



*Castle House  
Great North Road  
Newark  
NG24 1BY*

*Tel: 01636 650000*

[www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk)

**Wednesday, 25 August 2021**

**Chairman: Councillor Mrs R Crowe  
Vice-Chairman: Councillor R White**

**Members of the Committee:**

**Councillor L Brazier  
Councillor Mrs B Brooks  
Councillor S Carlton  
Councillor M Cope  
Councillor P Harris  
Councillor R Jackson**

**Councillor Mrs S Michael  
Councillor Mrs S Saddington  
Councillor I Walker  
Councillor K Walker  
Councillor Wildgust  
Councillor Mrs Y Woodhead**

**MEETING:           Licensing Committee**

**DATE:                Thursday, 2 September 2021 at 6.00 pm**

**VENUE:             Civic Suite, Castle House, Great North Road,  
Newark NG24 1BY**

**You are hereby requested to attend the above Meeting to be held at the time/place  
and on the date mentioned above for the purpose of transacting the  
business on the Agenda as overleaf.**

**If you have any queries please contact Helen Brandham on [helen.brandham@newark-sherwooddc.gov.uk](mailto:helen.brandham@newark-sherwooddc.gov.uk) 01636 655248.**



## AGENDA

	<u>Page Nos.</u>
1. Declarations of Interests from Members and Officers	
2. Declaration of Any Intention to Record Meeting	
3. Minutes of the Meeting held on 10 June 2021	4 - 6
4. Forward Plan - October 2021 to September 2021	7
<b>PART 1 - ITEMS FOR DECISION</b>	
5. Review of Pool of Potential Conditions	8 - 42
6. Update on Pubwatch Schemes in Newark & Sherwood	43 - 45
<b>PART 2 - ITEMS FOR INFORMATION</b>	
7. Review of Pavement Licences in Newark	46 - 47
8. Nitrous Oxide Issues in Licensed Premises	48 - 49
9. Minutes of Licensing Hearing for The Dapper Spaniel	50 - 53
<b>PART 3 - STATISTICAL AND PERFORMANCE REVIEW ITEMS</b>	
10. Update on Performance and Enforcement Matters	54 - 58
11. Temporary Event Notices Received and Acknowledged Between 1 April to 30 June 2021	59 - 63
<b>PART 4 - EXEMPT AND CONFIDENTIAL ITEMS</b>	
None	

# Agenda Item 3

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Thursday, 10 June 2021 at 6.16pm.

PRESENT: Councillor Mrs R Crowe (Chairman)  
Councillor R White (Vice-Chairman)

Councillor L Brazier, Councillor Mrs B Brooks, Councillor S Carlton,  
Councillor M Cope, Councillor P Harris, Councillor Mrs S Michael,  
Councillor Mrs S Saddington, Councillor I Walker and Councillor  
Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs K Arnold (Committee Member), Councillor R Jackson  
(Committee Member) and Councillor K Walker (Committee Member)

### 1 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that no Member or Officer declared any interest pursuant to any statutory requirement in any matter discussed or voted upon at the meeting.

### 2 DECLARATION OF ANY INTENTION TO RECORD MEETING

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

### 3 MINUTES OF THE MEETING HELD ON 11 MARCH 2021

AGREED that the Minutes of the meeting held on 11 March 2021 were a correct record and signed by the Chairman.

### 4 FORWARD PLAN - JUNE 2021 TO MAY 2022

AGREED that the Forward Plan for the period 1 June 2021 to 31 May 2022 be noted.

### 5 REOPENING OF HOSPITALITY VENUES

The Committee considered the report presented by the Senior Licensing Officer in relation to the work undertaken in preparation for the opening of hospitality in-line with the Government step approach to lifting lockdown.

The report provided information on what actions had been taken to support the licensed trade to ensure that they were aware of the differing rules and timings of changes. To assist with this a clear guidance document had been produced and sent out together with a pre-opening checklist. This same information was also published on the Council's website and on the Schemelink platform.

Pre-opening visits were carried out prior to outdoor hospitality reopening on 12 April 2021. A total of 60 licensed premises were visited on 17 April to those premises offering outdoor hospitality. This had resulted in 12 letters being sent out to premises who had breached the restrictions in place. From that only 1 premise continued to breach the restrictions which had resulted in the issue of a Fixed Penalty Notice for £1,000. Following the reopening of indoor hospitality further visits were carried out on 21 and 29 May which resulted in 9 letters being sent out for breaches to restrictions.

In considering the report Members queried what type of issues had arisen during the 21 and 29 May visits to warrant the letters being sent out. The Senior Licensing Officer advised that some of the issues were: allowing customer to purchase drinks at the bar rather than operating a strict table service; not enforcing the wearing of face masks, both for customers and staff; customers being permitted to wander around the premises. She added that the premises would be visited again with the next step being the issuing of a Fixed Penalty Notice.

AGREED (unanimously) that the contents of the report be noted.

## 6 VERTICAL DRINKING AND LICENSED PREMISES

The Committee considered the report presented by the Business Manager – Public Protection in relation to the current policy and controls with regard to vertical drinking controls in licensed premises and whether Members considered it necessary to review the Statement of Licensing Policy.

It was noted in the report that standing whilst drinking, commonly referred to as vertical drinking, had been shown to lead to more unrest and violence compared to drinking whilst seated with the relevant licensing objective being the prevention of crime and disorder. Paragraph 2.4 to 2.8 provided the relevant Home Office issued statutory guidance and the Council's Statement of Licensing Policy, Policy No. 2. It was noted that additional support was provided by the issuing of local guidance, a copy of which was attached as Appendix 1.

In considering the report a Member stated that the current restrictions requiring customers in licensed premises to remain seated had led to a reduction in problems associated with vertical drinking. He acknowledged that other licensing authorities did not have a specific clause in their Statements of Licensing Policy but that should not prevent Newark & Sherwood District Council doing so. He proposed that applicants for a premise licence be required to outline in yellow the area to be used for vertical drinking.

In response the Business Manager advised that the aforementioned local guidance did not form part of the Statement of Licensing Policy. He added that any amendment to the local guidance could be approved by the Licensing Committee.

AGREED (unanimously) that the local guidance issued as part of the application process be amended to include the following:

Areas which are to be used for the purpose of vertical drinking to be outlined in yellow.

7 TEMPORARY EVENT NOTICES - 1 JANUARY TO 31 MARCH 2021

The Committee considered the report presented by the Senior Licensing Officer in relation to the Temporary Event Notices (TENs) received between 1 January and 31 March 2021.

In noting the significant reduction in the number of TENs received, Members queried how this had affected income received. In response, the Senior Licensing Officer and Business Manager – Public Protection advised that the income had reduced by approximately £6,000.

AGREED (unanimously) that the report be noted.

8 UPDATE ON PERFORMANCE & ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer in relation to the activity and performance of the Licensing Team between 1 January and 31 March 2021.

In considering the report a Member commented that he wished to thank the Licensing Team and the wider Council for the efforts they had made throughout the Pandemic and national lockdowns, adding that he had received positive comments from constituents within his Ward.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.35 pm.

Chairman

**Forward Plan of the Licensing Committee Decisions from 1 October 2021 to 30 September 2022**

This document records some of the items that will be submitted to the Licensing Committee over the course of the next twelve months.

These committee meetings are open to the press and public.

Agenda papers for Licensing Committee meetings are published on the Council’s website 5 days before the meeting <http://www.newark-sherwooddc.gov.uk/agendas/>. Any items marked confidential or exempt will not be available for public inspection.

<b>Meeting Date</b>	<b>Subject for Decision and Brief Description</b>	<b>Contact Officer Details</b>
November 2021	Attendance at Committee by Newark Pubwatch Chairman	<a href="mailto:alan.batty@newark-sherwooddc.gov.uk">alan.batty@newark-sherwooddc.gov.uk</a>
November 2021	Review of Potential Licensing Conditions – Update Report	<a href="mailto:alan.batty@newark-sherwooddc.gov.uk">alan.batty@newark-sherwooddc.gov.uk</a>
March 2022	Attendance at Committee by Representatives of Nottinghamshire Police Authority	<a href="mailto:alan.batty@newark-sherwooddc.gov.uk">alan.batty@newark-sherwooddc.gov.uk</a>

Members to put forward any items they would wish to consider at future meetings of the Licensing Committee.

## LICENSING COMMITTEE

2 SEPTEMBER 2021

### REVIEW OF POOL OF POTENTIAL CONDITIONS

#### **1.0 Purpose of Report**

1.1 To seek comments from Members in relation to the pool of potential conditions that is available for use when considering the appropriate conditions to attach to a licence

#### **2.0 Introduction**

2.1 Within the Statement of Licensing Policy for Newark & Sherwood there is a reference to the 'pool of potential conditions'. Members will be aware that this is used by Officers and Hearing Panel Members when applying conditions to Premises Licences.

2.2 Members of the Committee have recently requested whether a review of these conditions is appropriate.

#### **3.0 Background**

3.1 There are three ways in which conditions can be attached to a licence, these are:

- Mandatory
- Proffered
- Imposed

3.2 There are 12 current mandatory conditions that apply across a range of premises.

3.3 As part of the application process the operator is required to set out the measures that are proposed to promote the licensing objectives. These are normally to be found within the operating schedule of an application. Where an application is received and there are no relevant representations, in such circumstances the authority is obliged to grant the licence in accordance with the application subject to such conditions as are consistent with the operating schedule.

3.4 From this it can be seen that the operating schedule is an important part of the application and that the applicant needs to have an understanding of the requirements of the local area. The statutory guidance makes this clear:

*In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.*

- 3.5 The licensing authority is permitted to translate the operating schedule into enforceable conditions and to describe more specifically what is proposed if that is necessary to promote the licensing objectives.
- 3.6 In cases where relevant representations are received in respect of an application the licensing authority must hold a hearing to consider them. One of the outcomes from the hearing is to grant the licence subject to conditions which are consistent with the operating schedule accompanying the application, modified to such an extent as the licensing authority considers necessary for the promotion of the licensing objectives.
- 3.7 Whilst this appears to give a wide discretion to attach such conditions as the authority considers appropriate, in reality the discretion is tempered by a series of considerations that are set out in the statutory guidance. This states that licence conditions:
- must be appropriate for the promotion of the licensing objectives
  - must be precise and enforceable
  - must be unambiguous and clear in what they intend to achieve
  - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation
  - must be tailored to the individual type, location and characteristics of the premises and events concerned
  - should not be standardised
  - should not replicate offences
  - should be proportionate, justifiable and be capable of being met
  - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff
  - should be written in prescriptive format
- 3.8 The Act and its guidance are very clear that a list of standard conditions imposed in every case is not the correct manner in which conditions are to be used. They need to be applied where they are considered appropriate and proportional to the particular circumstances of any individual case.
- 3.9 The Nottinghamshire Authorities Licensing Group (NALG) produced a pool of conditions in conjunction with the responsible authorities. A copy of the current pool of conditions is attached as **Appendix 1**. These were last reviewed by NALG three years ago.
- 3.10 These are conditions that cover the four licensing objectives and have wording which is considered to be clear, precise and enforceable. The pool conditions are also provided to ensure that the wording of conditions is consistent to assist the Police and licensing enforcement staff as well as the licence holder.
- 3.11 The pool of conditions should not be viewed as the only source of conditions. The authority has the ability to place conditions on a licence and so long as the conditions meet the requirements set out in paragraph 2.7 above. The wording of a condition can be derived from anywhere. The pool of conditions gives a good starting point for the consideration of the exact wording of a condition.

3.12 It is worthy of repetition that the pool of conditions is not a set of standard conditions to be imposed on every licence but is a source of previously considered conditions that meet the requirements of the guidance and can be a valuable tool to assist Members and officers.

3.13 The Institute of Licensing has produced guidance on the use of conditions for use licensing authorities and responsible authorities. This is attached as **Appendix 2**.

#### **4.0 Proposals**

4.1 It is proposed to review the current pool of potential conditions with assistance from the Nottinghamshire Authorities Licensing Group.

