

Cleveland Police
Langbaugh Licensing Unit
 January 2005



Guidance on Preparing an Operating Schedule as required by the Licensing Act 2003.

Cleveland Police are committed to working in partnership to reduce incidents of crime and disorder, thereby, creating a safer society. We recognise licensees as part of this process. Cleveland Police encourage licensees and managers of licensed premises to work in partnership with us and the Local Authority.

The Licensing Act 2003 requires that operating schedules be produced by any person applying for a premises licence. This brief guidance has been produced as an example of good practice to assist licensees with the application process. It is acknowledged that all licensed premises are different and have different uses and business requirements. However, **ALL** licensees should consider the issues shown below for their specific premises.

Licensees will need to consider relevant sections from this guidance and the pool of conditions contained within the Local Authority licensing policy when preparing their operating schedule.

This guide is intended to provide assistance to licensees when they are identifying conditions intended to reduce crime and disorder at and in the near vicinity of their premises.

The advice set out in this document, if fully implemented should reduce the likelihood of an incident of crime or disorder occurring at licensed premises. However, it should be clearly understood that it would be unrealistic to expect that crime and disorder could be totally prevented.

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Management Practices

Effective management of licensed premises can go a long way to reduce the 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 minimise 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. Further guidance can be obtained from the local police Licensing Officer or Crime Prevention Officer.

The combination of a crowded and hot environment coupled with alcohol can lead to flashpoints. Licensees should ensure that the ambient temperature of premises are kept at a reasonable level.

The number of bar staff should be adequate to ensure no customer is 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.

Last orders should be called in sufficient time for staff to serve customers who are waiting to be served. At 'time' bar staff should leave the bar area. Glasses and ashtrays could be collected at this point. This gives the clear message to customers that the bar is closed.

Licensees should ensure staff are well briefed on how they should react to problems with both their own and customers safety being of primary importance. Procedures should be in place to ensure staff are trained and understand their responsibilities should problems occur.

Certain activities are not compatible whilst children are present, ie: sex shows, gambling or any activity that promotes irresponsible drinking.

The regular collection of ashtrays, empty glasses and bottles will prevent them being used inappropriately.

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. Normal 'bottle skips' should be avoided.

These are not 'secure' and could in theory be used as 'ammunition dumps' should incidents of public disorder arise. The use of external secure bottle bins should also be considered. Additionally, signs may be utilised to discourage the removal of drinks and bottles outside the premises.

A possible partnership approach would be to contact glass-recycling companies and ask if they will provide one. Alternatively, these are available for purchase or hire. Local sponsors may also be able to help fund this.

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 against the person. The distinct qualities that separate toughened and non-toughened glass lie in the manufacturing process. As a result of its strength and the way that it breaks, toughened glass will shatter into many hundreds of tiny pellets. Conventional glass

by contrast serves as an offensive weapon because it leaves large and potentially lethal pointed edges. These can be used to inflict horrific and lasting injury. The only discernible difference between the two types of glass products are that toughened glass is very slightly more opaque, but this is often unnoticeable. The benefits of safer products far outweigh cost considerations. Although toughened glass cost approximately 30% more than non-toughened, the former prevents serious injury, is more robust and lasts between 20-50 times longer so any initial outlay will quickly be recouped. Several major pub chains are in the process of adopting these recommendations

Licensees should ensure that public nuisance is not caused by litter and other debris in the vicinity of their premises. Appropriate litterbins and secured bottle bins should be provided in the vicinity of the premises. The Licensing Act 2003 (and its guidance) place a responsibility on Licensees and premises operators to ensure that litter, bottles and promotional leaflets etc are cleared away in the vicinity of their premises, in order to prevent nuisance. Likewise, littering away from the Licensed Premises by the irresponsible distribution of promotional leaflets should be avoided. Litter caused by a Licensed premises is dealt with under the 'Public Nuisance' objective of the Licensing Act. The Police and Local Authority will take necessary steps to ensure that littering by a Licensee (or their agents) is dealt with appropriately. This may be by prosecution for the offences of littering, or by 'reviewing' the licence in question.

A clean, smart, professional looking premises will attract more customers than one surrounded by unsightly litter and debris. The initial appearance of the premises will determine the type of customers.

