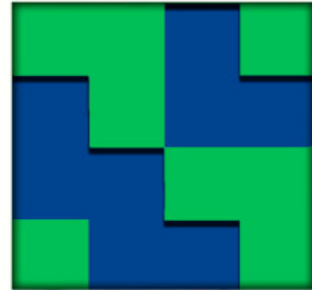


**SOUTH LAKELAND
COMMUNITY
SAFETY
PARTNERSHIP**



Best Practice Guidance

Developed in Partnership

for

Licensed Premises

November 2010

Contents

Introduction	3
South Lakeland District Council – Licensing	4
Good Practice Guidance for Premises Management	11
Incident books	12
CCTV	13
Barwatch	14
Premises Policies	15
Door Supervisors	17
Proof of Age Standards Scheme	19
Cumbria Fire and Rescue Service	20
Health and Safety in Licensed Premises	23
Smoke Free in Licensed Premises	26
Trading Standards	27
Operation Siskin	29
Alcohol: Know Your Limits	30
Quick Reference	32
Useful Contacts	33
Appendix 1 – Incident book example	35
Appendix 2 – Incident book example	36
Appendix 3 – Incident book example	37

Introduction

The supervision and enforcement of activities associated with premises licences within South Lakeland is the shared partnership responsibility between officers from South Lakeland District Council, as the Licensing authority, Cumbria Constabulary, Cumbria Fire and Rescue and most importantly the Premises Licence Holder or Designated Premises Supervisor (DPS).

Our partnership policy is to work for compliance and seek best working practices. Only when this has failed, or due to circumstances, is likely to fail, will we resort to legal action.

We are committed to reducing levels of crime and disorder associated with licensed premises, creating a safer and more just society; and to providing active supervision of such premises when required. We work in partnership with licensed premises to ensure that they are aware of the principles of good management in relation to the four licensing objectives and that they abide by them.

Across South Lakeland, we provide expert advice and guidance on license regulations, as well as giving training to staff on subjects such as drug awareness and legal responsibilities. It is vital that all parties have the confidence to communicate openly and honestly with each other. It is only by doing this that we will achieve our shared aim of providing a safe environment for everyone who visits licensed premises in our area.

Regular communication between the police, responsible authorities, managers, licensees and staff is crucial to the success of the partnership, to help develop meaningful working relationships and build long term trust.

Only by working together in this way can we make a difference



South Lakeland District Council

What is the Licensing Act 2003?

In 2000, the Government announced plans to reform the country's licensing laws. These changes came into effect during 2005. The Department of Culture, Media and Sport (DCMS) is responsible for the reforms in licensing law relating to the supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment in England and Wales.

The local authority, South Lakeland District Council, now has full responsibility for licensing under the Licensing Act 2003. This has changed the laws about the type of licence needed to sell or supply alcohol, regulated entertainment and the provision of hot food or drink between the hours of 11.00pm and 5.00am.

The Act requires the licensing authority to produce a licensing policy, which is reviewed every 3 years. The Licensing Policy sets out how the local authority will generally apply and promote the licensing objectives when making decisions on applications for licences made under the Act. The current policy is under review and following consultation, will be re-issued in January 2011.

Whilst South Lakeland District Council is keen to develop a thriving local economy and a wider range of leisure businesses, the priority is to maintain a safe and violence free environment that can be enjoyed by residents, licensing staff and visitors to the area.

Guidance notes for all Licensing Act applications

Below is a list of some commonly asked questions.

What is Regulated Entertainment?

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling match
- a performance of live music
- any playing of recorded music to the public

- a performance of dance
- any other entertainment of a similar description to the music and dance categories above, and;
- the provision of facilities for enabling people to take part in
 - making music
 - dancing, or
 - entertainment of a similar description for purposes including the purpose of being entertained

What is a Designated Premises Supervisor (DPS)?

A Designated Premises Supervisor (DPS) is the person identified on the premises licence who is responsible for the sale of alcohol and supervision of the premises. Any premises where alcohol is sold and supplied under the licence must have a DPS. The DPS is not necessarily the premises licence holder, although this may sometimes be the case. They will be the point of contact for the Licensing Authority, Police or Fire and Rescue Service if problems occur at the premises. Individual premises can only have one DPS, however, you can be a DPS for multiple premises (In these circumstances it is better to discuss this situation with your local licensing authority). A DPS **must be** a Personal Licence Holder.

Do I need a Personal Licence?

You will need a personal licence if you want to sell or supply alcohol at premises. However, a personal licence is not required where alcohol is supplied to a members club or registered club. If you are applying for a personal licence you must apply to the authority where you normally reside, **not** work in. Before applying you should ensure that you have a relevant qualification and a recent basic criminal records check. A personal licence is valid for 10 years.

What is the law for temporary, occasional and one off events?

Licences are not needed for small events where less than 500 people are to attend, and which last for less than 96 hours. In these cases a **Temporary Event Notice (TEN)** must be applied for. A TEN is not a licence, but involves notifying the local authority and the local police in advance of the event at an unlicensed premises or venue, or at licensed premises, if the event is not covered by an existing Premises Licence or Club Premises Certificate. The application must be made a minimum of **10 working days** before, but not including, the day of the event or bank holidays. Applications that do not meet this criteria will be rejected.

Only the Police may object to a Temporary Event Notice application

Individual premises may hold 12 temporary events per year. Someone who holds a personal licence will be able to hold up to 50 temporary events and non-personal licence holders up to 5 temporary events in the same period.

What is the Licensing Policy?

South Lakeland District Council has drawn up a **Statement of Licensing Policy** setting out the basis on which decisions under the Licensing Act 2003 will be made. The policy strives to achieve a balance between the commercial interests of the licensed trade and the communities they serve and affect and the balance between freedom and responsibility. The Licensing Policy is available through the link below, but if you require a hard copy, please contact SLDC's licensing team at the address below.