4.2 Members are asked to highlight any areas where they feel the conditions could be improved.

#### **5.0 Equalities Implications**

5.1.1 None from this report

#### **6.0 Digital Implications**

6.1.1 None from this report

#### **7.0 Financial Implications (FIN21-22/694)**

7.1 There are no direct financial implications arising from this report.

#### **8.0 RECOMMENDATIONS that:**

**a) Members support the review of the ‘pool of conditions’; and**

**b) Members identify any areas they feel additional conditions could be developed.**

#### Background Papers

Licensing Act 2003

Section 182 Statutory Guidance – Home Office

For further information please contact Alan Batty on 01636 655467

Matthew Finch

Director – Communities & Environment

**Pool of Potential Conditions**

	<b>OBJECTIVE</b>	<b>CONDITION</b>
1.	Public Nuisance <b>Noise</b>	The noise level from regulated entertainment should not exceed **dB over any ** minute period at a distance of ** meters from any residential premises.
2.	Public Nuisance <b>Noise</b>	Noise levels shall be monitored at the boundry of the premises every XXX minutes whilst regulated entertainment takes place to ensure that no vibration or noise nuisance is caused to any residential premises. The results of all monitoring shall be recorded in either a bound and sequentially paginated book or as an electronic record, which shall be kept at the premises and be available at all times for inspection by an authorised officer of the council or Police Officer. A record of all actions taken as a result of the monitoring shall also be kept.
3.	Public Nuisance <b>Noise</b>	Signage shall be displayed advising customers to be respectful to residents and to leave the area in a quiet and orderly manner.
4.	Public Nuisance <b>Noise</b>	All doors and windows shall remain closed when regulated entertainment is taking place, except for when actually being used for access and egress and in the event of an emergency.
5.	Public Nuisance <b>Noise</b>	The external area of the premises shall not be used for the provision of licensable activities or consumption of food and beverages after XXXX hours.
6.	Public Nuisance <b>Noise</b>	No more than X events shall be held outside in any calendar year. The premises licence holder shall inform the Environmental Health Service in writing at least two weeks before holding an outdoor event. No regulated entertainment shall be provided in any external areas except for during these events
7.	Public Nuisance <b>Noise</b>	A noise attenuation scheme (to include details of XXXX) to the licensed area, shall be submitted to and approved by the licensing authority in writing and implemented in accordance with the approved scheme before the outside seating area is used for the consumption of alcohol. The scheme shall be kept on the premises and made available for inspection by the police or any other authorised person upon request.
8.	Public Nuisance <b>Noise</b>	There shall be no admission or re-admission to the premises after X hours save for access and egress to any external smoking area that may be designated for such purpose, such area shall be supervised from X time until the terminal hour.
9.	Public Nuisance <b>Taxis</b>	A taxi calling service shall be available to customers at all times that the premises are open. Customers who are waiting for a taxi shall be provided with seating inside the premises.

	<b>OBJECTIVE</b>	<b>CONDITIONS</b>
10.	Crime & Disorder <b>SIA records</b>	A bound and sequentially numbered book or electronic record shall be kept at the premises. This book shall contain the names, addresses, dates of birth, full SIA licence number(s) (16 digits) and hours worked of all door supervisors employed on any day. The book shall be retained at the premises for at least 12 months and shall be made available for inspection and copying by the Police, SIA or any other authorised person immediately upon request.
11.	Crime & Disorder <b>Refusal Book</b>	A bound and sequentially paginated refusals book or electronic record shall be kept at the premises to record all instances where admission or service is refused. Such records shall show: <ul style="list-style-type: none"> <li>• The basis for the refusal;</li> <li>• The person making the decision to refuse; and</li> <li>• The date and time of the refusal.</li> </ul> Such records shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the Police or any other authorised person upon request.
12.	Crime & Disorder <b>Records</b>	A bound and sequentially paginated incident/accident book or electronic record shall be kept to record all instances of disorder, damage to property and personal injury at the premises. This book shall be made available for inspection and copying by the Police or any other authorised person upon request and all such books shall be retained at the premises for at least 12 months.
13.	Crime & Disorder Records (Ford and Warren condition)	A CCTV system must be installed and operative in the premises when it is open to the public. The system will provide coverage of those areas of the premises where the public may consume food and/or alcohol. The CCTV images will be retained for a period of not less than 31 days. Images will be supplied to the Police when requested.
14.	Crime & Disorder <b>CCTV</b>	A CCTV system with recording equipment shall be agreed in writing with the Police and recorded on the plan appended to the licence. The agreed system shall be installed prior to the premises carrying out licensable activities and maintained in accordance with the scheme. All recordings used in conjunction with CCTV shall: <ul style="list-style-type: none"> <li>• be of evidential quality</li> <li>• indicate the time and date</li> <li>• be retained for a period of 31 days</li> </ul> Recordings to be made available for inspection when requested by the Police or any other authorised person.

15.	Crime & Disorder <b>CCTV</b>	<p>All CCTV installed at the premises must comply with the following:</p> <ul style="list-style-type: none"> <li>• CCTV shall be provided in the form of a recordable system capable of providing pictures of evidential quality and in all lighting conditions particularly facial recognition.</li> <li>• Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs.</li> <li>• Equipment shall be maintained in good working order and correctly time and date stamped. Recordings shall be kept in date order, numbered sequentially and kept for a period of thirty-one days and handed to the Police or any other authorised person upon request pursuant to the Data Protection Act 1998.</li> <li>• The recording equipment and tapes/discs shall be kept in a secured environment under the control of the Premises Licence Holder or other responsible named individual.</li> <li>• Individuals contracted into the venue who are required to monitor the CCTV in relation to SIA manned guarding activities must be appropriately SIA licensed.</li> </ul>
16.	Crime & Disorder	<p>A CCTV system shall be installed and operative in the premises when licensable activities are taking place.</p> <p>All recordings used in conjunction with CCTV shall:</p> <ul style="list-style-type: none"> <li>• be of evidential quality</li> <li>• indicate the time and date</li> <li>• be retained for a period of 31 days</li> </ul> <p>Recordings to be made available for inspection to the Police or any other authorised person when requested.</p>
17.	Crime & Disorder <b>Outdoor Seating</b>	<p>The outside seating area on the XXXX elevation shall not be used until enclosed by a substantial screen or barrier approved in writing by the licensing authority and the details appended to the licence. The purpose of such screen or barrier being to restrict ready access to that area.</p>
18.	Crime & Disorder <b>Outdoor Seating</b>	<p>All moveable furniture on the X elevation shall be removed from use prior to XXXX hours each day and stored securely when the premises are closed.</p>
19.	Crime & Disorder <b>DPS</b>	<p>The Premises Licence Holder shall ensure that the Designated Premises Supervisor or a person who holds a personal licence, as defined in the Licensing Act 2003, together with at least one other staff member shall be present at the premises on X, X and X of every week, between XX:XX hours until licensable activities cease.</p>
20.	Crime & Disorder <b>Training</b>	<p>All members of staff shall be fully trained in the retail sale of alcohol. The training shall be ongoing and each member of staff shall be reviewed every six months. All details of the level of training shall be recorded in a bound and sequentially paginated book or electronic record. This information shall be made available for inspection and copying by the Police or any other authorised person on request and all such books shall be retained at the premises for at least 12 months</p>

21.	Crime & Disorder <b>Food</b>	The supply of alcohol shall be restricted to those placing an order for food, either by telephone or in person at the premises. The value of the food will be in excess of X.
22.	Crime & Disorder <b>Food</b>	Alcohol shall not be sold or supplied on the premises other than to people taking a table meal and where it is ancillary to that meal.
23.	Crime & Disorder <b>Alcohol restriction</b>	The sale of alcohol shall be limited to: Those taking table meals and anyone accompanying such persons. Those attending pre-arranged functions
24.	Crime & Disorder <b>Alcohol restriction</b>	Intoxicating liquor shall not be sold or supplied on the premises otherwise than to: a. Persons taking table meals there for consumption by such a person ancillary to the meal. b. Persons purchasing a takeaway meal, for consumption on the premises whilst waiting for the takeaway meal to be prepared. c. Persons purchasing a takeaway meal and alcohol together for consumption off the premises. d. Persons purchasing a takeaway meal and alcohol together for home delivery by the Licensee or a member of staff. In such cases a written record of the order shall be made and kept both at the premises and in the vehicle used by the Licensee or member of staff for home delivery; and on such occasions the only alcohol carried in the vehicle shall be the alcohol ordered.
25.	Crime & Disorder <b>Retail alcohol deliveries</b>	All deliveries of alcohol shall be recorded in the form of a bound and sequentially paginated book or electronic record. A copy of each log or record shall be kept in the possession of and be completed by the delivery person when the delivery is made. The log/record shall contain the following information: <ul style="list-style-type: none"><li>• the name, address and age of the person placing the order and the delivery address, if different; and</li><li>• the time and date the alcohol was delivered; and</li><li>• whom it was delivered to; and</li><li>• the delivery persons name.</li></ul> The log/record shall be retained for a period of 12 months and made available for inspection when requested by the Police or any other authorised person.
26.	Crime & Disorder <b>Notices</b>	Notices shall be displayed advising customers that searches will be carried out and admission will be refused to customers who do not give their consent to being searched. A bound and sequentially paginated book or electronic record shall be kept recording details of anyone refusing to be searched, showing the date and time of the refusal and either the name or a description of the person refusing to be searched. Such record shall be made available for inspection and copying by the Police or any other authorised person upon request.

27.	Crime & Disorder <b>Drugs</b>	When the toilets have been checked for drugs use and supply, in accordance with condition XXXX a bound and sequentially paginated book or electronic record shall be kept of the result of the checks, detailing how and when any illegal substance was found. The record to be retained at the premises for at least 3 months and made available for inspection and copying by the Police or any other authorised person upon request.
28.	Crime & Disorder <b>Drugs</b>	Any seizures of drugs, weapons or other property shall be recorded in a bound and sequentially paginated book or electronic record, together with details of how and where the article was seized, and, where practicable the name and address of the person found with the article. This record shall be retained at the Premises for at least 12 months, and shall be made available for inspection and copying by the police or any other authorised person upon request.
29.	Crime & Disorder <b>SIA</b>	SIA licensed door supervisors shall be employed at the premises on Thursday, Friday & Saturday evenings from X hours until close at a ratio of 1:100 customers when the premises are offering licensable activities.
30.	Crime & Disorder <b>SIA</b>	When the premises are offering licensable activities beyond XX:XX hours there shall be a minimum of 2 SIA licensed door supervisors on duty at the premises until close. Where the number of customers exceeds X further door supervisors shall be employed at a ratio of 1:100 customers. This condition may be disapplied by written agreement with the Police at least 1 to 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises.
31.	Crime & Disorder <b>SIA</b>	XXXX of suitably trained and licensed SIA door supervisors shall be on duty on Friday and Saturday evening from xxxx until the premises close. A bound and sequentially paginated book or electronic record containing names, addresses and full SIA licence number(s) of door supervisors shall be maintained and kept for a period of twelve months and be available for inspection by the police or any other authorised person upon request. This condition may be disapplied by written agreement with the Police at least 1 to 2 working days prior to the date and time of the disapplication and such written agreement retained at the premises.
32.	Crime & Disorder SIA  <i>(Police agreed this condition with Wetherspoon's)</i>	At all times the premises licence holder shall risk assess the need for door supervisors at the premises, and/or employ such door supervisors at such times and in such numbers as deemed necessary by the risk assessment, and/or at any other times upon agreement with the Police. Cognisance shall be taken of Police advice if events are taking place which may directly or indirectly impact on the safety of staff and customers and provision shall be made for the required number of SIA licensed door supervisors to be on duty at times as agreed with the Police i.e. events requiring extra Police resources (Bank Holiday weekends, significant international or local sporting events etc.) The written risk assessment shall be made available on request to the Police and/or Licensing Authority.

