 pm) where practical.
- Children's play equipment must be located away from boundaries shared with noise sensitive premises, with hours limited as for gardens and other outdoor areas.
- As a general rule fireworks should not be used.

#### Noise from Patrons leaving the premises

- restrict times of use of the car park (by locking an entrance gate at a specified time)

- zone larger car parks so that areas adjacent to residential premises are not used after a specified time. Areas adjacent to residential premises may be restricted to use by staff, who are more likely to leave quietly.
- Appropriate lighting of car parks will discourage noisy behaviour, as well as improving security.
- Notices or announcements requesting that patrons are respectful of local residents as they leave should be used.
- CCTV can monitor activity in the immediate vicinity of licensed premises and can be used to discourage “rowdy” street activity

#### Noise From Plant & other possible noise sources

- Use acoustic screens or acoustic enclosures to prevent the spread of noise from equipment.
- Properly maintain external plant to prevent mechanical deterioration which often leads to more noise.
- When commissioning new equipment, look for quieter models.
- Deliveries and collections, particularly bottle and waste collections, should be carried out at reasonable hours of the day.

#### **Contact Details**

Blaby District Council  
 Environmental Health Services Division  
 Desford Road  
 Narborough  
 Leicestershire  
 LE19 2EP

Telephone: 0116 272 7555

## **The Health and Safety Technical Sub-Committee**

#### **Requirements**

Officers with responsibility for the enforcement of the Health and Safety at Work Act will assess operating schedules to determine whether adequate steps have been identified for the promotion of **public safety**.

The majority of premises that require a premises licence are subject to the requirements of the Health and Safety at Work etc., Act 1974 and associated legislation. Compliance with this legislation requires that adequate steps be taken to protect the public. It is therefore highly likely that a number of measures to promote public safety have already been identified. Completing the operating schedule will require these to be reviewed and those that are relevant, together with any new measures identified, to be included in the operating schedule.

## **Risk Assessment**

The most appropriate mechanism for reviewing the public protection measures that are in place at the premises is by means of a risk assessment. A risk assessment is an examination of what in your line of work could cause harm to people, whether it be employees or members of the public, so that you can weigh up whether you have taken enough precautions, or should do more to prevent harm.

### **This sounds very complicated, I am not sure where to start?**

Lets make it simple, what are the key elements/traditions of your business?

- Difficult customers.
- Crowds – safe entry and exits needed/overcrowding.
- People drinking.
- Staff working alone in some areas.
- Staff working alone at night.
- Carrying of glasses. }
- Collecting glasses } Manual handling activities.
- Fetching beers/bottles}
- Electrical equipment/ Electrical safety.
- Fire safety issues.
- Potential violent, threatening situations.
- Use of beer line cleaning fluid and other chemicals.
- Smoking/non-smoking areas.

These are just an example of areas you need to consider.

People being able to enter and exit the building will link into the findings of your workplace fire risk assessment. Please refer to the fire authorities guidance.

### **Who do I have to consider when I carry out the risk assessment?**

A key point of your operating schedule is about promoting public safety. Health and Safety law also says you need to consider all persons other than your employees.

This includes:

- The public.
- Contractors, such as entertainers.
- Visitors, like your local Fire Officer, Licensing Officer, etc.

### **How do I prioritise all these? What's more important?**

These are all important issues, however national accident statistics have shown that slips, trips and falls, musculoskeletal disorders, falls from height, workplace transport, stress in the workplace, are the biggest cause of lost days at work.

This has a direct effect on business, so it's worth looking at these issues first.

N.B. Not all of them will apply to your business, for example you may not have a risk of someone falling from a height.

It is suggested that you consider the risks of a slip, trip or fall.

A key factor to consider with slips, trips is not the condition of your floors when dry, but what it is like when wet, e.g. from drink spillages and with low lighting levels?

### **What about training?**

You should have formal health and safety training for anyone in charge, or who has direct responsibility for health and safety.

You should also provide basic health and safety training and any specific job training to employees; for example, you must provide employees with details of your health and safety policy and significant findings of your risk assessment.

You should also provide basic health and safety training and any specific job training to employees; for example, you must provide employees with details of your health and safety policy and significant findings of your risk assessment. Appropriate employees should be trained to deal with emergency procedures such as evacuation.

Records should be kept of all health and safety training given to employees.

### **What about first aid, do I have to have a First Aider?**

Although the First Aid Regulations only apply to first aid provision for employees, because the very nature of your business is members of the public, i.e. customers, it is likely that someone may have an accident on your premises, whether through a fault of yours or not.