[View the current policy](#)

[View the consultation on the current policy](#)

Important Information for Premises Licence Holders

Change of name and address

It is the responsibility of the premises licence holder to notify the relevant licensing authority of any change to their name or address. This is a legal requirement under section 33 of the Licensing Act 2003. Failure to inform the authority is an offence for which the personal licence may be prosecuted.

Display of Summary Licence and duty to keep Premises Licence

Under section 57 of the Licensing Act 2003 it is the duty of the premises licence holder to make sure a copy of the premises licence summary is displayed prominently in the premises. The ideal position for the premises licence summary to be displayed is within an entrance or foyer to the premises. Failure to display the summary licence is an offence under this section of the Licensing Act 2003.

Under this section there is also a requirement for the premises licence or a certified copy to be kept on the premises at all times. This copy should be made available on request by an authorised officer of the local authority or a police constable. Failure to produce the premises licence or certified copy on request of an authorised officer of the local authority or police officer is an offence under this section of the Licensing Act 2003.

Club Premises Certificate

If you are a holder of a Club Premises Certificate you are required to display your Certificate Summary or produce your Club Premises Certificate. This is covered in Section 94 of the Licensing Act 2003.

Duty to produce licence

A police officer or authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of their authority to exercise the power.

Failure to comply, without reasonable excuse, is an offence and a person will be liable on summary conviction to a maximum fine of £500.

Theft or loss of premises licence

If a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy. A fee of £10.50 is payable for the copy.

When an application is made for a replacement licence or summary, the licence authority must be satisfied that the licence has been lost, stolen, damaged or destroyed and that the theft, loss or damage has been reported to the police, before a copy is issued.

Surrender of premises licence

When the holder of a premises licence wishes to surrender their licence, they must give notice to the licensing authority and the notice must be accompanied by the premises licence. If this is not practicable, a statement of the reasons for failure to provide the licence must be submitted. When a notice of surrender is given, the premises licence lapses on the receipt of the notice by the licensing authority.

Death, incapacity, insolvency of the licence holder

A premises licence lapses if the holder of the licence:-

- a) dies
- b) become mentally incapable (based on section 13(1) of the Enduring Powers of Attorney Act 1985)
- c) becomes insolvent
- d) is dissolved or
- e) in the case of a club, ceases to be a recognised club (subject to provision for re-instatement in certain circumstances)

Licensing Objectives

Your operating schedule will be attached to your licence as conditions and will set out how your licensable activities will be managed by you and your staff. The following information is contained on your licence.

- Details of the licensable activities to be provided and the times when they will take place
- Details of the times that the premises will be open to the public
- Whether alcohol is to be consumed on/and or off the premises
- The steps that will be taken to promote the licensing objectives (conditions)
- Details of the designated premises supervisor

Every premises licence holder has a duty to address the licensing objectives in order to prevent crime and disorder, prevent public nuisance, address public safety and protect children from harm.

Read your Premises Licence

The premises license holder and Designated Premises Supervisor should ensure that they read and understand their premises licence. Annex 1, 2 or 3 of your licence may contain conditions that are specific to your premises. Where conditions are on your licence they are enforceable and therefore failure to comply with a condition may result in prosecution or a review of your licence. However responsible authorities will work with you to seek compliance in a proportionate and justified manner.

Mandatory Conditions

Conditions came into force on the 6th of April 2010 and further mandatory conditions will apply from the 1st October 2010. These include the need for age verification policies to be in place in all premises which sell or supply of alcohol.

Rebalancing the Licensing Act

You may be aware that the Home Office are consulting on "Rebalancing the Licensing Act" which covers a range of proposed changes to the legislation which may affect your premises. Any new regulations however are not likely to be introduced until 2012. Details of the consultation can be found on the [Gov web site](#).

Important Information for Personal Licence Holders

Duty to produce your personal licence

It is important that if you are a personal licence holder, you are able to produce your personal licence at any time you are working behind a bar, either making or authorising the sale of alcohol. It would be best practice to have your personal licence on your person, or kept in a safe place behind the bar any time you are working. It is an offence under Section 135 of the Licensing Act 2003 if you do not produce your personal licence whilst working if requested by a police constable or an authorised officer of the local authority.

Duty to inform of change name or address

As a personal licence holder, you must inform the licensing authority that issued your personal licence of any changes of name or your address. Failure to do so is an offence under Section 127 of the Licensing Act 2003.

Designated Premises Supervisors leaving or moving premises

Anyone who is employed as a DPS should inform the appropriate licensing authority if they are leaving the premises and no longer wish to be the DPS. This needs to be done in writing and they need to inform the licensing authority of the date they are leaving or left. This is essential as they will still be responsible for any sale of alcohol until the Premises Licence Holder applies for a change of DPS. If any action is brought against the premises in that time, they would still be responsible as the legal DPS for the premises.

Gambling Act 2005

If you are in charge of a premises licence or a club premises certificate, you will need to contact South Lakeland District Council to make sure you are operating within the rules and regulations of the Gambling Act 2005, especially in relation to stakes and prizes, if you wish to run one of the following events:-

- a poker night
- bingo
- a horse racing night
- a raffle
- or any other game of equal chance (backgammon, mah-jong, rummy, kalooki, dominoes, cribbage etc)

If you are a premises licence holder and wish to apply for a Gaming Machine Notification or are a club with a club premises certificate and wish to apply for a Club Machine Permit or a Club Gaming Permit you can do so by contacting South Lakeland District Council's Licensing Team.