33.	Crime & Disorder <b>SIA</b>	Only SIA licensed door supervisors shall conduct searches of customers prior to admission for drugs and weapons. A metal detector shall be utilised at the Premises on every occasion it is open for the carrying on of licensable activities and every person seeking admission shall be scanned with it prior to being admitted.
34.	Crime & Disorder <b>SIA</b>	30 minutes before the premises close to the public, managers shall ensure that the following action be undertaken: a) Two SIA licensed door supervisors shall monitor a predetermined area outside the premises (as per the plan appended to the licence) to assist in the safe dispersal of patrons by foot or vehicle. b) Such door supervisors shall wear reflective yellow jackets and carry Pub Watch radios.
35.	Crime & Disorder <b>SIA</b>	SIA licensed door supervisors shall be employed at the premises in accordance with the following requirements: <b>1)</b> Door supervisors shall commence duty at X hrs. <b>2)</b> Further door supervisors shall commence duty at X when the premises operate for licensable activities. After XX:XX hrs X SIA Licensed Door supervisors shall be deployed at the main access and egress point(s) until the termination of licensable activities. X SIA Licensed door supervisors shall be deployed patrolling the internal licensable area until the termination of all licensable activities.
36.	Crime & Disorder <b>SIA</b>	Door Supervisors shall be required to work at the premises: <ul style="list-style-type: none"> <li>• When the number of patrons on the premises is or expected to be in excess of X patrons (including the outside area).</li> <li>• When the premises are to remain open after XX:XX in which case the door supervisors shall be on duty from XX:XX until the premises close.</li> <li>• When the premises are hosting an event that is primary or exclusively for an under 18 age group audience and there is regulated entertainment provided. In such circumstances the Door Supervisors shall be on duty from the opening of the premises until the last member of the public has left the premises.</li> <li>• On all Friday and Saturday nights from X until X.</li> </ul> <p>When Door Supervisors are required to work on the premises:</p> <ul style="list-style-type: none"> <li>• They shall be employed to work solely in the capacity of a Door Supervisor.</li> <li>• They shall be employed at a ratio of one Door supervisor per 100 persons present or part thereof, on the premises.</li> <li>• There shall always be a minimum of two Door Supervisors.</li> <li>• There shall always be a minimum of two Door Supervisors at the main access and egress to the premises.</li> </ul>

		<ul style="list-style-type: none"> <li>All Door Supervisors shall record at the premises either electronically or in a paginated book, which must be available for inspection by any police officer and/or any other authorised person showing the time and date they commenced and finished work, their full name, their full 16 digit SIA number and the expiry date of their licence.</li> </ul>
37.	Crime & Disorder <b>Drugs</b>	The toilets at the premises shall be checked at least hourly for drugs use and the evidence of supply taking place. Cocaine wipes shall be used when carrying out the checks. A bound and sequentially paginated book or electronic record shall be kept of all such checks.
38.	Crime & Disorder <b>Drugs</b>	If drugs are found during a personal search, or whilst being used within the premises, the Premises Licence Holder, Designated Premises Supervisor or Manager shall ensure, wherever possible, that a clear image of the person found in possession is captured on CCTV. Following a risk assessment of the situation arising from the find, any person found using or in possession of drugs shall be detained, if safe and practicable, and the Police called immediately.
39.	Crime & Disorder <b>Drugs</b>	Any Drugs or weapons found on the premises, either during a search of any person or otherwise found on the premises, shall be confiscated and stored in a secure container prior to being handed over to the Police, which shall be done as soon as is practicable
40.	Crime & Disorder <b>Glasses</b>	Alcohol shall only be dispensed in non glass or tempered glass containers.
41.	Crime & Disorder <b>Glasses</b>	Alcohol shall only be dispensed in non glass containers.
42.	Crime & Disorder <b>Glasses</b>	From XX:XX hours until close alcohol shall only be dispensed in non glass containers.
43.	Crime & Disorder <b>Glasses</b>	From XX:XX hours until close all drinks shall be dispensed in non glass containers. Where glass bottles are normally used, the contents shall also be decanted into non glass containers.
44.	Crime & Disorder <b>Glasses</b>	No persons carrying open, or sealed, vessels shall be admitted to the premises at any time.
45.	Crime & Disorder <b>Glasses</b>	No persons shall be permitted to remove open vessels from the premises.
46.	Crime & Disorder <b>Glasses Football ground</b>	The sale, supply and consumption of alcohol in the public concourses within the stands shall be in non glass containers.

47.	Crime & Disorder <b>Glasses/Bottles</b>	All bottles and glasses shall be removed from the public areas as soon as they are either finished with, or empty
48.	Crime & Disorder <b>Glasses</b>	Non glass containers shall be used at all times when the premises operate licensable activities [after XX:XX hrs]. In the event that non glass bottles cannot be provided by the suppliers, then all drinks shall be dispensed and served in non glass containers
49.	Crime & Disorder <b>Glasses</b>	A bin shall be sited adjacent to the main access/egress door to facilitate vessel disposal whilst licensable activities take place.
50.	Crime & Disorder <b>Bottle marking</b>	All vessels containing alcohol must be permanently marked **** prior to sale.  Or  All vessels containing XXXX exceeding 5.5% ABV shall be marked XXXX prior to sale, unless the vessel is pre-packed in sealed packaging.
51.	Crime & Disorder <b>Alcohol display off licences</b>	Alcohol must not be displayed within X meters of the entrance to the premises.
52.	Crime & Disorder <b>Dispersal Policy</b>	A Dispersal Policy, agreed with the Police shall be in place and retained at the Premises.
53.	Crime & Disorder <b>Incident Policy</b>	An Accident and Incident reporting Policy, agreed with the Police shall be in place and retained at the Premises.
54.	Crime & Disorder <b>Drugs Policy</b>	The Drugs Policy, agreed with the Police, shall be in place and retained at the Premises.
55.	Crime & Disorder <b>SIA Policy</b>	An Admission Control Door Supervision Policy, agreed with the Police shall be in place and retained at the Premises.
56.	Crime & Disorder <b>Policy Signage</b>	Signage shall be clearly displayed prominently at the point of access and toilet areas informing Patrons of the basic requirements of the Admission Policy, Age Policy, Drug Policy and Dress Policy.
57.	Crime & Disorder <b>Event Plan</b>	Prior to each event a plan, identifying the area(s) for licensable activities shall be submitted to the Police, XXX working days prior to the event. Such plan to be available on site to the Police and /or any other authorised person upon request.
58.	Crime & Disorder <b>Event Plan</b>	A list of forthcoming events shall be supplied to the police at least XXX weeks prior to the event and shall contain the following information:

		<ul style="list-style-type: none"> <li>• The timings of the events.</li> <li>• The name, address and telephone contact details of the organiser of the event, or hirer of the premises/ part of the premises.</li> <li>• The anticipated number of persons attending the event.</li> <li>• Any other information requested by the police sufficient to determine whether there is a risk of public disorder.</li> </ul> <p>Where either the management at the premises or the police consider that a forthcoming event has a risk of disorder, the management at the premises shall, in consultation with the police, undertake a risk assessment. If the police are not satisfied with the management proposals contained in the risk assessment, the event shall not proceed so long as the police have given written notice seven days prior to the date of the event.</p>
59.	<b>Crime &amp; Disorder Personal Licence Holder</b>	A Personal Licence Holder shall be on duty at all times when the premises operate for licensable activities.
60.	<b>Crime &amp; Disorder Admission to premises</b>	<p>No admission for new patrons will be allowed to the premises after XX:XXhrs. Only existing patrons whose hand will be stamped by a member of staff – who step outside (i.e. smoking) will be allowed to return after that time.</p> <p>[No access shall be allowed to the premises after XXXX hrs. A notice shall be clearly and conspicuously displayed at the point of entry informing patrons of this].</p>
61.	<b>Crime &amp; Disorder Entry conditions</b>	<p>Entry to the premises shall be subject to the following requirements</p> <ul style="list-style-type: none"> <li>• All persons entering the premises may be subject to random searching by Door Supervisors</li> <li>• No Drugs shall knowingly be allowed on the premises. Any person found with drugs shall have the drugs taken from them and deposited in an approved drugs collection box. A bound and sequentially paginated book or electronic record of drug seizure shall be kept at the premises for a period of XXX months. When any drugs are found on a person entering or on the premises the Police shall be informed immediately and where possible the person shall be detained upon police request.</li> <li>• At any time there is a queue to enter the premises consisting of more than 10 people the queue shall be monitored by Door Supervisors.</li> <li>• Where a group of X people or more want to enter the premises or be on the premises at the same time the group shall only be admitted when a person from the group provides verifiable details of his or her name and address. The details of the person’s name and address shall be recorded in a book provided for this purpose. The nominated person shall be informed that he or she is responsible for the conduct of the group</li> </ul>

		and if one or more person from the group are determined to be using inappropriate behaviour at any time the whole group will be removed from the premises and details of the group will be radioed through to all other licensed premises using the approved radio system.
62.	Crime & Disorder <b>Use of outside areas</b>	<p>The Outside area of the premises shall only be used in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>• From the X until the X every year by patrons on the premises between the hours of XX:XX through to XX:XX.</li> <li>• From XX:XX until the closure of the outside area which shall only be used by patrons who are seated in accordance with the seating plan attached to this licence.</li> <li>• Signs shall be placed at all entrances to the outside area stating that only patrons who are seated are allowed in the outside area between the hours of 7pm until the outside area closes.</li> <li>• All members of staff working on the premises shall be made aware of the conditions of use for the outside area and shall check for compliance of the conditions at least every 15 minutes. Where non compliance is found the member of staff shall ensure that only persons who are seated remain in the outside area.</li> <li>• From the X until the X between XX:XX until the outside area is closed to the public, the outside area shall have two SIA registered Door supervisors in attendance the whole time to ensure patrons are seated on the allocated seats.</li> <li>• At all times the seating area is used CCTV shall be in use to record the whole area.</li> <li>• All CCTV installed at the premises must comply with the following: <ul style="list-style-type: none"> <li>▪ CCTV shall be provided in the form of a recordable system capable of providing pictures of evidential quality and in all lighting conditions particularly facial recognition.</li> <li>▪ Cameras shall encompass all ingress and egress to the premises and all areas where the sale/supply of alcohol occurs.</li> <li>▪ Equipment shall be maintained in good working order and correctly time and date stamped. Recordings shall be kept in date order, numbered sequentially and kept for a period of thirty-one days and handed to the Police or any other authorised person upon request pursuant to the Data Protection Act 1998</li> <li>▪ The recording equipment and tapes/discs shall be kept in a secured environment under the control of the Premises Licence Holder or other responsible named individual.</li> </ul> </li> <li>• In the outside area all alcoholic and soft drinks shall be served in non-glass drinking vessels. Glass bottles must be decanted inside the premises into non glass vessels.</li> </ul>
63.	Crime & Disorder <b>Occupancy</b>	A sign shall be fixed near to the entrance stating: MAXIMUM OCCUPANCY XXXX' For the prevention of Crime and Disorder.

	<b>OBJECTIVE</b>	<b>CONDITIONS</b>
64.	Public Safety <b>First aid</b>	The licence holder shall ensure that adequate and appropriate first aid provision is available on the premises for all licensable events and activities.
65.	Protection of children <b>Challenge 21/25 Purchase of alcohol</b>	A Challenge 21/25 scheme shall operate at the premises. Any person who appears to be under 21/25 years of age shall not be allowed to purchase alcohol unless they produce an acceptable form of photo identification. (e.g. passport, driving licence, Military ID or PASS accredited card).
66.	Protection of children <b>Under age sales signs</b>	Prominent signs shall be erected and maintained at the entrance and checkout transaction areas, stating that it is an offence to (a) sell alcohol to an individual under the age of 18 years; (b) for an individual under 18 years to purchase alcohol; (c) for a person to buy alcohol on behalf of an individual under 18 years.
67.	Protection of children <b>Under age till prompt</b>	A till prompt shall be installed to remind the staff member to verify the customer's age before alcohol is sold.
68.	Protection of children <b>Challenge 21/25 Entry to premises</b>	A Challenge 21/25 scheme shall operate at the premises. Any person who appears to be under 21/25 years of age shall not be allowed entry unless they produce an acceptable form of photo identification (e.g. a passport or driving licence, Military ID or PASS accredited card.)
69.	Protection of children <b>Challenge 21/25 Delivery</b>	A Challenge 21/25 scheme shall operate both at the premises & also at the delivery address, where alcohol is delivered to accompany a takeaway meal. Any person who appears to be under 21/25 years of age shall not be served alcohol unless they produce an acceptable form of photo identification (e.g. a passport, Military ID or driving licence or PASS accredited card.)
70.	Protection of children <b>Challenge 21/25 notices</b>	Challenge 21/25 notices shall be displayed in prominent positions throughout the premises
71.	Protection of children <b>Nudity</b>	The entertainment provided at the venue shall not be visible from the street.