Therefore you should, at the very least, have an appointed person. This person is able to take charge if an accident happens, i.e. call an ambulance.

You should ensure that it is clear to employees and customers who this person is. This can be done by putting up a poster in the staff and public areas.

### **Do I have to provide drinking water free of charge?**

Yes you do. You must ensure that the tap you use for drinking water is from a potable supply. This is usually from the mains water supply or you may wish to provide a separate bottled supply.

## **Who else needs to know about all these health and safety matters?**

You need to consult your employees by law, it will also help whilst undertaking risk assessments. Who better to help you do the risk assessment on a certain job, than the person who actually does the job?

## **I am still not really sure about how to go about this?**

By law, you need to ensure that someone within your organisation has expertise and competency in health and safety. You can do this by employing a consultant. However, you still need to be involved. The consultant will not be there most of the time, like you and your employees are.

## **Completion of the Operating Schedule**

The risk assessment will identify measures that will need to be in place to promote public safety. These should be identified within the operating schedule.

## **Other Record Keeping Requirements**

A starting point is to ensure the premises is registered with the enforcing authority using the prescribed form (OSR1 form), which is available from your local authority, i.e. whoever you pay your business rates/community charge to. Contact your local authority for a form. Remember it is FREE to register.

If you employ more than 5 people, this includes people that work part-time, then you need to keep records of the following:

- Health and Safety policy statement and arrangements.
- Revisits of significant findings of your risk assessment.
- Training records.

If you employ less than 5 people, you still have to have procedures for evacuations, training, accident reporting etc and it is always advisable to have these written down to show your commitment to health and safety.

## **Further Information and Advice**

Environmental Health Officers from the Health and Safety Enforcement Team at your local council will have a series of leaflets that will assist you in carrying out the risk assessment and complying with health and safety legislation. They may also be able to give you specific advice and may provide health and safety training. Contact details for your local authority are provided at the end of this booklet.

ROSPA (Royal Society for the Prevention of Accidents) also offer a number of courses. They can be contacted on: 01235 768 479.

Brewing Publications Ltd. (formerly the Brewers Society), Market Towers,

1 Nine Elms Lane, London SW8 5NQ <http://www.beerandpub.com/brewpubl.html>  
are also a useful information source.

Approved codes of practice are available from HSE Books, tel: 01787 881165. These codes provide guidance on how to comply with the law. They have special legal status, in that if you can show that you have followed the advice in the code of practice, this is normally enough to comply with the law. However, if it is proved that you did not follow the advice in the code of practice, you will need to show that you have complied with the law in some other way, or a Court will find you at fault.

HSE home page on the World Wide Web: <http://www.hse.gov.uk>

### **Contact Details**

Blaby District Council  
Environmental Health Services Division  
Desford Road  
Narborough  
Leicestershire  
LE19 2EP

Telephone: 0116 272 7555

## **The Leicester and Leicestershire Area Child Protection Committees.**

### **Requirements**

Protecting children from harm is one of the fundamental licensing objectives. As such, the ACPC will endeavour to ensure that issues relating to the protection of children are fully taken into consideration by all parties involved in the licensing system. The ACPC will not normally propose conditions requiring or prohibiting the admission of children to any premises believing this should remain a matter of discretion of the licence holder, and has taken account of the view of the Government that the use of licensed premises by children should be encouraged. However, it will where necessary impose conditions designed to protect children. 'Children' in this context means anyone under the age of 18.

Applicants for licences will be expected to carry out a risk assessment and to put forward appropriate measures in their operating schedule.

The following types of licensable activity are likely to give rise to particular concern for the protection of children and will suggest that the introduction of additional controls are likely to be necessary:

- Where entertainment or services of an adult or sexual nature are commonly provided;

- Where the premises have a reputation for underage drinking;
- Where current or intended staff at the premises have convictions for serving alcohol to minors or for other matters relating to children;
- Where the premises have a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises (but not simply a small number of cash prize gambling machines);
- Where the premises are situated in the immediate vicinity of a school or college;
- Where the premises or the immediate vicinity of the premises is known to be a focal point for children and young people under 18 to congregate;
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises;
- Events aimed specifically at children, where children are likely to be unaccompanied.