How to contact SLDC's Licensing Team

We want to work closely with licensees and anyone else affected by the Licensing Act 2003. We would like to ensure that the new system is as easy as possible and does not create barriers in developing a vibrant, diverse and thriving economy in this area.

If you have any questions or require any help please contact:

Public Health and Licensing Team,
South Lakeland District Council
South Lakeland House
Lowther Street
Kendal
LA9 4UQ

☎ 01539 733333

Email licensing@southlakeland.gov.uk with your enquiry

All application forms and guidance can be found on our [web site](#).

Good Practice Guidance for Premises Management

Effective management of licensed premises can go a long way to reduce the incidence and fear of crime and disorder. In turn this builds a positive reputation for the premises, licensee and staff.

Licensees should ensure that ongoing risk assessments are carried out to minimize risks to staff and customers on their premises. Licensees should have a plan to ensure a swift, effective and safe response to crime, drug misuse or anti social behaviour. The habit of using particular licensed premises for such activity develops quickly and must be stopped as soon as possible. The combination of a crowded and hot environment, coupled with alcohol can lead to flashpoints. Licensees should ensure that the ambient temperatures of premises are kept to a reasonable level.

The number of bar staff should be adequate to ensure no customers are kept waiting for an undue period of time, and staff should be trained to acknowledge waiting customers. This creates a positive and friendly atmosphere, which can go a long way to reduce the likelihood of problems occurring.

In busy licensed premises, licensees should consider the provision of an attendant at both toilet and cloakroom areas. This has been proven to reduce incidents and the fear of criminal activity on licensed premises.

Licensees should ensure that staff are well briefed on how they should react to problems with both their own and customer's safety being of primary importance. Procedures should be in place to ensure staff are trained and understand their responsibilities, should problems occur. Licensees should consider their policy on the sale and consumption of glass bottled beverages, which can be a source of problems. It is the **responsibility** of the licensee to actively prevent patrons leaving their premises with open containers and bottles.

Premises that sell bottled alcoholic drinks should consider the use of secure bottle bins. Smaller secure bottle bins should be located near the main entrance/exit doors. Door staff should show due diligence in preventing bottles and glasses being taken from or into the premises. Licensees should consider their policy concerning the use of glass containers within their premises. Toughened glass products and their use within bars and clubs play a vital part in reducing incidents of glassing and violence. When broken, conventional glass can be used as an offensive weapon and the benefits of safer products far outweigh cost considerations.

Incident Books

The police and SLDC's Public Health & Licensing team advocate the use of a daily incident book in all licensed premises. A well maintained and up to date incident book goes is an important part effective premises management.

The following are considered good practice:-

- use an A4 day diary, put an entry in every day
- start with time opened, by whom and any checks that are carried out, such as the toilets. Most days should be quiet with comments such as 'the usual crowd, no problems closed at 01.00hrs' and by whom
- encourage staff to put an entry in when they challenge anyone for ID even if it is provided; it shows due diligence
- if a person cannot provide any ID and they clearly are 21 or under, the sale should be refused and an entry to be put in the incident book
- if a fight take place, a reasonably detailed entry with names or at least descriptions of those involved should be entered in the incident book. The police should be contacted and if not, the reason should be documented in the incident book. If the incident is a minor scuffle or disorder, it should be recorded in the incident book
- encourage staff to detail toilet checks especially in relation to the misuse of drugs; if anyone is seen / suspected of being involved in drugs, the police should be contacted immediately

DPSs and their staff will not be criticised for contacting police when reporting incidents involving violence, disorder and drugs

- maintaining an incident book is not an onerous task, taking around 5 minutes to complete at the end of each day. All staff should be encouraged to maintain the incident book

Remember maintaining an accurate and up to date incident book is showing due diligence and helps to show that you are running your premises professionally

CCTV



The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside, licensed premises.

It is essential that a CCTV system is capable of recording good quality images at all times of public access to premises. When viewed, the tape / disc should show accurate time and date details. The tapes / discs must be maintained and stored appropriately. This is essential should the evidence be required for court as well as ensuring it is compliant with the Data Protection Act 1998.

The primary objectives of installing a CCTV system are:

- To seek to influence behaviour of the public.
- To prevent or detect criminal or anti-social activity.
- To protect customers, staff and property.
- To assist with good management practices.
- Where necessary, to provide unequivocal evidence of an incident to assist subsequent prosecution

In order to comply with the Data Protection Act 1998, all systems, other than those used in domestic circumstances, must be registered with the Information Registrar at Wilmslow, Cheshire. The cost of the registration is approximately £35 per annum, details of which can be obtained by telephoning the Information Registrar on 01625 545 740 or by accessing their website www.dataprotection.gov.uk THIS LINK HAS BEEN DEACTIVATED.

All areas in the venue accessible to the public should be covered by CCTV. Blind spots must be minimised within the venue ensuring there are no blank areas where a criminal act may take place; this would include the vicinity of sinks in all toilets.

The system must obtain a recognition/identification standard image at entry/exit points of the premises, preferably with colour rendition. The fields of view of all cameras must be well lit to enable them to operate as required under normal working conditions.

Fire exits should be alarmed and again covered by CCTV, as should the areas immediately outside the venue.

Signs should be displayed prominently throughout the premise highlighting that CCTV is in operation for the safety and protection of the customer and staff.

CCTV should preferably be installed in consultation with the Crime Prevention Officer, Terry Belshaw, who can be contacted at Kendal Police Station. ☎ 01539 818787 or email terence.belshaw@cumbria.police.uk



Bar Watch

Pub watch schemes have been in existence throughout the United Kingdom for over 20 years and range in size from over 200 premises in cities to small rural schemes with as few as 5 premises involved.