72.	Protection of children <b>Nudity</b>	Any person who can be observed from outside the premises should be decently dressed and fully clothed
73.	Protection of children <b>Adult Entertainment</b>	There shall be no advertising or display outside of the premises to the general public, of photographs or other images displaying adult entertainment
74.	Protection of children <b>Events/Birthday Parties</b>	There shall be no XXX Birthday parties held at the premises

# Supporting Guidance - Pools of Conditions

The content of this guidance broadly reflects but is not the statutory guidance (or any part of the statutory guidance) issued by the Secretary of State under section 182 of the Licensing Act 2003. This good practice guidance should be viewed as indicative and may be subject to change. Revised statutory guidance issued under section 182 of the Licensing Act 2003 was laid in Parliament on 25 April 2012 and is available on the Home Office website.

## CORE PRINCIPLES

1. Licensing authorities and other responsible authorities (in considering applications) and applicants for premises licences and clubs premises certificates (in preparing their operating schedules) should consider whether the measures set out below are appropriate to promote the licensing objectives.
2. Any risk assessment to identify appropriate measures should consider the individual circumstances of the premises and the nature of the local area, and take into account a range of factors including:
  - the nature, type and location of the venue;
  - the activities being conducted there and the potential risk which these activities could pose to the local area;
  - the location (including the locality in which the premises are situated and knowledge of any local initiatives); and
  - the anticipated clientele.

**Under no circumstances should licensing authorities regard these conditions as standard conditions to be automatically imposed in all cases.**

3. Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate, they become enforceable under the law and breach could give rise to prosecution.
4. Licensing authorities should carefully consider conditions to ensure that they are not only appropriate but realistic, practical and achievable, so that they are capable of being met. Failure to comply with conditions attached to a licence or certificate could give rise to a prosecution, in particular, as the provision of unauthorised licensable activities under the 2003 Act, which, on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both. As such, it would be wholly inappropriate to impose conditions outside the control of those responsible for the running of the premises. It is also important that conditions which are imprecise or difficult to enforce must be excluded.

## PART 1. CONDITIONS RELATING TO THE PREVENTION OF CRIME AND DISORDER

### RADIO LINKS AND TELEPHONE COMMUNICATIONS

Two-way radio links and telephone communications connecting staff of premises and clubs to local police and other premises can enable rapid responses to situations that may endanger the customers and staff on and around licensed premises. It is recommended that radio links or

telephone communications systems should be considered for licensed premises in city and town centre leisure areas with a high density of premises selling alcohol. These conditions may also be appropriate in other areas. It is recommended that a condition requiring a radio or telephone link to the police should include the following requirements:

- the equipment is kept in working order (when licensable activities are taking place);
- the link is activated, made available to and monitored by the designated premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- relevant police instructions/directions are complied with where possible; and
- instances of crime or disorder are reported via the radio link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

## DOOR SUPERVISORS

Conditions relating to the provision of door supervisors and security teams may be valuable in relation to:

- keeping out individuals excluded by court bans or by the licence holder;
- searching those suspected of carrying illegal drugs, or carrying offensive weapons;
- assisting in the implementing of the premises' age verification policy; and
- ensuring that queues outside premises and departure of customers from premises do not undermine the licensing objectives.

Where the presence of door supervisors conducting security activities is to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, it may also be appropriate for conditions to stipulate:

- That a sufficient number of supervisors be available (possibly requiring both male and female supervisors);
- the displaying of name badges;
- the carrying of proof of registration; and
- where, and at what times, they should be in operation.

Door supervisors also have a role to play in ensuring public safety (see Part 2) and the prevention of public nuisance (see Part 4).

## RESTRICTING ACCESS TO GLASSWARE

Traditional glassware and bottles may be used as weapons or result in accidents and can cause very serious injuries. Conditions can prevent sales of drinks in glass for consumption on the premises. This should be expressed in clear terms and can include the following elements:

- no glassware, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar; or
- no customers carrying glassware shall be admitted to the premises at any time that the premises are open to the public (note: this needs to be carefully worded where off-sales also take place).

In appropriate circumstances, the condition could include exceptions, for example, as follows:

- but bottles containing wine may be given to customers for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

The banning of glass may also be a relevant and appropriate measure to promote public safety (see Part 2).

## ALTERNATIVES TO TRADITIONAL GLASSWARE

Where appropriate, consideration should therefore be given to conditions requiring the use of safer alternatives to prevent crime and disorder, and in the interests of public safety. Location and style of the venue and the activities carried on there are particularly important in assessing whether a condition is appropriate. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of alternatives to traditional glassware may be an appropriate condition during the showing of televised live sporting events, such as international football matches, when there may be high states of excitement and emotion.

## OPEN CONTAINERS NOT TO BE TAKEN FROM THE PREMISES

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. This is lawful where premises are licensed for the sale of alcohol for consumption off the premises. However, consideration should be given to a condition preventing customers from taking alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles) for example, by requiring the use of bottle bins on the premises. This may again be appropriate to prevent the use of these containers as offensive weapons, or to prevent consumption of alcohol, in surrounding streets after individuals have left the premises. Restrictions on taking open containers from the premises may also be appropriate measures to prevent public nuisance (see Part 4).

## CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions should not just consider a requirement to have CCTV on the premises, but also the precise location of each camera, the requirement to maintain cameras in working order, to retain recordings for an appropriate period of time and produce images from the system in a required format immediately to the police and local authority. The police should provide individuals conducting risk assessments as part of preparing their operating schedules with advice on the use of CCTV to prevent crime.

## RESTRICTIONS ON DRINKING AREAS

It may be appropriate to restrict the areas of the premises where alcoholic drinks may be consumed after they have been purchased. An example would be at a sports ground where it is appropriate to prevent the consumption of alcohol on the terracing during particular sports events. Conditions should not only specify these areas, but indicate the circumstances and times during which the ban would apply.

Restrictions on drinking areas may also be relevant and appropriate measures to prevent public nuisance (see Part 4).

## CAPACITY LIMITS

Capacity limits are most commonly made a condition of a licence on public safety grounds (see Part 2), but can also be considered for licensed premises or clubs where overcrowding may lead to disorder and violence. If such a condition is appropriate, door supervisors may be required to ensure that the numbers are appropriately controlled (see above).

## PROOF OF AGE CARDS

It is unlawful for persons aged under 18 years to buy or attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them. To prevent the commission of these criminal offences, the mandatory conditions require licensed premises to ensure that they have in place an age verification policy. This requires the production of age verification (which must meet defined criteria) before alcohol is served to persons who appear to staff at the premises to be under 18 (or other minimum age set by premises).

Such verification must include the individual's photograph, date of birth and a holographic mark e.g. driving licence, passport, military ID. Given the value and importance of such personal documents, and because not everyone aged 18 years or over necessarily has such documents, the Government endorses the use of ID cards which bear the PASS (Proof of Age Standards Scheme) hologram. PASS is the UK's national proof of age accreditation scheme which sets and maintains minimum criteria for proof of age card issuers to meet. The inclusion of the PASS hologram on accredited cards, together with the verification made by card issuers regarding the personal details

of an applicant, gives the retailer the assurance that the holder is of relevant age to buy or be served age-restricted goods. PASS cards are available to people under the age of 18 for other purposes such as access to 15 rated films at cinema theatres so care must be taken to check that the individual is over 18 when attempting to purchase or being served alcohol.

## CRIME PREVENTION NOTICES

It may be appropriate at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them. Some premises may be reluctant to voluntarily display such notices for commercial reasons. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the display of notices at the premises which warn customers about the need to be aware of pickpockets or bag snatchers, and to guard their property. Similarly, it may be appropriate for notices to be displayed which advise customers not to leave bags unattended because of concerns about terrorism. Consideration could be given to a condition requiring a notice to display the name of a contact for customers if they wish to report concerns.

## DRINKS PROMOTIONS

Licensing authorities should not attach standardised blanket conditions promoting fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. It is also likely to be unlawful for licensing authorities or the police to promote generalised voluntary schemes or codes of practice in relation to price discounts on alcoholic drinks, 'happy hours' or drinks promotions. The mandatory licensing conditions (see chapter 10 of the statutory guidance) ban defined types of behaviour referred to as 'irresponsible promotions'.

## SIGNAGE

It may be appropriate that the hours at which licensable activities are permitted to take place are displayed on or immediately outside the premises so that it is clear if breaches of these terms are taking place. Similarly, it may be appropriate for any restrictions on the admission of children to be displayed on or immediately outside the premises to deter those who might seek admission in breach of those conditions.

## LARGE CAPACITY VENUES USED EXCLUSIVELY OR PRIMARILY FOR THE "VERTICAL" CONSUMPTION OF ALCOHOL (HVVDs)

Large capacity "vertical drinking" premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), are premises that have exceptionally high capacities, are used primarily or exclusively for the sale and consumption of alcohol, and provide little or no seating for their customers.

Where appropriate, conditions can be attached to licences for these premises which require adherence to:

- a prescribed capacity;

- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of security staff holding the appropriate SIA licence or exemption (see Chapter 10 to control entry for the purpose of compliance with the capacity limit.

## PART 2. CONDITIONS RELATING TO PUBLIC SAFETY

The attachment of conditions to a premises licence or club premises certificate will not relieve employers of their duties to comply with other legislation, including the Health and Safety at Work Act 1974 and associated regulations; and, especially, the requirements under the Management of Health and Safety at Work Regulations 1999 and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore inappropriate.

From 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. Licensing authorities should note that under article 43 of the Regulatory Reform (Fire Safety) Order 2005 any conditions imposed by the licensing authority that relate to any requirements or prohibitions that are or could be imposed by the Order have no effect. This means that licensing authorities should not seek to impose fire safety conditions where the Order applies. See Chapter 2 of the statutory guidance for more detail about the Order or <http://www.communities.gov.uk/fire/firesafety/firesafetylaw/>

### GENERAL

Additional matters relating to cinemas and theatres are considered in Part 3. It should also be recognised that special issues may arise in connection with outdoor and large scale events.

In addition, to considering the points made in this Part, those preparing operating schedules or club operating schedules; and licensing authorities and other responsible authorities may consider the following guidance, where relevant:

- Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)
- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) (“The Purple Book”) ISBN 0 7176 2453 6
- Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X
- 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804
- The Guide to Safety at Sports Grounds (The Stationery Office, 1997) (“The Green Guide”) ISBN 0 11 300095 2

- Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the Independent Street Arts Network, copies of which may be obtained through: [www.streetartsnetwork.org.uk/pages/publications.htm](http://www.streetartsnetwork.org.uk/pages/publications.htm) The London District Surveyors Association's "Technical Standards for Places of Public Entertainment" ISBN 0 9531229 2 1

The following British Standards should also be considered:

- BS 5588 Part 6 (regarding places of assembly)
- BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- BS 5588 Part 9 (regarding means of escape for disabled people)
- BS 5839 (fire detection, fire alarm systems and buildings)
- BS 5266 (emergency lighting systems)

**In most premises, therefore, relevant legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to the following conditions.**

#### SAFETY CHECKS

- Safety checks are carried out before the admission of the public.
- Details of such checks are recorded and available to the relevant authorities for inspection.

#### ESCAPE ROUTES

- Exits are not obstructed (including by curtains, hangings or temporary decorations), and accessible via non-slippery and even surfaces, free of trip hazards and clearly identified.
- Where chairs and tables are provided in restaurants and other premises, internal gangways are kept unobstructed.
- All exits doors are easily opened without the use of a key, card, code or similar means.
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.
- Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
- The edges of the treads of steps and stairways are maintained so as to be conspicuous.

#### DISABLED PEOPLE

That adequate arrangements exist to enable the safe evacuation of disabled people in the event of an emergency; and that disabled people on the premises are made aware of those arrangements.