Drinks Promotions

Licensees are not only responsible for the care of their customers but for the noise and the disturbance caused to nearby residents. The promotion of excessive drinking by either 'all inclusive' or 'excessively discounted pricing' encourages the binge drinking culture and creates associated problems for

the police, health service and local community. Licensees should be aware of their social responsibilities and the duty of care to both staff and customers. Happy Hours and other pricing promotions by premises shall be closely monitored. Should the premises continue with irresponsible promotions, the police have new powers to consider immediate closure orders for noisy or problematic premises.

Any disorder associated with a drink promotion may result in a police request for a review of the licence.

Responsible drinking and proof of age

It is the legal responsibility of licensees to ensure effective procedures are in place to prevent underage purchase, sale and consumption of intoxicants to underage persons or customers who are drunk. It is a criminal offence for both the licensee and staff to serve intoxicants to underage persons or a drunken customer.

What can you do about it?

Proof of Age Standards Scheme (PASS). PASS is a voluntary scheme for validating Proof of age cards and is supported by the Trading Standards Institute, The Home Office, Beer and Pub Association, British Institute of Innkeepers and many other organisations. It could assist licensees in meeting their obligations under the legislation.

This scheme adopts a rigorous checking procedure, which has been audited by the Trading Standards Institute. The cards have a PASS hologram to the front of the card. This is virtually impossible to make fraudulently and can therefore be relied upon as the genuine article. For the purposes of proving age, only those cards with PASS accreditation or a driving licence or passport should be accepted as proof by licensees.

Drugs

Licensees should take steps to prevent drug misuse and its associated behaviour on their premises. All landlords face the potential problem of their premises being used for taking or dealing drugs.

Useful guidance can be obtained from the following website which contains the "Safer Clubbing Guide": This can be downloaded free of charge: www.drugs.gov.uk

Door Supervision

Large groups of people who congregate and drink in the street outside of licensed premises can cause harassment, alarm and distress to members of the public. It is the licensee's responsibility to ensure that this does not occur. On weekends and other busy periods, consideration should be given to having door supervisors at each entry/exit of licensed premises. If problems

are caused by people congregating in the street outside a particular premises the police may seek to review the licence.

Licensees should ensure that door supervisors operating at their premises are correctly licensed. From 13 December 2004 all 'door supervisors' and their managers operating within Cleveland **must** be licensed by the Security Industry Authority and perform their duties in accordance with the regulations.

Further guidance can be sought at www.the-sia.org.uk

Crime Reduction Activity

The Government expects licensees to support local crime prevention/reduction initiatives and clearly display crime prevention notices. Signage should raise the awareness of crime, ie: the dangers of leaving bags and coats unattended drink spiking and other crimes. At present certain area's of Cleveland Police are promoting the 'Nightsafe' initiative which licensees are encouraged to support.

Pub Watch

The government encourages licensees to become active members of a pub watch in their area. The guidance accompanying the Licensing Act 2003 includes all sections of the licensing trade including traditional 'off-licences' to become members of a local 'Pub Watch.'

Advantages to membership include;

- Enhanced information exchange between local licensees
- Deters troublemakers
- Reduces the risk of assaults on staff and customers
- Reduces damage to premises
- Improves public image and sales environment
- Increases and improved relationships with Police leading to more effective response to assistance requests

For further advice relating to Pub Watch, visit the 'National pub watch' website at www.pubwatch.org

In the event of repeated incidents of crime, disorder or anti social behaviour at or near to licensed premises, non-membership or lack of active participation in a pub watch scheme could be taken into consideration by the police and licensing authorities.

Physical Security

The design and layout of licensed premises can play a major part in the reduction of crime and the fear of crime. Research and practical examples show that crime risks and the fear of crime are significantly reduced by addressing security at the design stage. High standards of physical security are essential but so too are environmental factors, access and design, which deter offenders and give occupiers feelings of ownership of their community. The licensees or owners of all existing, new or refurbished premises should

consult with their local police Crime Prevention Officer for specific tailored advice.

For further details of 'Secured by Design,' 'Safer Parking Scheme', Window and Door standards please log onto www.securedbydesign.com.