The basic working principle underpinning a watch scheme is that licensees of premises involved agree a number of policies to counter individuals who threaten damage, disorder, and violence or use or deal in drugs in their premises.

Normally, action consists of all bar watch members agreeing to refuse to serve individuals that cause, or are known to have caused, these sorts of problems.

The Business against Crime South Lakes Partnership operates an independent bar watch scheme for South Lakeland. The scheme has over 80 members with each town/village running its own scheme under the Business against Crime Partnership's guidance. Monthly meetings are held, where a wide range of issues are discussed. Licensees also benefit from presentations and training sessions arranged by the Business Against Crime Manager. For information on joining this successful scheme please contact wendy.ingham@cumbria.police.uk or ☎ 01539 818698 or 07912665993.

Refusal of admission and service to those who cause trouble has proved to be effective in reducing anti social behavior. To be effective any watch scheme must work closely with the police, licensing authorities and other agencies.

National Pubwatch is an entirely voluntary organisation set up to support existing pubwatches and encourage the creation of new pubwatch schemes with the key aim of achieving a safe, secure drinking environment in all licensed premises throughout the country helping to reduce drink related crime.

The National Pubwatch Good Practice Guide provides advice on how such schemes can be established locally and includes Codes of Practice on sharing information, photographs and banning policies with regard to responsibilities under the Data Protection Act 1998.

Information about pub watch can be obtained through their website:
www.nationalpubwatch.org.uk

Premises Policies

Admissions Policy

An admissions policy is a great way of highlighting to your customers your 'house rules' and are predominantly used by larger premises that employ door supervisors to control entry to the premises.

An admissions policy will generally incorporate the following:-

- only people over the age of 18 are allowed entry. Where there is any doubt over a customer's age, then as a matter of course identification should be sought i.e. passport, driving licence with photograph or proof of age card with PASS hologram
- customers are not allowed to bring into the premise or take out of the premise any alcohol, glasses or bottles
- as a condition of entry customers agree to random drug searches by door staff, if they do not consent entry will be refused
- customers who are intoxicated or under the influence of drugs will be refused admission

The policy should be formally reviewed on an annual basis and be clearly on display at the point of entry, made as large as practicable.

Drugs Policy

Cumbria Constabulary expect licensees of venues likely to be affected by drugs to take all reasonable steps to prevent the entry of drugs into their premises; to take appropriate steps to prevent drugs changing hands within the premises; and to take practical measures to prevent problems arising as a result of drug misuse. A drugs policy should include the provision of free water and a disposal policy for drugs and needles.

A drugs policy will give the licensee the opportunity to carefully consider all the key issues which affect the safety of customers who take drugs.

Staff should receive relevant information, training, supervision and support to implement any policy.

The policy should incorporate that the premises operates a zero tolerance regarding the misuse of illegal drugs in relation to both staff and customers who visit the venue.

The policy should be seen as a working document, continuously being amended and improved in response to new developments in drug use or health and safety legislation.

The policy should be formally reviewed on an annual basis.

The Home Office, in conjunction with the Department of Health and the DCMS (Department of Culture, Media and Sport) has produced the Safer Clubbing Guide that provides comprehensive advice for the formulation of a drugs policy.

The guide can be viewed in full on www.drugs.gov.uk THIS LINK HAS BEEN DEACTIVATED

Search Policy

Consideration should be given to adopting a search policy.

A search policy will ensure that door staff are fully aware of search, seizure and arrest procedures, particularly in relation to controlled drugs and offensive weapons.

Signs should be prominently on display in the venue highlighting that random searches are conducted as a condition of entry.



Door Supervisors

Door supervisors are a valuable asset in reducing crime and disorder within licensed premises, they can assist in:

- Preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder
- Keeping out individuals excluded by court bans, Bar Watch or by the licence holder
- Searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons
- Maintaining orderly queues outside of venues.

As from 14th November 2004, it is illegal to work as a door supervisor without a Security Industry Authority licence.

Information about the [Security Industry Authority](http://www.sia.gov.uk) can be obtained through their Website.

The Security Industry Authority (SIA)

This is an independent body, set up by the government under the terms of the Private Security Industry Act 2001.

The SIA is responsible for raising the standard of professionalism and quality of service throughout the security industry. To achieve this, the SIA has introduced new licensing requirements for people working in certain sectors of the private security industry in England and Wales.

The new licensing requirements carry the force of the law and will help prevent unsuitable or poorly trained people from operating within the private security industry.

The aim is to reassure the public that every person providing security services is both adequately trained and a fit and proper person for the role they perform.

Door supervisors were the first sector within the private security industry to be licensed.

You will need a licence if you are responsible for security, protection, screening the suitability of people entering premises or dealing with conflict in pubs, clubs and other licensed premises open to the public. Anyone involved in door supervision, whether under contract or employed in house, will need a licence. This includes employees, managers, supervisors and directors of security companies.

You will need a licence if:

- If you work as a door supervisor under contract for a client, or if you work in house.
- If you are a supervisor, manager, director or partner, or sole trader providing door supervision staff.
- If you are a manager or supervisor under contract who manages door supervisors who are also under contract.

There are two types of licences: the licence for door supervisors (front line staff), and the licence which is in the form of a letter, for non front line staff, such as managers and supervisors.

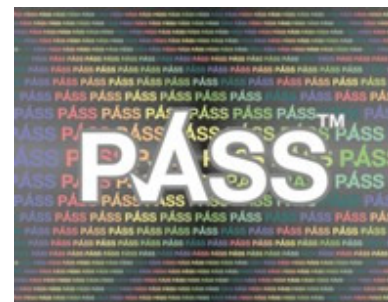
To get an SIA licence you must be over 18, pass an identity and criminal record check, and have the right SIA qualification.