## LIGHTING

- That lighting in areas accessible to the public, members or guests shall be adequate when they are present.
- That emergency lighting functions properly.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of one hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

## CAPACITY LIMITS

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded.
- The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and be required to inform any authorised person on request.

## ACCESS FOR EMERGENCY VEHICLES

- Access for emergency vehicles is kept clear and free from obstruction.

## FIRST AID

Adequate and appropriate supply of first aid equipment and materials is available on the premises.

If necessary, at least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

## TEMPORARY ELECTRICAL INSTALLATIONS

- Temporary electrical wiring and distribution systems are not provided without notification to the licensing authority at least ten days before commencement of the work and/or prior inspection by a suitable qualified electrician.
- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.

- Where they have not been installed by a competent person, temporary electrical wiring and distribution systems are inspected and certified by a competent person before they are put to use.

In relation to the point in the first bullet above, it should be recognised that ten days notice may not be possible where performances are supported by outside technical teams (for example, where temporary electrical installations are made in theatres for television show performances). In such circumstances, the key requirement is that conditions should ensure that temporary electrical installations are only undertaken by competent qualified persons (for example, those employed by the television company).

#### INDOOR SPORTS ENTERTAINMENTS

- If appropriate, a qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Any ring is constructed by a competent person and/ or inspected by a competent authority.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Executive and Sport England).

#### SPECIAL EFFECTS

The use of special effects in venues being used for regulated entertainment can present significant risks. Special effects or mechanical installations should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Further details and guidance are given in Part 3.

#### ALTERATIONS TO THE PREMISES

Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence to delete the relevant public safety condition. The applicant will need to propose how they intend to take alternative steps to promote the public safety objective in a new operating schedule reflecting the proposed alteration to the premises.

The application for variation will enable responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

## OTHER MEASURES

Other measures previously mentioned in relation to the Prevention of Crime and Disorder may also be appropriate to promote public safety. These might include the provision of door supervisors, bottle bans, and requirements to use plastic or toughened glass containers (see Part 1 for further detail).

## PART 3.THEATRES, CINEMAS, CONCERT HALLS AND SIMILAR PLACES (PROMOTION OF PUBLIC SAFETY)

In addition to the points in Part 2, there are particular public safety matters which should be considered in connection with theatres and cinemas.

### PREMISES USED FOR CLOSELY SEATED AUDIENCES

#### ATTENDANTS

(a) The number of attendants on each floor in a closely seated auditorium should be as set out on the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1 – 100	One
101 – 250	Two
251 – 500	Three
501 – 750	Four
751 -1,000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- (b) Attendants shall not be engaged in duties that would prevent them from promptly discharging their duties in the event of an emergency or require their absence from that floor or auditorium where they are on duty.
- (c) Attendants shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- (d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to an authorised person on request.

- (e) No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.
- (f) A copy of any certificate relating to the design, construction and loading of temporary seating shall be kept available at the premises and shall be shown to an authorised person on request.

## SEATING

Where the potential audience exceeds 250 all seats in the auditorium should be securely fixed to the floor or battened together in lengths of not fewer than four and not more than twelve.

Standing and sitting in gangways etc

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstances shall anyone be permitted to-
  - (i) sit in a gangway;
  - (ii) stand or sit in front of an exit; or
  - (iii) stand or sit on a staircase, including landings.

## DRINKS

Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to, or be consumed by, a closely seated audience except in plastic and paper containers.

## BALCONY FRONTS

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

## SPECIAL EFFECTS

Special effects or mechanical installations should be arranged and stored so as to minimise risk to the safety of the audience, the performers and staff.

Specials effects include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;

- firearms;
- motor vehicles;
- strobe lighting;
- lasers; and
- explosives and highly flammable substances.

In certain circumstances, it may be appropriate to require that certain special effects are only used with the prior notification of the licensing authority. In these cases, the licensing authority should notify the fire and rescue authority, who will exercise their inspection and enforcement powers under the Regulatory Reform (Fire Safety) Order. Further guidance can be found in the following publications:

- HSE Guide ‘The radiation safety of lasers used for display purposes’ (HS(G)95)
- ‘Smoke and vapour effects used in entertainment’ (HSE Entertainment Sheet No 3);
- ‘Special or visual effects involving explosives or pyrotechnics used in film and television production’ (HSE Entertainment Sheet No 16);
- ‘Electrical safety for entertainers’ (HSE INDG 247)
- ‘Theatre Essentials’ – Guidance booklet produced by the Association of British Theatre Technicians 8

**CEILINGS**

Ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person, who will decide when a further inspection is necessary, and a certificate concerning the condition of the ceilings forwarded to the licensing authority.

**PREMISES USED FOR FILM EXHIBITIONS**

**ATTENDANTS – PREMISES WITHOUT A STAFF ALERTING SYSTEM**

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

<b>Number of members of the audience present on the premises</b>	<b>Minimum number of attendants required to be on duty</b>
1 – 250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

**ATTENDANTS – PREMISES WITH A STAFF ALERTING SYSTEM**

(a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

<b>Number of members of the audience present on the premises</b>	<b>Minimum number of attendants required to be on duty</b>	<b>Minimum number of other staff on the premises who are available to assist in the event of an emergency</b>
1 – 500	Two	One
501 – 1,000	Three	Two
1001 – 1,500	Four	Four
1,501 or more	Five plus one for every 500 (or part thereof) persons over 2,000 on the premises	Five plus one for every 500 (or part thereof) persons over 2,000 on the premises

(b) Staff shall not be considered as being available to assist in the event of an emergency if they are:

- (i) the holder of the premises licence or the manager on duty at the premises; or
- (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay their response in an emergency situation; or
- (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which they are required to go on being alerted to an emergency situation.

(c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.

(d) The staff alerting system shall be maintained in working order.

**MINIMUM LIGHTING**

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

## PART 4. CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

It should be noted that provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from public nuisance, including noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are appropriate for the prevention of public nuisance.

### HOURS

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted for the prevention of public nuisance. Licensing authorities are best placed to determine what hours are appropriate. However, the four licensing objectives should be paramount considerations at all times.

Restrictions could be appropriate on the times when certain licensable activities take place even though the premises may be open to the public as such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be appropriate on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises are open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time.

In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

### NOISE AND VIBRATION

In determining which conditions are appropriate, licensing authorities should be aware of the need to avoid disproportionate measures that could deter the holding of events that are valuable to the community, such as live music.

Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues. The following conditions may be considered:

Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:

- a simple requirement to keep doors and windows at the premises closed;
- limiting live music to a particular area of the building;
- moving the location and direction of speakers away from external walls or walls that abut private premises;
- installation of acoustic curtains;
- fitting of rubber seals to doorways;
- installation of rubber speaker mounts;
- requiring the licence holder to take measures to ensure that music will not be audible above background level at the nearest noise sensitive location;
- require licence holder to undertake routine monitoring to ensure external levels of music are not excessive and take action where appropriate;
- noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful);
- prominent, clear and legible notices to be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly;
- the use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted; and
- the placing of refuse – such as bottles – into receptacles outside the premises to take place at times that will minimise the disturbance to nearby properties.

#### NOXIOUS SMELLS

Noxious smells from the premises are not permitted to cause a nuisance to nearby properties; and the premises are properly vented.

#### LIGHT POLLUTION

Flashing or particularly bright lights at the premises do not cause a nuisance to nearby properties. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

## OTHER MEASURES

Other measures previously mentioned in relation to the crime prevention objective may also be relevant as appropriate to prevent public nuisance. These might include the provision of door supervisors, open containers not to be taken from the premises, and restrictions on drinking areas (see Part 1 for further detail).

## PART 5. CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

### ACCESS FOR CHILDREN TO LICENSED PREMISES – IN GENERAL

The 2003 Act prohibits unaccompanied children from premises that are exclusively or primarily used for the supply of alcohol for consumption on the premises. Additional restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where they are appropriate to protect children from harm. Precise policy and details will be a matter for individual licensing authorities.

It is recommended (unless there are circumstances justifying the contrary) that in relation to:

- premises with known associations (having been presented with evidence) with or likely to give rise to: heavy or binge or underage drinking;
- drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years;
- premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time.

Applicants wishing to allow access under the above circumstances should, when preparing new operating schedules or club operating schedules or variations of those schedules:

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case, it is recommended that, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children, subject to the terms of the 2003 Act.

#### AGE RESTRICTIONS – SPECIFIC

Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities will need to consider:

- The hours in a day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8.00pm does not mean that it would be appropriate to impose age restrictions for earlier parts of the day.
- Types of event or activity that are unlikely to require age restrictions, for example:
  - family entertainment; or
  - alcohol free events for young age groups, such as under 18s dances,
- Types of event or activity which give rise to a more acute need for age restrictions than normal, for example: during “Happy Hours” or drinks promotions;

#### AGE RESTRICTIONS – CINEMAS

The British Board of Film Classification classifies films in accordance with its published Guidelines, which are based on research into public opinion and professional advice. It is therefore recommended that licensing authorities should not duplicate this effort by choosing to classify films themselves. The classifications recommended by the Board should be those normally applied unless there are very good local reasons for a licensing authority to adopt this role.

Licensing authorities should note that the provisions of the 2003 Act enable them to specify the Board in the licence or certificate and, in relation to individual films, to notify the holder or club that it will make a recommendation for that particular film.

Licensing authorities should be aware that the BBFC currently classifies films in the following way:

- U Universal – suitable for audiences aged four years and over
- PG – Parental Guidance. Some scenes may be unsuitable for young children.
- 12A – Suitable for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 – Suitable for viewing by persons aged 15 years and over.
- 18 – Suitable for viewing by persons aged 18 years and over.

- R18 - To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults of not less than 18 years.

Licensing authorities should note that these classifications may be subject to occasional change and consult the BBFC's website at [www.bbfc.co.uk](http://www.bbfc.co.uk) before applying relevant conditions. In addition to the mandatory condition imposed by section 20, conditions restricting the admission of children to film exhibitions should include that:

- where the licensing authority itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed;
- immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film;
- when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer.

Such a condition might be expressed in the following terms:

“Where a programme includes a film recommended by the licensing authority as falling into an age restrictive category no person appearing to be under the age specified shall be admitted to any part of the programme; where a programme includes a film recommended by the licensing authority as falling into a category requiring any persons under a specified age to be accompanied by an adult no person appearing to be under the age specified shall be admitted to any part of the programme unaccompanied by an adult, and the licence holder shall display in a conspicuous position a notice clearly stating the relevant age restrictions and requirements. For example:

**Persons under the age of [insert Appropriate age] cannot be admitted to any part of the programme**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition does not apply to members of staff under the relevant age while on-duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.”

## THEATRES

The admission of children to theatres, as with other licensed premises, is not expected to be restricted normally unless it is appropriate to promote the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play should normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be appropriate. Entertainment may also be presented at theatres specifically for children (see below). Licensing authorities are also expected to consider whether a condition should be attached to a premises licence which requires the presence of a sufficient number of adult staff on the premises to ensure the wellbeing of children during any emergency (See Part 3).

## PERFORMANCES ESPECIALLY FOR CHILDREN

Where performances are presented especially for unaccompanied children in theatres and cinemas, licensing authorities will also wish to consider conditions to specify that:

- an attendant to be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.

Licensing authorities should also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

## CHILDREN IN PERFORMANCES

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended prescribe requirements for children performing in a show. Licensing authorities should familiarise themselves with these Regulations and not duplicate any of these requirements. However, if it is appropriate to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.

- **Care of children** – theatres, concert halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

#### THE PORTMAN GROUP CODE OF PRACTICE ON THE NAMING, PACKAGING AND PROMOTION OF ALCOHOLIC DRINKS

The Portman Group operates, on behalf of the alcohol industry, a 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. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors. Consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

#### PROOF OF AGE CARDS

Proof of age cards are discussed under Part 1 in connection with the prevention of crime and disorder.