The range of options available aimed at the protection of children from harm at licensed premises that may be considered include:

- Limitations on the hours where children may be present;
- Age limitations (below 18);
- Mandatory "proof of age" scheme;
- Limitations or exclusions when certain activities are taking place;
- Requirements for an accompanying adult;
- In exceptional cases, exclusion of people under 18 from the premises when any licensable activities are taking place;
- Making adequate arrangements for the supervision of unaccompanied children at events.

## **Children and Pubs**

Alcohol should only be sold or supplied to adults and, in cases of doubt, appropriate proof of age should be sought. Applicants should have regard to the Proof of Age Standards Scheme (PASS) launched in January 2003 by the British Retail Association. Examples of cards can be obtained from the following websites:

<http://www.portman-group.org.uk/>

<http://www.validateuk.co.uk/>

<http://www.connexionscard.com/>

It is an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for the supply of alcohol for consumption on those premises. It is also an offence to permit the presence between midnight and 5 a.m. of children under 16 who are not accompanied by an adult at any premises supplying alcohol for consumption on the premises.

### **Promotion of Alcoholic Drinks**

Licensees are commended to follow the Portman Group's code of Practice on the Naming, Packaging and Promotion of alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. The Code is published on the Portman Group's website [www.portman-group.org.uk](http://www.portman-group.org.uk).

### **Children and Cinemas**

Licensees will be expected to prevent children from viewing films that are unsuitable because of the age classification of the film that has been imposed by the British Board of Film Classification or other film classification board approved by the licensing authority. Children will not be permitted to view uncertified films.

### **Children and Public Entertainment**

The licensing authority will expect that where a significant number of unaccompanied children will be present during a public entertainment event, the licensee should have a Child Protection Policy in place to carry out suitable checks on staff before they take up employment. In addition, they will ensure that an adequate number of adult staff are present to control the access, egress and safety in and around the premises.

The number of staff required should be assessed by the licensee, taking into account the number of children to be present, the type of entertainment, the characteristics of the premises and any other relevant factor. Any premises that have Internet access facilities must have adequate control settings put in place so that web sites that are not suitable for use by children are permanently blocked.

### **Contact Details**

The Chief Officer of Police,  
The Licensing Section,  
Mansfield House,  
74 Belgrave Gate,  
Leicester LE1 3GG.

Telephone: 0116 248 4331 (City) or 4332 (County).  
Fax: 0116 248 4337.  
E-mail: [Licensing.team@leicestershire.pnn.police.uk](mailto:Licensing.team@leicestershire.pnn.police.uk)

## **Leicestershire County Council Trading Standards Service**

Leicestershire County Council Trading Standards Service have regulatory responsibility for a broad range of activities that take place in licensed premises. These are:

- \* proper display of accurate prices for food, soft and alcoholic drinks
- \* accuracy of optics and other measuring equipment
- \* authenticity of drinks
- \* proper description and composition of food
- \* proper sale of products which are age-restricted, for instance, tobacco, lighter fuels, videos, dvds, and software.

In the case of alcohol, Leicestershire County Council Trading Standards Service have complementary powers and works with the Leicestershire Constabulary.

### **Requirements**

Protecting children from harm is one of the fundamental licensing objectives. Regulatory responsibilities related to supply of age-restricted products fall within this licensing objective and may give rise to representations.

Applicants for licences will be expected to have included the broad range of age-restricted products in their risk assessment and to put forward appropriate measures in their operating schedule.

The following should be considered:

- \* staff training on dealing with under-age persons and the adoption of work instructions incorporating use of proof of age cards and other ID.
- \* the location of vending machines selling cigarettes to ensure use can be supervised;
- \* measures to prevent the sale of videos, cds, dvds and software to children where entertainment or services of an adult or sexual nature are commonly provided.

### **Contact Details**

Leicestershire County Council  
Regulatory Services  
Trading Standards Service  
Business Services  
County Hall  
Glenfield  
Leicestershire  
LE3 8RN

Tel: 0116 2657979  
Fax: 0116 2657353  
Email: [trading-standards@leics.gov.uk](mailto:trading-standards@leics.gov.uk)

## **The Local Planning Authority**

The planning process operates as a separate regime to the Licensing Act 2003. However, the Local Planning Authority is a responsible authority under the Act, and may make representations if applications are made for licensable activities that would breach the planning consent for a premises. This is particularly relevant to hours of use restrictions on planning consents.

### **Requirements**

Applicants should ensure that licence applications conform to the planning consent for the premises.