A licence application pack can be requested in two ways;

By telephone: 08702 430100 or
via the [SIA website](#)

Sample SIA licence cards





Proof Of Age Standards Scheme

It is unlawful for under 18s to buy or attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent such crimes, it may be necessary to adopt a policy at certain licensed premises requiring the production of "proof of age" before such sales are made.

This should not be limited to recognized "proof of age" cards, but allow for the production of other proof, such as photo driving licenses and passports.

The Government also strongly supports the PASS accreditation system, which aims to approve and accredit various 'proof of age' different quotation marks schemes in existence.

PASS is the 'Proof Of Age Standards Scheme' launched in January 2003 by the British Retail Consortium and is supported by major retail associations, including those representing the licensed trade.

It is an umbrella system, audited by the Trading Standards Institute, under which reliable proof of age card schemes will carry the same hologram logo in order that retailers can ready distinguish such cards from forgeries or cards issued under unreliable schemes.

This ensures that such schemes maintain high standards, particularly in the areas of integrity and security; other schemes include a proof of age card by the Portman Group www.portman-group.org.uk (THIS LINK HAS BEEN DEACTIVATED) and also the citizen card www.citizencard.com

Sample PASS cards



Cumbria Fire & Rescue Service



The following items are a summary of the requirements of the **Regulatory Reform (Fire Safety) Order 2005**

A suitable and sufficient fire safety risk assessment should be undertaken and should be made available on the premises. The assessment should cover all significant risks, which may affect any person who may be affected by fire and should include the means of access and egress from the premises. The assessment should be reviewed at regular intervals (at least once a year), and when a significant change is made.

Fire Alarm

An appropriate fire alarm warning system in accordance with BS 5389 Part 1: 2002, should be provided in the premises, Advice may be sought from a suitably qualified person. The fire alarm system should be maintained in efficient working order and be tested in accordance with BS

5839 Part 1 which includes a weekly test using a different manual call point for each successive test. The installation should be serviced by a competent engineer at six monthly intervals.

Emergency Lighting

Emergency lighting in accordance with BS 5266, 2005, must be provided throughout the premises, emergency lighting on escape routes must be of the maintained type. The emergency lighting system should be tested in accordance with the current British standard which should include a monthly and 6 monthly function test and a 3 yearly full-duration discharge test and examination by a competent person.

Firefighting Equipment

Firefighting equipment, appropriate for the risk, should be provided. All fire fighting equipment should be inspected and maintained in accordance with BS5306: Part 3- Monthly and Annual inspections.

Emergency Routes & Exits

Emergency exits are to be kept and maintained clear at all times. Door fastenings and associated furniture should be of an approved type, and should provide egress without the use of a key(Push bar or Pad)

Safety Assistance

The responsible person must appoint adequate competent persons to assist in undertaking preventive and protective measures.

Staff Training

The responsible person must ensure that the safety training provided –

- a) includes suitable and sufficient instruction and training on the appropriate precautions and actions to be taken by the employee in order to safeguard themselves and other relevant persons on the premises
- b) be provided in a manner appropriate to the risk identified by the risk assessment and
- c) be repeated regularly

Log Book

A log book must be kept in which details of all tests and the type and duration of staff training should be recorded.

Notices

Notices should be displayed, advising staff and customers, on actions to be taken in the event of fire.

REMEMBER A LACK OF FIRE SAFETY COULD COST LIVES

Useful Links

Guide for Risk Assessment / Fire safety log book

<http://www.cumbriafire.gov.uk/services/enforcement/Enforcement.asp>

Government fire safety guides

<http://www.communities.gov.uk/fire/firesafety/firesafetylaw/>

Health & Safety in Licensed Premises

Health & safety hazards should be controlled through sensible risk assessment. Where a business employs five or more employees these risk assessments must be recorded. When conducting a risk assessment consideration should be given to the following points:

Falls from Height

Cellar hatches:

- Check they have been closed after delivery
- Ensure other people are excluded from area while hatch is open
- Platforms for performers and others adequately fenced off
- Ladders to be suitable, regularly inspected, and used only for light work of short duration by trained staff
- Stewards/door staff extra vigilant on the balcony
- Nosings of steps highlighted
- Nets provided under balcony edge

Slips, Trips & Falls

To prevent these, check for the following:

- All stairs have handrails and midrails on open sides with kick boards where needed
- All enclosed stairwells have handrails on one side at least and both if stair wider than 1.8m
- All carpets firmly secured
- Adequate lighting, particularly on stairs
- Good housekeeping
- Electrical cables managed so as not to pose a trip hazard
- Spills to be cleaned up immediately using spill kits located around the premises
- Glass collectors and bar staff to be extra vigilant for spillages

Electricity

Checks should be carried out in relation to the following:

- Electrical installation and all equipment inspected by a competent person according to a planned inspection programme, and maintained as necessary
- Regular portable appliance testing carried out by a competent person
- Staff trained to spot and report any defective plugs, discoloured sockets, and damaged cable and on/off switches and to take defective equipment out of use
- RCD sockets and plugs to be fitted if protection not at consumer unit
- Staff know how to safely turn the electricity off in an emergency

Noise

Checks to include the following:

- Regular check of sound systems to ensure balance/proper control
- Consider use of noise limiter to sound system
- Staff rotation between quiet and noisy areas
- Staff considered to be particularly at risk identified, and provided with ear plugs
- Health surveillance, including hearing tests, for 'at risk' staff

Gas

Checks required:

- Boiler and other gas appliances checked and serviced annually by a Gas Safe registered engineer
- Staff trained in defect reporting procedure
- Rural licensed premises may have underground and buried pipe work from gas tanks which need inspection and testing against corrosion and explosion risks