## LICENSING COMMITTEE

2 SEPTEMBER 2021

### UPDATE ON PUBWATCH SCHEMES IN NEWARK & SHERWOOD

#### **1.0 Purpose of Report**

1.1 To update Members on the Pubwatch schemes currently operating in Newark & Sherwood.

#### **2.0 Background**

2.1 Pubwatch is a voluntary organisation set up to promote best practice. Its aim is to achieve a safer drinking environment in all licensed premises throughout the UK.

2.2 In Newark & Sherwood, we now have three active Pubwatch schemes. They are based in Newark, Ollerton, and Southwell. Each area meets once a month and discusses issues that affects them and helps the share of information.

2.3 Pubwatch meetings consider issues such as problematic customers, licensing issues, previous incidents and how they were handled and up and coming events that may impact on licensed premises.

2.4 The Licensing Committee has supported the local Pubwatch groups by promoting the Schemelink which is a mobile phone app which has been developed as a central point for easier data sharing of data and communication across Pubwatch for unifying online services for members, police and councils

2.5 Features of Schemelink include:

- Group chat
- Incident logs, which once submitted are sent through to all members
- Push notifications
- Notice board, for sharing information for example, photos of counterfeit notes
- Ability to poll about a ban rather than wait until the next meeting
- Banned gallery – which includes individual watermarks for members, so if images were shared inappropriately it would be easy to discover who had shared them.

#### Newark Pubwatch

2.6 The Newark Pubwatch meeting is well established and takes place on the last Thursday of each month and approximately 15 premises are represented. The police and licensing staff are normally in attendance along with trade representatives. There is an open invitation for the Chairman and Vice Chairman of the Licensing Committee to attend. The meeting is always chaired by a local licensing trade representative.

2.7 The Schemelink App has now been rolled out to the Pubwatch in Newark and has been well received. So far there are 20 establishments that have either signed up to use the App or are in the process of activating it. The App has proved really useful in identifying individuals that are breaching Pubwatch and more importantly Criminal Behaviour Orders.

- 2.8 The Schemelink App has also been extensively used during the covid pandemic to issue guidance and advice to Pubwatch members to support them in re-opening after lockdown.
- 2.9 Overall the Newark Pubwatch is working reasonably well and it provides a useful forum.

#### Ollerton Pubwatch

- 2.10 The Ollerton Pubwatch is a smaller meeting than Newark as might be expected. It meets on the 2<sup>nd</sup> Tuesday of each month. The average attendance is around 10/12 local trade representatives with support from police and N&S licensing staff.
- 2.11 The attendance has been mixed over the years and is very dependent on the current cohort of DPS personnel and their commitment.

#### Southwell Pubwatch

- 2.12 This group has mixed history where support is very strong for a period of time but then wanes. At the moment the Group is well supported by the local trade. It is currently meeting every 3 months and has around 12 representatives. Pubwatch Southwell is also well supported by the local police who are now attending every meeting The Council's licensing enforcement officer reports that this group is now performing well.
- 2.13 The Pubwatch Group is currently transitioning towards the use of Schemelink as their method of communication and sharing information
- 2.14 The Licensing Act does not allow for conditions to be placed on Premise licences requiring attendance at Pubwatch meetings. Licensing staff encourage all premises to attend wherever possible.

### **3.0 Proposals**

- 3.1 In order to support the local Pubwatch scheme it is proposed that a number of standing agenda items are produced by the Council to provide structure to the meetings. However, it should be remembered that the Pubwatch meetings are not managed by NSDC staff and therefore the agenda items will need to be agreed by the Chair of each meeting.
- 3.2 It is further proposed that a diary of future meetings will be produced and promoted locally to the trade. Additionally the diary of meetings will be shared with the Chairman of the Licensing Committee.

### **4.0 Financial Implications (FIN21-22/8433)**

- 4.1 There are no financial implications associated with this report.

### **5.0 Equalities implications**

- 5.1 There are no equities implications arising from this report.

**6.0 Community Plan – Alignment to Objectives**

6.1 ***Objective 2: Reduce crime and anti-social behaviour, and increase feelings of safety in our communities:*** Some licensed premises serving to people on PubWatch have been the source of anti-social behaviour.

**7.0 Digital Implications**

7.1 None from this report

**5.0 RECOMMENDATION**

**That Members support the local Pubwatch groups**

**Reason for Recommendation**

**To support Pubwatch and make the workings of Pubwatch more effective and efficient.**

**Background Papers**

Nil

For further information, please contact Alan Batty on extension 5467

Matthew Finch

Director – Communities & Environment

**LICENSING COMMITTEE**  
**2 SEPTEMBER 2021**

**REVIEW OF PAVEMENT LICENCES IN NEWARK**

**1.0 Purpose of Report**

- 1.1 To update Members on the current law with regard to Pavement Licences and the uptake within Newark & Sherwood.

**2.0 Background**

- 2.1 Last year the Business & Planning Act 2020 was enacted to support business with arrangements to trade effectively during the controls imposed as part of the combatting of the coronavirus.
- 2.2 The Act included provision for a new legal framework for issuing pavement licences, which enabled food and drink businesses to put removable furniture on the pavement adjacent to their premises in order to sell or serve food and drink, or for people to sit at to consume food and drink. The framework was designed to complement the existing framework for pavement licensing set out in the Highways Act 1980.
- 2.4 It should be remembered that the new regime did not replace that already in existence and premises are still able to apply to the county council for a licence under the old but still extant scheme.
- 2.3 Members will recall that a charging regime and standard conditions were agreed so as to allow applications to be made.
- 2.4 Initially the provisions relating to the new powers for pavement licences were only to be in existence until September 2021. However, this has recently been extended by the government for a further 12 months to September 2022.

**3.0 The Local Picture**

- 3.1 Since the introduction of the Business & Planning Act 2020 the authority has received six applications. Three of these were for premises in Newark, one for premises in Ollerton and two for premises in Blidworth
- 3.2 One of the applications for Newark was found to be invalid as the land being proposed for the seating area was in private ownership and therefore did not fall within the remit of the legislation. The second application for Newark was refused based on comments received from the Highway Authority and the third was returned as the application was not duly made.
- 3.3 The applications for premises in Ollerton and Blidworth were granted.

3.4 Under the provisions of the Business & Planning Act 2020 it is not an offence to trade on the pavement without a licence which does mean that there can be no formal enforcement of none licence holders. When the Licensing Team are made aware of premises trading in an outdoor area on land on which a licence would be required every effort is made to ensure a licence application is submitted.

#### **4.0 RECOMMENDATION**

**That Members note the impacts of the Business & Planning Act 2020 with regard to pavement licences.**

#### Background Papers

Highways Act 1980

For further information please contact Alan Batty on 01636 6554675467

Matt Finch  
Director – Communities & Environment

**LICENSING COMMITTEE**  
**2 SEPTEMBER 2021**

**NITROUS OXIDE ISSUES IN LICENSED PREMISES**

**1.0 Purpose of Report**

- 1.1 To update Members on the recreational use of nitrous oxide across the district and any issues in licensed premises.

**2.0 Background**

- 2.1 Nitrous oxide is a colourless gas used by dentists as a sedative and anaesthetic agent. It is also used in the catering industry and is often found in silver, pressurised whipped cream chargers.
- 2.2 This is a depressant drug, which slows down the body. When it is inhaled it can make people feel happy, relaxed and giggly, hence the name 'laughing gas'. It can also lead to mild euphoria, feeling light-headed or dizzy and hallucinations. Some people experience headaches and/or nausea while using.
- 2.3 The gas is usually inhaled from a balloon that has been inflated using a whipped cream charger canister. A balloon may be passed around a group, with each person taking a gulp.
- 2.4 Inhaling nitrous oxide can result in a lack of oxygen to the brain. This can result in a person falling unconscious and even dying through suffocation or heart problems. This risk is likely to be greater if the gas is consumed in an enclosed space or if a lot is used at the same time.
- 2.5 Regular or heavy use of nitrous oxide has been linked to a deficiency in vitamin B12. This can lead to nerve damage which causes pain and tingling in the toes and fingers. Studies have also linked heavy use of the gas to some forms of anaemia.
- 2.6 Nitrous oxide has a legitimate use in the catering industry as a propellant for whipped cream and therefore it is readily available for purchase on line.

**The Law and Police Powers**

- 2.7 Nitrous oxide is normally treated as a "psychoactive substance" under the Psychoactive Substances Act 2016. Producing, supplying and importing/exporting psychoactive substances for human consumption is illegal. It is not illegal to possess psychoactive substances unless it is with intent to supply. Possession of such a substance in prison is also an offence. However, the application of the 2016 Act in cases involving nitrous oxide has not always been straightforward.
- 2.8 Police have a range of powers which help them enforce the law. They can stop and search those they suspect are committing an offence under the 2016 Act. Police can also get a warrant to search premises for psychoactive substances. Finally, they can seize substances they find if they suspect they are drugs meant for recreational use.

- 2.9 Whilst the supply of nitrous oxide is illegal it is not illegal to inhale the gas and therefore the controls the Police have are very limited.

#### Local Concerns

- 2.10 There are concerns about anti-social behaviour associated with the drug's use. Some are worried about the disturbance caused by those using the drug in public. Littering of empty canisters on the street and in car parks is also a problem.
- 2.11 Boxes of discarded canisters sometimes in excess of 100 are often found in the Riverside car park in Newark. The car park on Victoria Street in Newark has also seen a number of incidents. Other areas of the district have suffered from occasional problems but the nature of the inhaling enterprise often means that it is carried out in secluded or quiet locations.
- 2.12 The Council's cleansing team have reported a recent down turn in the number of locations from which canisters are being collected.

#### Licensed Premises

- 2.13 The inhaling of nitrous oxide is often undertaken as a group activity with numerous canisters being used over a period of time, often involving the use of a balloon to inhale from and share with other users. This is not something that can be done discretely.
- 2.14 Due to this, the use of nitrous oxide is not an activity associated with licensed premises and there have been no reports of incidents involving taking the drug within premises.

### **3.0 Enforcement**

- 3.1 Local authorities can prohibit people from taking psychoactive substances in a specific place by making a public space protection order (PSPO). In order to do so they must show that the persistent use of psychoactive substances is causing a "detrimental effect on the quality of life of those in the locality".
- 3.2 The use of a PSPO has been considered but it was considered that there was insufficient evidence to support making such an order.
- 3.3 A petition put before Parliament in 2020 asked the Government to make the recreational use of nitrous oxide an offence. Given its widespread use for legitimate purposes, such a prohibition was considered difficult to police. The Government stated it had no plans to change the criminal law with regard to nitrous oxide.

### **4.0 RECOMMENDATION**

**That Members note the local position with regard to the use of nitrous oxide.**

#### Background Papers

Nil

For further information please contact Alan Batty on Extension 5467.

Matthew Finch  
Director – Communities & Environment

# Agenda Item 9

NEWARK & SHERWOOD DISTRICT COUNCIL  
LICENSING SUB-COMMITTEE

RECORD OF HEARING HELD ON  
14 JUNE 2021  
10:00 HOURS

MEETING HELD AT  
CASTLE HOUSE, GREAT NORTH ROAD, NEWARK NG24 1BY

HEARING TO CONSIDER AN APPLICATION FOR THE GRANT OF A  
PREMISES LICENCE

THE DAPPER SPANIEL  
STAYTHORPE ROAD  
ROLLESTON  
NG23 5SG

SUB – COMMITTEE: Councillor Mrs R. Crowe (Chairman)  
Councillor M. Cope  
Councillor R. Jackson

ALSO IN ATTENDANCE: Caroline O’Hare (Senior Legal Advisor - NSDC)  
Nicola Kellas (Senior Licensing Officer - NSDC)

Applicant: Karl Tyler (Dapper Hospitality Ltd.)  
Michelle Whelband (Representing Mr. Tyler)

Representors: None in attendance

In opening proceedings, the Chairman advised all participants that the meeting being recording and livestreamed on social media e.g. YouTube.

Prior to the commencement of the Hearing, the Panel’s Legal Advisor advised all parties of the key considerations for determining the application to grant the premises licence. She acknowledged the conditions already agreed between the applicant, the Police and Environmental Health Services and reminded those present that any decision must promote the four licensing objectives. She advised that any decision must be justified and proportionate to the full circumstances relevant to the application and any applied conditions, should the licence be granted, must be reasonable.