Internal/External public areas. All licensees should consider the following for the interior and exterior of their building:

- Any furniture that is used should be locked down to avoid it being used as weapons/missiles etc.
- Any landscape around public areas such as beer gardens must be well maintained.
- Ensure that there are no hidden corners that can be intimidating inside or outside the building.
- Areas that are not overlooked by staff should be covered by CCTV.
- Licensees should ensure that particular attention is paid to both the general management of and design of the toilet areas.
- Cisterns, plumbing and other places could be used for hiding drugs or stolen property and should not be accessible to the public.
- The toilet area is the ideal location to display guidance and instruction on issues such as crime reduction or drug abuse. Contact numbers for confidential information or counselling services can be displayed discreetly.
- The provision of an attendant at both toilet and cloakroom areas has been proven to reduce incidents of criminal activity taking place at licensed premises.
- The installation of ultra violet lighting may discourage drug taking.

Lighting and Parking. Licensees should consider lighting the exterior of their building. Good lighting lessens the fear of crime.

- Lighting should illuminate all elevations and recesses of the exterior of the building. For example dusk till dawn lights could be used, these lights will automatically come on as it goes dark and go off when it becomes light. These lights are very cost effective.
- Lighting should be compatible with the requirements of any CCTV system installed. Specialist advice should be sought.
- Beer gardens and internal areas should be well lit and free from dark corners.
- Any lighting should not cause undue annoyance to neighbouring premises.

Where parking facilities are provided licensees should consider the following:

- All Landscaping should be well maintained to avoid obstruction
- Ensure parking areas are well lit
- Keep car-park access points to a minimum

Licensees have a responsibility for their customers. For certain premises consideration should be given to providing a Taxi rank where patrons can be dropped off and picked up safely. Other suggestions include "transport home" schemes and a dedicated phone line direct to local private hire companies to

minimise waiting time and the potential for confrontation when waiting for transport home.

Perimeter Security. Licensees should consider applying the following to the exterior of their building:

- Having a defined well-maintained perimeter wall, fence or hedge indicates that the area beyond this is private.
- Limit the number of entry / exit points to the premises (having regards to fire regulations.)
- Regular maintenance of landscaping makes the area look more inviting to customers and sends the message to potential offenders that the premises are well managed.

Outbuildings. Licensees should also take into consideration the security of other buildings on their site. It is important that all external storage facilities are also secured ie: Cellar doors and Garages.

- Make sure items such as barrels and crates and any other objects that could be used in the commission of crime are put away and secured.
- Keep the surrounding areas of the building clear from rubbish and that wheelie bins are padlocked or locked away as these could be used as climbing aids or a means of transport for stolen property.

Nothing should be done to premises that breach any fire regulations. Personal safety always comes before security matters. Cleveland Fire and Rescue Service are able to offer advice on all issues relating to fire prevention.

Gaming and Vending Machines

Always a potential point of attack within any licensed premises.

- Ensure that gaming/vending machines are covered by an intruder alarm and CCTV system.
- Metal security brackets are available that can be secured around the machine and bolted to a solid wall or floor.
- Particular attention should be paid to the lower part of the machine where the cash box is usually located.

Benefits of a CCTV Systems at Licensed premises

Licensees should consider the use of CCTV as part of their crime and disorder reduction measures. Before the occupier of licensed premises approaches any CCTV installation company they should first assess exactly what they expect and require a CCTV system to do in their specific premises.

Recognition of individuals entering and leaving the premises must always be the priority when considering how the system is going to work. This is always preferable to just having internal cameras covering areas such as the bar. A view of the external approaches to the premises is also required.

Recording facilities are vital. The recording system must have sufficient capacity to hold images for several days. The system must also have a readily available replay facility that will enable investigating Police Officers the ability to both view and take away images for evidential use. The format used for these evidential images must be of a type that can be readily replayed by a recognised and easily used medium, for example VHS tape or CD.

Cameras should produce colour images and be contained in robust housings that will prevent them being tampered with or attacked.

Lighting levels in the entrance and exit areas should always be sufficient to allow true colour images to be obtained.

The recording system should always be located in a secure area to which the staff would not normally have access.

Recordings must be retained for 31 days. Following this period they should be wiped or re-recorded. They should not be retained longer than is necessary

Appropriate signage must be placed in and around the premises to advise customers that CCTV is being used and recorded on the premises and the purpose, ie: Crime detection, prevention and for public safety. The location of the signage must be in highly visible locations in public areas of the premises.

The system must comply with and be registered under the Data Protection Act, which specifies that the above mentioned measures are adhered to. Further guidance can be obtained from the Information Commissioner website www.informationcommissioner.gov.uk

The issues referred to in this guidance are not mandatory but should be considered by all licensees when preparing their operating schedules.