Manual Handling

Consider the following:

- Kegs taken to and stored in cellar by brewery draymen
- Beer drop properly designed and maintained
- Sack truck/porters trolley used where possible for cases of bottles, speakers etc
- Only authorised staff trained in manual handling, handle the sound system, speakers etc

Asbestos

Consider the following:

- Carry out assessment of premises to identify location and condition of asbestos containing material
- Implement system to inform contractors, and others who might disturb asbestos, where it is and ensure safe working

Violence

Ensure the following procedures are in place:

- **Staff must adhere to legal requirement not to sell alcohol to intoxicated customers**
- Incident log filled out as soon as possible after incident
- Staff made aware of barred customers
- Staff trained in good, polite behaviour and how to avoid confrontation following violence policy when to call police etc
- Regular glass collection
- Cashing up done after hours/out of customers' sight

CO₂ Leakage

Check that:

- Only properly trained and competent staff change barrels
- Cellar well ventilated with adequate, low-level ventilation
- CO₂ alarm installed and regularly maintained

Pressurised Equipment

Consider the following:

- Pressurised systems designed, installed and maintained in line with industry Code of Practice
- System inspected by competent engineer every five years or to schedule produced by the competent engineer;
- Gas cylinders obtained from reputable suppliers;
- Stored in cages, chained up or laid flat away from heat sources, in a dry area with the valves closed.

Further information on health and safety matters and example risk assessments for public houses and restaurants can be found on the Health & Safety Executive Website:

www.hse.gov.uk

South Lakeland District Council have also produced a [Health and Safety handbook \(THIS LINK HAS BEEN DEACTIVED\)](#) suitable for all licensed premises and this can be downloaded from the website.

Smoke free in Licensed Premises

The smoke free law was introduced to protect employees and the public from the harmful effects of secondhand smoke.

On July 1st 2007, the smoke free law was introduced.

This made it against the law to smoke in virtually all 'enclosed' and 'substantially enclosed' public places and workplaces (see below for definitions).

No-smoking signs must be displayed in all smoke free premises and vehicles, including taxis.

Staff smoking rooms and indoor smoking areas are no longer allowed, so anyone who wants to smoke has to go outside.

Managers of smoke free premises and vehicles have legal responsibilities to prevent people from smoking.

Premises are considered 'enclosed' if they have a ceiling or roof and (except for doors, windows or passageways) are wholly enclosed either on a permanent or temporary basis.

Premises are considered 'substantially enclosed' if they have a ceiling or roof, but have an opening in the walls, which is less than half the total area of the walls. The area of the opening does not include doors, windows or any other fittings that can be opened or shut.

Businesses and organisations should contact their local council if they require further guidance on whether their premises are 'enclosed' or 'substantially enclosed'.

[advice on planning permission and shelters.](#)

What do I do checklist

Employers, managers and those in charge of smoke free premises and vehicles need to:

- display 'no-smoking' signs in smoke free premises and vehicles;
- take reasonable steps to ensure that staff, customers/members and visitors are aware that premises and vehicles are legally required to be smoke free;
- ensure that no one smokes in smoke free premises or vehicles.

Free signage is available from SLDC's Community Services Team

Further advice can be obtained from Smoke Free England www.smokefreeengland.co.uk

Trading Standards

The Role of Trading Standards Officers in an On-Licensed Premise

The Weights and Measures Act 1985 gives Trading Standards Officers the power to enter any licensed premise to ensure compliance with this Act and any other subordinate legislation made under it. It is good practice to display a comprehensive price list in all licensed premises, visible to all intending purchasers.

During a routine inspection of an on-licensed premise a Trading Standards Officer would ensure that:

Draught beer, lager and cider, except when mixed with other drinks, are sold in the following quantities:

- 1/3 pint, 1/2 pint, or multiples of 1/2 pint
- The glasses used to dispense into are approved
- If beer meters are used they also need to be approved

Sale by the jug

Draught beer, lager and cider is only sold by the jug provided the stated quantity is in multiples of 1/2 pint (e.g. two pint or four pint) and either the jug is stamped as a transfer measure of that capacity or the liquid is measured by a meter in front of the consumer at the time of sale, but not before. Price lists must be clear about the measure that is used for a jug sale.

Gin, rum, whisky and vodka, unless it is sold in cocktails of three or more drinks, are only sold in the following quantities:

- 25ml OR 35ml, or multiples thereof.
- You are not permitted to have 25ml & 35 ml measures in the same bar.
- A notice, which is clearly visible must indicate which measure applies in that premise e.g. for 25ml:

'Gin, rum, whisky and vodka are sold on these premises in quantities of 25ml and multiples thereof'

The same quantity must apply in all the bars of your pub, restaurant, or cafe. Spirits must be dispensed in full view of the purchaser.

Wine should be sold in the following quantities:

- by the bottle
- by the glass in 125ml, 175ml or multiples of these quantities
- by the carafe in 250ml, 500ml, 750ml or one litre quantities

- These quantities must be made clear to consumers on a notice, wine list or menu, which is easily readable. Measures used to dispense wine; carafes, glasses or optics; must be approved.



Operation Siskin

Operation Siskin is a proactive operation led by the Police and SLDC's licensing team in an effort to achieve universal compliance with the Licensing Act.

Primarily, premises are visited on busy weekends to check that certain conditions are being adhered to. These visits are generally welcomed by the DPS and their staff, and are not something to be feared by those whose premises are well run. We generally look for the following:-

- ❖ the summary licence is correctly displayed in a prominent position (usually entrance or foyer)
- ❖ the premises licence or a certified copy is available for inspection on request
- ❖ a well maintained and up to date incident book
- ❖ that any personal licence holder who is working, has their personal licence on them and available for inspection

When visits are made, staff on duty are spoken to and their knowledge of the licensing law assessed through basic questioning. It is very important that both the DPS and bar staff know the conditions of the premises licence, especially if they may be left in charge. There is potential for staff to breach the licence and this could lead to a fine.