## **Presentation by Senior Licensing Officer**

The Senior Licensing Officer presented to the Panel details of the application made by Dapper Hospitality Ltd. The report before the Panel presented Members with a summary of the application, the licensing history of the premise, the reasons for the Hearing and the conditions agreed with the Police and Environmental Health Services.

The report set out the legislation in relation to the powers that licensing authorities had to grant the premises licence, the options available to the Panel and the relevant policies and guidance.

## **Presentation of Application**

Ms Whelband advised the Licensing Panel that none of the objections received were in relation to the sale of alcohol or the provision of indoor entertainment and related solely to the provision of entertainment outdoors. She referred the Panel to the bundle of papers submitted which contained letters of support from the premise's customers.

## **Questions**

Councillor Jackson queried as to what type of entertainment was provided outdoors. Mr. Tyler advised that there were never more than 2 performers and was almost always acoustic in nature, referring to it as soft, pleasant, non-offensive music. He added that he also checked the decibel levels when entertainment was provided by using a device at the edge of his boundary. Mr. Tyler further added that he had been advised by a member of the Licensing Team as to what an acceptable level would be.

In referring to the hours as applied for, Councillor Mrs Crowe queried what times music would be played in relation to the closing time of the premise. Mr. Tyler stated that these would be 7pm to 9.30pm but this would now be inside the premise. He stated that the hours applied for were later but that was to provide flexibility should an event be held at the premise.

The Senior Licensing Officer sought clarity as to whether Mr. Tyler wished to amend the application to remove the request to hold entertainment outdoors. Mr. Tyler stated he did not wish to amend the application in that regard, but added that live music would only be held outside until 7pm.

Councillor Cope queried whether Mr. Tyler had ever had noise levels professionally checked. He also queried why he had stated that he would only hold live music indoors, given that the summer months were just starting. In response Mr. Tyler stated that he checked the levels when live entertainment was being held and if the levels breached 80dcb it was turned down. He added that the provision of live entertainment indoors 'worked' for his business but wished to retain the application for hours to permit entertainment outdoors to enable him to use it if he wished.

Councillor Jackson queried as to whether off-sales were sold in sealed containers and drunk off the premises. Mr. Tyler confirmed that that was correct. The Senior Licensing Officer queried whether Mr. Tyler would be prepared to accept that off-sales must be sold in a sealed container as a condition should the licence be granted. She also added that any discussion Mr. Tyler had held about acceptable decibel levels would not have been held with the Licensing Team and it would more likely have been with an Environmental Health Officer. Mr. Tyler confirmed he would accept a condition in relation to off sales being in a sealed container.

In response to where the outdoor entertainment was held, Mr. Tyler confirmed it was in a covered garden area.

## **Summing Up**

Ms Whelband stated that the application was for a Premise Licence to allow the supply of alcohol and to permit the provision of live and recorded music. There had been only 1 representation/objection made but a number of letters of support had been provided. Ms Whelband referred to a number of the individual letters all of which stated that no issues were experienced with the operation of the premises, adding that it clearly indicated that the level of noise was not excessive.

She noted that Mr. Tyler had amended his application to accommodate local residents' concerns which she considered to be more than reasonable. She further noted that the reason for retaining the ability to provide entertainment outdoors was to allow for this during the summer months.

Ms Whelband stated that notices would be posted asking customers to leave the premise quietly as it was in a residential area and that this would be reinforced by staff members.

In the 2 years since Mr. Tyler's operation of the business had begun, Ms Whelband stated that no incidents of crime and disorder had occurred and that there had never been a reason for the Police to be called to the premises. The demographic of the premise was that of over-30 year olds who were fairly affluent. The premise also had a children's play area. The premise provided a safe environment for its customers and also an economic benefit for the village and surrounding area. She added that the safety and wellbeing of its customers and staff were of paramount importance.

Ms Whelband referred to the community involvement undertaken by the premise, especially during the lockdowns resulting from the Pandemic.

In noting that the premise was the only pub/restaurant in the village, Ms Whelband also informed the Panel that a catering company was also operated from the premise, providing catering to the village hall and other private functions. The premise also provide a bar service upon request.

Ms Whelband stated that the majority of residents believed the premise to be the heart and hub of village life and that the application was more than reasonable, adding that the licensing objectives would not be breached. She also stated that it was her belief that the objection was vague and should not be a reason to refuse the granting of the licence.

## **Decision**

The decision of the Panel was to grant the licence subject to the following modifications and conditions:

<b>Licensable Activity</b>	<b>Days</b>	<b>Times</b>
Live Music Indoors	Wednesday, Friday, Saturday and Sunday	10:00 to 23:00
Live Music Outdoors	Friday and Saturday	10:00 to 19:00
Live Music Outdoors	Wednesday and Sunday	10:00 to 17:00
	Save for if the Sunday is the day immediately prior to a Bank Holiday Monday when the permitted hours for music outside shall be	10:00 to 19:00

Recorded Music Indoors	Daily	10:00 to 23:00
Recorded Music Outdoors	Daily	10:00 to 19:00
Supply of Alcohol On and Off Sales	Daily	10:00 to 23:00
Opening Times	Daily	10:00 to 23:00

1. All mandatory conditions as set out in Annex 1 (reference paragraph 7.1 of the Hearing Agenda pack) shall apply. Those were the conditions relating to:
  - Designated Premises Supervisor,
  - Authorisation by Personal Licence Holders,
  - Irresponsible Promotions
  - Potable Water
  - Age Verification
  - Small Measures
  - Sale of Alcohol Below the Permitted Price
  - Door Supervision
  
2. The conditions at Annex 2 (referenced paragraph 7.2 of the Hearing Agenda pack) shall apply. Those were the conditions relating to those agreed with the applicant and the Police being:
  - CCTV
  - Incident Book re Crime and Disorder, Damage or Injury
  - Relevant staff training re under age sales
  - Challenge 25 scheme in operation
  
3. The conditions at paragraph 7.3 of Hearing Agenda pack shall apply with those being the conditions agreed with the applicant and Environmental Health
  - Noise Level Monitoring
  - Recording and maintaining records of all noise monitoring and subsequent actions taken
  - All doors and windows remaining closed when regulated entertainment was occurring save for when persons enter or exit the premises or in the event of any emergency.
  - Displaying of signs requesting quiet and respectful behaviour of customers on leaving the area.
  
4. Any off licence sales must be in sealed containers and must be taken off the premises to be drunk elsewhere.

The Panel also made the following recommendations/comments:

It was noted that the times set out for ceasing the sale of alcohol and closing hours for the licence were the same. The licence holder must ensure that this was managed properly so that people were not in the premises or outside area of the premises “drinking up” beyond closing hours.

**LICENSING COMMITTEE**  
**2 SEPTEMBER 2021**

**UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS**

**1.0 Purpose of Report**

1.1 To inform Committee of the activity and performance of the Licensing Team between 1 April and 30 June 2021 inclusive and to provide Members with details of current going enforcement issues.

**2.0 Background**

2.1 This report covers the period from 1 April and 30 June 2021 inclusive and sets out the range and number of licence applications during this period. It also highlights any activity required as a result of the applications.

**Activity Report for 1 April to 30 June 2021**

<b>Application Type</b>	<b>Number Received</b>	<b>Number Issued</b>	<b>Number Refused</b>	<b>Comments</b>
Personal Licence	11	11		
Vary the Designated Premise Supervisor	21	21		
Transfer of Premise Licence	3	3		
Minor Variation	4	4		
Variation to Premise Licence	1	1		
New Premise Licence	2	2		
Change of Name/Address of Premise Licence Holder	4	4		
Notification of Interest	0	0		
Surrendered Licences	0	0		
Temporary Event Notices	32	32		

2.2 By way of comparison, the number of Temporary Event Notices received for the same period last year was 1.

**2.3 Enforcement Activity**

**Ongoing Enforcement Activity 1 April and 30 June 2021**

<b>Location</b>	<b>Summary of Complaint/Reason for Visit</b>	<b>Date Case Opened</b>	<b>Action Taken So Far</b>
Brew Brothers, Fernwood	Complaint that the landlord had extended number of outside tables without permission and concerns about people noise.	12.04.2021	The outside area is privately owned, therefore does not need a pavement licence. LEO visited premises and found no issues. No further complaints received.

Dukeries Lodge, Edwinstowe	Complaints of non-compliance with Covid rules (people stood up, no face masks). Premises was playing music outdoors, which is not on their licence	15.04.2021	LEO visited premises, the DPS said that he wasn't aware of rules surrounding face coverings and track and trace. LEO firmly reminded DPS of his responsibilities.
Inn on the Green	Complaint of excessive noise	19.04.2021	LEO visited and found music noise was acceptable. LEO spoke to complainant afterwards who said that the noise levels have been lower since the visit. No further complaints.
Le Vague Bistro, Gunthorpe	Follow up from night of action, to check that Covid risk assessment is in place	23.04.2021	Letter sent to premises asking for their risk assessment. Risk assessment was sent via email 01.05.2021.
Bella Vita, Ollerton	Report of staff and customers not wearing face coverings, no track and trace details taken	23.04.2021	LEO visited and found non-compliance with Covid rules, particularly a marquee with sides down, and a bar not covered by the licence. The owner was aggressive towards officers. LEO visited on a number of occasions and found this marquee still in use. A CPO visited and took pictures of the bar and marquee in use. A warning letter and Fixed Penalty Notice was served on the DPS. A variation for the licence has now been submitted, and further observations of the premises showed Covid rules being adhered to.
Old Volunteer, Caythorpe	Premises was using a marquee to serve people in while Covid regulations only allowed for outdoor hospitality.	11.05.2021	A letter was sent to the DPS informing them that the marquee did not comply with current rules. LEO visited several times and found the marquee in use. Both LEO and Mr Batty spoke to the owner over the phone, and he became verbally aggressive. A warning letter was sent to the owner regarding his behaviour.
Bridge and Bayleaf, Gunthorpe	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (risk assessment, track and trace, face coverings). LEO visited and found all in order.

Crown Inn, Bathley	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (track and trace). LEO spoke to DPS, who says he checks will all customers that they have provided track and trace details when they arrive.
Dukeries Lodge, Edwinstowe	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (track and trace, face coverings). Officers visited the premises and found the same issues, including a lack of table service, and another warning letter was sent. Another complaint was received from a member of the public. LEO visited and viewed CCTV of customers being served at bar and staff not wearing face coverings. The DPS was served with a Fixed Penalty Notice.
Flying Circus, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (social distancing in toilets, live music). LEO visited the premises, found all in order and gave the DPS advice about live music events.
Fox and Hounds, Blidworth	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (table service, face coverings). LEO visited and found all in order.
Newark Golf Club, Coddington	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (table service, face coverings). LEO visited and found all in order.
Robin Hood Inn, Edwinstowe	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (table service, table service). LEO visited and found all in order.
Rutland Arms, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (track and trace, face coverings, patrons leaving with glasses). LEO visited and found all in order.

The Archer, Rainworth	Follow up from night of action, to make sure Covid safety measures were in place.	12.05.2021	Letter sent to the premises detailing improvements needed (risk assessment, toilets, face coverings). LEO visited and found all in order.
Staunton Arms, Newark	Report that the premises isn't taking track and trace details.	02.06.2021	LEO visited, spoke to DPS and found all in order.
Knots Bar and Restaurant, Farnon	Report that the premises isn't taking track and trace details.	02.06.2021	LEO visited, spoke to DPS and found all in order.
Plough Inn, Farnsfield	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (table service). LEO visited and found all in order, advice given re table service regulation.
Inn on the Green, Coddington	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (QR code). LEO visited and found all in order.
Red Lion, Wellow	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (table service, limitations on numbers). LEO visited and spoke to DPS, found all in order and gave advice re getting staff to tell customers to remain seated.
Watermill, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (risk assessment, track and trace, face coverings, toilets). LEO visited the premises twice and found all in order.
Spring House, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (risk assessment, track and trace, face coverings, table service, toilets). LEO visited and explained the importance of track and trace. The DPS was working alone, so LEO advised him to employ someone to help at busy times so that customers can be monitored better.