### **Contact details**

Blaby District Council  
Planning Division  
Desford Road  
Narborough  
Leicestershire  
LE19 2EP

Tel: 0116 272 7686 or 0116 272 7645

Fax: 0116 272 7593

Email: [planning@blaby.gov.uk](mailto:planning@blaby.gov.uk)

# **Leicestershire Constabulary**

## **CCTV and Licensed Premises**

### **A guide to best practice**

1. CCTV does play an import part in reducing crime and disorder offences, which may take place on licensed premises.
2. The system should be operated (and may need to be registered) under the provisions of the Data Protection Act 1998.
3. All systems should be installed in consultation with the local Crime Reduction Officer. Contact can be made via the Police Licensing Department.

Basic advice for CCTV systems include:

- Real time coverage both inside and outside of entrances and exits.
- Recorded tapes/ images will only be retained long enough for an incident to come to light. ( 31 days is recommended )
- Where the nature of recording is by tape or other removable media a robust system for the removal and secure storage should be in place.
- The operating equipment is regularly checked to ensure that it is working properly (providing images that are sufficiently clear, date and time stamped). Tapes should be renewed on a regular basis to ensure image quality.
- Any outside cameras cover to the centre of any roadway where justifiable for the prevention and detection of crime or for protecting the safety of customers.
- Signs show that CCTV is in operation on the premises.

It is important that Designated Premises Supervisors are aware of their system and their responsibilities as CCTV may form part of the conditions of their licence.

Licensees should ensure that CCTV is part of their operating schedule to ensure that customers are safe from becoming victims of crime and assist in investigations of crime.

## **Leicestershire Constabulary**

### **Drugs and Licensed Premises**

#### **A GUIDE TO BEST PRACTICE**

1. Licensed premises can attract a level of misuse of controlled substances (drugs). In order to reduce these occurrences the Designated Premises Supervisors and his/her staff should work together to establish a robust policy in relation to the way they deal with customers involved in using/ dealing drugs, with the aim of preventing such abuse on licensed premises.
2. The Designated Premises Supervisors should provide staff with a basic level of training in that policy.
3. The Designated Premises Supervisors should overtly display the policy of the premises for all customers to read.
4. The Designated Premises Supervisors should use a positive policy of searching as a condition of entry to reduce the flow of controlled drugs into the premises. This should be conducted with the proper consent being sought and signage clearly displayed.
5. There should be a policy of banning or excluding persons suspected of being in possession or concerned in the distribution of controlled drugs. All staff at the premises should then enforce this policy.

6. The Designated Premises Supervisors should establish a policy of recording all finds of controlled drugs and make all members of staff aware of that procedure.
7. The Designated Premises Supervisors should establish a policy on how the drugs are stored and passed to the police.
8. The Designated Premises Supervisors should cause staff to supervise areas of the premises, which may attract drugs use and dealing e.g. low light areas, toilets etc. Also staff should monitor the activity of customers for signs of drug use or dealing.

Points 6 and 7 should be done in consultation with the Police.

The police can provide advice and assistance with all issues in relation to controlled drugs. If there are any issues in relation to drugs you should make immediate contact with the Police.

Designated Premises Supervisors may wish to consult the Home office guide “Safer Clubbing” for more information.

Designated Premises Supervisors should not ignore issues relating to drugs in and around their premises and should form positive partnerships to combat the problem.

For further information contact:

Licensing Department,  
Mansfield House,  
Belgrave Gate,  
Leicester,  
LE1 3GP  
(0116) 2484331 – City  
(0116) 2484332 – County

## **Leicestershire Constabulary**

### **Searching and Licensed premises**

#### **A guide to best practice**

1. A robust and structured searching policy can prevent the flow of drugs and weapons into licensed premises.
2. Designated Premises Supervisors should implement a search policy in accordance with the premises type, risk assessment and Health and Safety policy.
3. The Designated Premises Supervisors should ensure all staff receives training and information in this policy.

Advice for this policy should be sought from the police and will include the following areas:

- All searches can only be conducted with the person's consent.
- Signage should be clearly displayed outlining the premises searches policy.
- If premises operate a no search no entry policy it is important that all persons are searched including VIP's, guest list and artists.
- Training should be given on the technique of searching.
- The searching area should be covered with real time CCTV.
- Policies should be in place to deal with items that are seized.
- Metal detection equipment should be used wherever possible to compliment a physical search.

Licensees should ensure that searching is part of their operating schedule to ensure that customers are safe from harm from drugs and weapons.