Part of Operation Siskin is carrying out test purchase operations within licensed premises. Please ensure that all staff follow the challenge 21 policy i.e. if someone looks 21 or under please ask to see their ID.

The three types of identification currently acceptable are: a photo driving licence, a valid passport, and a PASS scheme card with hologram. If a customer cannot produce any of the above, the sale should be refused and documented in your incident book.

If our trained test purchase customers are served in your premises, you could receive a fixed penalty ticket or be prosecuted, depending on the circumstances. Two sales within 3 months may well lead to you being fined up to £10,000 and your premises licence being suspended for up to 3 months, which ultimately could lead to a loss of livelihood. If in doubt, advise your staff not to serve alcohol to someone who does not look old enough and cannot produce valid ID.

We do expect premises to be properly managed, just as we expect staff to be diligent and proactive wherever possible. Please read this guide, get to know it, and get your staff to do the same.

We will work with you if you have issues, or concerns. Please contact one of the licensing team who will be happy to help. Do not ignore issues; we will always support you if you contact us with a problem.

Alcohol: Know your limits

Levels/allowances

The NHS recommends that men should not regularly drink more than 3-4 units and women not more than 2-3 units of alcohol in a day. What does "regularly" mean? Drinking at this sort of level every day or most days of the week.

Drinking above these levels on a regular basis is associated with an increasing risk of a wide range of harms, and these risks increase the more you drink.

If on certain occasions you do drink heavily, give your body a chance to recover. Go at least 48 hours without alcohol otherwise you will just add to the damage.

Understanding Units

DRINK	UNITS PER MEASURE			
Beer/Cider	Bottle	Can		Pint
Carling, Fosters etc (4%)	1.3	1.8		2.3
Stella, Bud, Strongbow, Magners (5%)	1.7	2.2		2.8
"Alcopops"	Bottle			
Wkd, Smirnoff Ice (5%)	1.4			
Spirits	Single (35ml)		Double (70ml)	
Whiskey, Rum, Vodka, Gin	1.4		2.8	
Shots	Small		Large	
Tequila, Sambuca	1		1.3	
Wine/Champagne, White, red, rose	Small Glass (125ml)	Standard Glass (175ml)	Large Glass (250ml)	Bottle (750ml)
10%	1.25	1.75	2.5	7.5
11%	1.4	1.9	2.8	8.3
12%	1.5	2.1	3	9
13%	1.6	2.3	3.3	9.8
14%	1.75	2.5	3.5	10.5
Fortified Wine	Standard Measure (50ml)			
Sherry, Port	1			

Daily limits do not mean you should never exceed them, for example, on a special occasion, just that you shouldn't exceed them regularly.

Rethink your drink

There are lots of ways in which you can cut down the amount of units you are drinking. Even cutting back a little can make a big difference in your health.

Top Tips

1. SET A BUDGET – Set a limit on how much you are going to spend on a night out and don't take your cash card with you!
2. ONE DAY AT A TIME – Cut back a little each day, then every day is a success!
3. MAKE IT A SMALL ONE – Have a bottle instead of a pint
4. HAVE A LOWER STRENGTH – Choose drinks with a lower strength (abv%)
5. STAY HYDRATED – Don't use alcohol to quench your thirst. Try alternating your drinks with water or soft drinks (this can also reduce the risk of a head ache in the morning!)
6. HAVE A DAY OFF – Have 2 booze-free days a week and have a 48 hour break if you've "over-indulged"
7. BREAK THE HABIT – look for other things to help you unwind rather than having a drink, exercise or go to the cinema, for example
8. CREDIT WHERE CREDIT'S DUE – Acknowledge when you've done well, it will help you to keep going
9. QUALITY OVER QUANTITY – Choose a single of the better known brand rather than the cheap house double
10. DON'T GIVE UP – Changing a habit is hard. Focus on your achievements and reward yourself. If you aren't spending as much on alcohol you'll be able to afford it!

Useful Links

<http://www.nhs.uk/alcohol>

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

www.alcoholconcern.org.uk

Quick Reference

Essentials for Running Professional Premises

DO

- Read your premises licence and be fully aware of the conditions attached
- Read this guide and get to know it
- Encourage your staff to read it
- Encourage you staff to apply for a personal licence
- Support Barwatch by attending the meetings and adhering to the bans imposed by Barwatch
- Keep a detailed up to date incident book
- Have an active Challenge 21 policy
- Contact the Licensing Officer / Police Officer about any concerns that may affect your licence or your premises
- Check the conditions on your licence, get to know them and enforce them
- Check your fire risk assessment once a year and make sure it is up to date
- Do call the police if you have a problem on your premise. The police and partners will support you if you show responsible management

DON'T

- Leave your premises in charge of a person who cannot maintain the premise to your own standard and run it your way
- Sell alcohol to those people who are, or appear to be, under 18 years of age without being able to prove their age
- Sell alcohol to anyone who is drunk