Plough, Ollerton	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (face coverings). LEO visited and gave advice on asking customers to wear face coverings, and control measures for noise and social distancing during football matches.
Newcastle Arms, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (table service, track and trace, face coverings). LEO visited and found all in order.
Old Malt Shovel, Newark	Follow up from night of action, to make sure Covid safety measures were in place.	03.06.2021	Letter sent to the premises detailing improvements needed (table service, track and trace, face coverings). LEO visited twice and found all in order.
Waggon and Horses, Halam	Complaint of large groups of people at the premises causing noise nuisance while watching football matches.	15.06.2021	LEO contacted complainant, who said this was a one-off occurrence. LEO spoke to DPS and advised about asking customers to keep noise levels down. No further complaints.
Bridge and Bayleaf, Gunthorpe	Complaint of regular antisocial behaviour and customers not following Covid regulations.	21.06.2021	LEO spoke to DPS, who said that he had some trouble with a group of young men, who had been asked to leave. Advised to put up signs asking customers to leave the premises quietly. The complainant disputed the DPS' version of events, but no further complaints.
Copper Beech, Bilsthorpe	Complaint of loud music, underage drinking and no social distancing.	28.06.2021	LEO tried to contact the complainant but was unable to do so. LEO visited premises and found all in order.

### **3.0 RECOMMENDATION**

**That the Committee consider the contents of the report and identifies any issues it wishes to examine further.**

For further information please contact Nicola Kellas on extension 5894

Matthew Finch  
Director – Communities & Environment

## LICENSING COMMITTEE

2 SEPTEMBER 2021

### TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 APRIL TO 30 JUNE 2021

#### **1.0 Purpose of Report**

1.1 To inform Members of changes to Temporary Event Notices and notices that have been received and acknowledged between 1 June and 30 April 2021 inclusive.

#### **2.0 Background**

2.1 The Licensing Act 2003 introduced a light touch system for ad hoc, permitted temporary activities. A Temporary Event Notice (TEN) is given by an individual (a premise user) and authorises the premises user to conduct one or more licensable activities at premises.

2.2 There are two types of TEN;

- A standard TEN, to be given no later than 10 working days before the event to which it relates
- A late TEN, can be given 9 and not later than 5 working days before the event. Late TENs are intended to be used by premise user who is required for reasons outside their control to for example, change the venue at short notice.

2.3 Only the Police and Environmental Health can make representation against the TEN. Once the Police and Environmental Health receive a TEN, they have 3 working days to make any objections to it on the grounds of any of the four licensing objectives: prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm. If no objections are received the event will go ahead as planned. If an objection is received for a standard TEN the Council will have to organise a hearing to consider the objection and may impose conditions or decide that the event cannot go ahead. If an objection is received against a late TEN, no hearing is held and the application is refused.

#### **3.0 Attachments**

3.1 A detailed list of Temporary Event Notices is attached at **Appendix A**.

#### **4.0 RECOMMENDATION**

**That the report be noted.**

#### Background Papers

Nil

For further information please contact Nicola Kellas on extension 5894.

Matt Finch  
Director – Communities & Environment

**APPENDIX A**

**TEMPORARY EVENT NOTICES ACKNOWLEDGED BETWEEN 1 APRIL 2021 AND 30 JUNE 2021 INCLUSIVE**

KEY FOR LICENSED ACTIVITIES

A – THE SALE BY RETAIL OF ALCOHOL

C – SUPPLY OF ALCOHOL BY OR ON BEHALF OF A CLUB TO, OR TO THE ORDER OF, A MEMBER OF THE CLUB

E - THE PROVISION OF REGULATED ENTERTAINMENT

R – THE PROVISION OF LATE NIGHT REFRESHMENT

REF	ACK'D	PREMISE	NATURE OF EVENT	DATE OF EVENT	TIME OF EVENT	LICENSED ACTIVITIES	TEN REF
21/00252/TENLAT	08.04.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	STALL SELLING BOTTLED COCKTAILS	18.04.2021	10:00 TO 14:00	A	4559
21/00287/TENLAT <b>CANCELLED</b>	16.04.2021	12 BESTHORPE ROAD COLLINGHAM NG23 7NP	BREWERY OPEN WEEKEND	24.04.2021 25.04.2021	12:00 TO 20:00 12:00 TO 20:00	A	4560
21/00299/TENLAT	22.04.2021	DAPPER SPANIEL STAYTHORPE ROAD ROLLESTON NG23 5SG	TO LICENCE OUTDOOR AREA	30.04.2021 01.05.2021 02.05.2021 03.05.2021 04.05.2021 05.05.2021 06.05.2021	12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00	A & E	4561
21/00300/TENLAT	23.04.2021	12 BESTHORPE ROAD COLLINGHAM NEWARK NG23 7NP	BREWERY OPEN WEEKEND	01.05.2021 02.05.2021	12:00 TO 20:00 12:00 TO 20:00	A	4562
21/00310/TENLAT	28.04.2021	DAPPER SPANIEL STAYTHORPE ROAD ROLLESTON NG23 5SG	TO ENABLE PUB TO OPEN WHILE NO LICENCE IN PLACE	08.05.2021 09.05.2021	12:00 TO 00:00 12:00 TO 00:00	A & E	4563
21/00322/TENLAT	30.04.2021	DAPPER SPANIEL STAYTHORPE ROAD ROLLESTON NG23 5SG	TO ENABLE PUB TO OPEN WHILE NO LICENCE IN PLACE	11.05.2021 12.05.2021 13.05.2021 14.05.2021 15.05.2021 16.05.2021	12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00	A & E	4564
21/00322/TENLAT	04.05.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	STALL AT MARKET	16.05.2021	09:30 TO 14:30	A	4565

**APPENDIX A**

21/00330/TENLAT	04.05.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	STALL AT MARKET	16.05.2021	10:00 TO 14:00	A	4566
21/00331/TENLAT	05.05.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	STALL AT MARKET	16.05.2021	08:00 TO 19:00	A	4567
21/00332/TEN	05.05.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	STALL AT MARKET	20.06.2021	08:00 TO 19:00	A	4568
21/00333/TENLAT	05.05.2021	BELLA VITA MAIN STREET OLLERTON NG22 9AD	TO COVER USE OF OUTSIDE BAR	15.05.2021	12:30 TO 22:30	A	4569
21/00337/TEN	10.05.2021	BELLA VITA MAIN STREET OLLERTON NG22 9AD	TO COVER USE OF OUTSIDE BAR	18.05.2021 19.05.2021 20.05.2021 21.05.2021 22.05.2021 23.05.2021 24.05.2021	12:30 TO 22:30 12:30 TO 22:30 12:30 TO 22:30 12:30 TO 22:30 12:30 TO 22:30 12:30 TO 22:30 12:30 TO 22:30	A	4570
21/00338/TEN	12.05.2021	FAIRFIELDS STATION ROAD FISKERTON NG25 0UG	VINTAGE AGRICULTURAL SHOW	24.07.2021	11:00 TO 23:00	A & E	4571
21/00348/TEN <b>WITHDRAWN</b>	17.05.2021	34 DALE WAY FERNWOOD NG24 3GH	SELLING FATHER'S DAY TREAT BOX	19.06.2021 20.06.2021	09:00 TO 18:00 09:00 TO 18:00	A	4572
21/00353/TENLAT	18.05.2021	DAPPER SPANIEL STAYTHORPE ROAD ROLLESTON NG23 5SG	TO ENABLE PUB TO OPEN WHILE NO LICENCE IN PLACE	26.05.2021 27.05.2021 28.05.2021 29.05.2021 30.05.2021 31.05.2021	12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00 12:00 TO 00:00	A & E	4573
21/00359/TENLAT	20.05.2021	12 BESTHORPE ROAD COLLINGHAM NG23 7NP	BREWERY OPEN WEEKEND	29.05.2021 30.05.2021	12:00 TO 20:00 12:00 TO 20:00	A & E	4574

**APPENDIX A**

21/00360/TENLAT	20.05.2021	BELLA VITA MAIN STREET OLLERTON NG22 9AD	TO COVER USE OF OUTSIDE BAR	28.05.2021 29.05.2021 30.05.2021 31.05.2021 01.06.2021 02.06.2021 03.06.2021	12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00	A	4575
21/00361/TEN	20.05.2021	BELLA VITA MAIN STREET OLLERTON NG22 9AD	TO COVER USE OF OUTSIDE BAR	05.06.2021 05.06.2021 06.06.2021 07.06.2021 08.06.2021 10.06.2021	12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00 12:30 TO 23:00	A	4576
21/00362/TEN	21.05.2021	THE FOX INN MAIN STREET KELHAM NG23 5QP	LIVE MUSIC OUTDOORS	05.06.2021	18:00 TO 23:00	E	4577
21/00366/TEN	25.05.2021	UPPER HALL FARNSFIELD VILLAGE CENTRE NEW HILL FARNSFIELD NG22 8JL	CHARITY FOLK CONCERT	21.08.2021	18:30 TO 23:30	A & E	4578
21/00367/TEN	26.05.2021	PLOUGH FOREST ROAD OLLERTON NG22 9QS	40 <sup>TH</sup> BIRTHDAY PARTY DISCO	17.07.2021 18.07.2021	20:00 TO 23:59 00:00 TO 01:30	A, E & R	4579
21/00382/TEN	03.06.2021	LITTLE LEYFIELDS FARM KNEESALL NG22 0AW	WEDDING	18.09.2021	12:00 TO 00:00	A & E	4580
21/00383/TEN	03.06.2021	34 DALE WAY FERNWOOD NG24 3GH	SELLING FATHER'S DAY TREAT BOX	18.06.2021 19.06.2021 20.06.2021	09:00 TO 18:00 09:00 TO 18:00 09:00 TO 18:00	A	4581
21/00386/TEN	04.06.2021	12 BESTHORPE ROAD COLLINGHAM NG23 7NP	BREWERY OPEN WEEKEND	19.06.2021 20.06.2021	12:00 TO 20:00 12:00 TO 20:00	A & E	4582
21/00393/TENLAT	08.06.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	FARMERS MARKET	20.06.2021	08:30 TO 15:30	A	4583
21/00408/TEN	08.06.2021	FERRY PARK FARM BOAT LANE HOVERINGHAM NG14 7JP	WONDERLAND ANNUAL CLASSIC CAR SHOW	26.06.2021 27.06.2021	15:00 TO 23:00 11:00 TO 18:00	A & E	4584

**APPENDIX A**

21/00409/TEN	16.06.2021	THORESBY HALL EVENTS FIELD THORESBY PARK NEWARK NG22 9EQ	BAR AT DOGS SHOW	03.07.2021 04.07.2021	11:00 TO 22:00 11:00 TO 22:00	A	4585
21/00434/TEN	17.06.2021	NEWFIELD DAIRY CAUNTON ROAD HOCKERTON NG25 0PN	COCKTAIL STALL AT MARKET	18.07.2021	10:00 TO 14:00	A	4586
21/00414/TEN	18.06.2021	DAFFODIL TEAROOM THE COACH HOUSE SAVILE COURT MAIN STREET EAKRING NG22 0BL	EXTEND HOURS TO 22:00	04.07.2021	12:00 TO 22:00	A	4587
21/00415/TEN	18.06.2021	ASHCROFT HOUSE GRAY LANE HALAM NG22 8AL	BAR AT HEN DO	03.07.2021	15:00 TO 23:30	A	4588
21/00423/TEN	22.06.2021	BECKITT FIELD BATHLEY LANE LITTLE CARLTON NG23 6BY	VILLAGE FETE	12.09.2021	11:00 TO 18:00	A & E	4589
21/00424/TEN	23.06.2021	HARDY'S FARM SHOP CORNER HOUSE FARM HAWTON LANE FARNDON NG24 3SD	SPANISH EVENING AT CAFÉ	30.07.2021	18:30 TO 22:00	A & E	4590
21/00428/TEN	25.06.2021	GREENWAYS GREEN LANE BATHLEY NG23 6DE	BAR AT WEDDING	10.07.2021	12:30 TO 23:59	A	4591