Useful Contacts

South Lakeland District Council

South Lakeland House
Lowther Street
Kendal
LA9 4UQ

☎ 01539 733333

E mail licensing@southlakeland.gov.uk

Cumbria Police

Kendal Police Station
Busher Walk
Kendal
LA9 4RJ

☎ 0845 33 00 247

Email enquiries@cumbria.police.uk

Cumbria Fire and Rescue

South Lakeland Locality Headquarters
Busher Walk
Kendal
LA9 4 RJ

☎ 01539

Email enquiries.fire@cumbriacc.gov.uk

Gambling Commission

Enquiries
Victoria Square House
Victoria Square
Birmingham
B2 4BP

☎ 0121 230 6666

Fax: 0121 230 6720

Email: info@gamblingcommission.gov.uk

Version 1 Nov 2010

Trading Standards

South East Cumbria
County Offices
Kendal
LA9 4RQ

☎ 01539 713577

Fax: 01539 773592

Email: trading.standards@cumbriacc.gov.uk

Bar Watch

Wendy Ingham

☎ 01539 818698

Email: wendy.ingham@cumbria.police.uk

South Lakeland Community Safety Partnership

Jenny Draper
South Lakeland District Council
South Lakeland House
Lowther Street
Kendal
LA9 4UQ

☎ 01539 733333

Email: j.draper@southlakeland.gov.uk

Appendix 1 – Example of a well written incident book

JANUARY

Thursday 21
Week 3 - 021-344

ENDED 1pm CLOSED 4pm M FALLON

opened 7pm Louise Bartlett
started @ 9pm Rachel Mackay
STARRIED @ 9.30 KYLE SCOTT
Started @ 10pm Calvin Staffier
8pm MY EMERGENCY BELL RANG FOR ME UPSTAIRS
I PHONED DOWN TO BAR MANAGER LOU BARTLETT WHO INFORMED
ME A MALE ALREADY BARRED FROM THIS PUB HAD ENTERED
AND REFUSED TO LEAVE HE BECAME VERY ABUSIVE TOWARDS
HER, I CAME DOWN SAW THE MALE KNOWN TO ME
AS GEORGE LATE SIXTIES GFT BLUE SUITE LIVES FLATS BY
CRYSTAL PALACE, HE BECAME VERY THREATENING TOWARDS
ME, I ESCORTED HIM OFF THE PREMISES M-FALLON
POLICE VISIT FRI 10-30 RE INCIDENT ABOVE

CLOSED 1AM NO PROBLEMS M FALLON

February	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28
----------	---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

Appendix 2 – Example of a well written incident book

FEBRUARY

21 Sunday
Week 7 - 052-313

MIKE FALLON LICENSE HOLDER PA0001 AUTHORIZES MR GRANT
LICENSE HOLDER PA0253 RESPONSIBILITY FOR THE SALE OF ALCOHOL
IN MY ABSENCE FROM 21-2-2010 UNTIL 1-3-2010 OFF
FORM BEHIND BAR FOR INSPECTION

Opened 5pm Catherine Hill
Started at 9pm Louise Battell
Closed at 9.30pm Alan Connell
STABLED at 10.00pm KATH STREET
Started at 10pm Calvin Staffieri

1x FEMALE REFUSED ENTRY. NO ID. AT
CHECK OF FACES NEW POLICE WERE REFUSED ANY ALCOHOL & ASKED
LEAVE PREMISES ONCE THEY HAD FINISHED DRINKS AT

APPROX 12.30 FEMALE ① JADE MAY, DARK SKULLION CANTH HAIR/
SILVER SCARVES TOP/TIGHT BLACK JEANS/SILVER STAMPY HEELS WAS SEEN
ON LEFT CHEEK BY MOUTH OF BAR BY FEMALE ② CORONA AND
SILVER CANON CANTH HAIR/SILVER SCARVES TOP/BLACK SHIRT CANTH
BLACK HEELS AND BOOTS. SEPARATED BEARS & RECOVERED CANTH
OFF BEARS. CANTH ① HAD SHIRT CUT ON LEFT CHEEK WITH
SWITCHING. POLICE WAS APPLIED. AT

February Mon Tue Wed Thu Fri Sat Sun | Mon Tue Wed Thu Fri Sat Sun | Mon Tue Wed Thu Fri Sat Sun | Mon Tue Wed Thu Fri Sat Sun

Appendix 3 – Example of a well written incident book

March 2010

5 Friday
(64 - 301)

Week 9

Yvonne opened up at 10:30am

Paul took over at 15:00pm

Sheralee took over at 19:00pm

Johnny 9-1
Kerry 10-3:30

20:30-Sheralee id'd lad+lass, both had ID.

21:45-Sheralee id'd one girl - she had ID

23:35-Sheralee ID one girl - she had it

23:55 Sheralee ID one boy - he had it

Kerry closed 3:10
Caroline gave permission for Johnny
& Kerry to serve alcohol.

January				February				March				April				May				June										
M	4	11	18	25	M	1	8	15	22	M	1	8	15	22	M	5	12	19	26	M	3	10	17	24	31	M	7	14	21	28
T	5	12	19	26	T	2	9	16	23	T	2	9	16	23	T	6	13	20	27	T	4	11	18	25	T	1	8	15	22	29
W	6	13	20	27	W	3	10	17	24	W	3	10	17	24	W	7	14	21	28	W	5	12	19	26	W	2	9	16	23	30
T	7	14	21	28	T	4	11	18	25	T	4	11	18	25	T	1	8	15	22	T	6	13	20	27	T	3	10	17	24	
F	1	8	15	22	F	5	12	19	26	F	5	12	19	26	F	2	9	16	23	F	7	14	21	28	F	4	11	18	25	
S	2	9	16	23	S	6	13	20	27	S	6	13	20	27	S	3	10	17	24	S	1	8	15	22	S	5	12	19	26	
S	3	10	17	24	S	7	14	21	28	S	7	14	21	28	S	4	11	18	25	S	2	9	16	23	S	6	13	20	27	
Wk 53	1	2	3	4	Wk 5	6	7	8		Wk 9	10	11	12	13	Wk 13	14	15	16	17	Wk 17	18	19	20	21	22	Wk 22	23	24	25	26