

Applicant Guidance New Premises and Personal Licences

Legal Disclaimer

This booklet is intended to provide a brief overview of the main requirements of the Licensing Act 2003 (with regard to applications). **Its purpose is to give guidance to individuals and businesses regarding the completion of application forms** (including operating schedules). The booklet is produced to give guidance only and the Council does not accept any responsibility or liability for any errors or omissions. **You are advised to seek your own independent legal advice if you think it necessary.**

Introduction

This document provides basic information for applicants to help them make a successful application and general guidance to keep the operations of the business within the law.

Ryedale District Council has a duty to supply guidance for applicants. However, by reading the Statement of Licensing Policy, applicants should understand how Ryedale District Council will administer the licences and authorisations and what Ryedale District Council considers as important.

Applications can be made to Ryedale District Council from 7th February 2005 (the first appointed day). Licence Applications received by the 24th September 2005 will be processed to ensure that they take effect from the second appointed day (24th November 2005). In order for licensable activities to be carried on after the second appointed day an Application for a Premises Licence must be made by 24th September 2005. The licensing Act web pages provide more information www.ryedale.gov.uk

Personal Licences

A personal licence is a licence held by a particular individual to permit that person to authorise the sale of alcohol from a premises that is suitably licensed for the purposes of selling alcohol by retail.

In order to apply for a personal licence but you must show that you have sufficient knowledge of licensing law and the social consequences resulting from the sale of alcohol. This is proved by successfully completing an appropriate training course. Lists of suitable courses are available from the DCMS (www.culture.gov.uk/alcohol) and the Council. You also have to submit a CRB check or similar to prove that you have not been convicted of any relevant offences. A new applicant for a personal licence must provide:- completed application and disclosure of convictions and declaration forms, the correct fee, two endorsed passport photographs, CRB or similar check and proof of licensing qualification. The photographs to be taken against a light background so that the applicants features are distinguished and contrast against the background, be 45mm by 35mm in size, the full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his religious beliefs, without a head covering, be on photographic paper, and be endorsed by either-the chief executive of the licensing justices for the relevant licensing authority, a solicitor or notary, a person of standing in the community or an individual with a professional qualification. **A duplicate application must be given/sent to the local police licensing officer on the same day as the application was made to the relevant licensing authority.**

If you have no convictions, are suitably trained and are over 18 there is no reason why you should not qualify for a personal licence.

A personal licence lasts for ten years and you should re-apply to Ryedale District Council if we issued your first licence. Applicants for a personal licence should apply to the local authority in which they normally resident.

A personal licence holder may give consent to become a designated premises supervisor (DPS) for a licensed premises where the activity of supply of alcohol is authorised. The DPS has a legal responsibility for authorising the sale of alcohol and control of the day to day management of that premises under the terms of the licence. Make sure that if the designated premises supervisor is not physically on the premises, there is a clear management structure with which staff are familiar.

Personal licences are not required in qualifying club situations and for premises licences that do not retail alcohol.

Premises Licence

A Premises Licence permits licensable activities to take place on or from a defined area, a building, part of building, a vessel, vehicle or temporary structure. A premises licence can be made by an individual, several individuals, a company or organisation, or other prescribed persons such as individuals acting as representatives for a company or individual. The application for a premises licence is normally the responsibility of the owner of the business or the committee responsible for the building. If the premises are leased, the freeholder has a right to inform Ryedale District Council that they own, part own, or occupy the premises and they have a right to know of any applications, notices and request other information.

How to apply for your Premises Licence?

First consider what hours you wish to open. Before completing the application form we would recommend that you contact the Development Control Department at the Council to establish whether or not any planning constraints apply. Also:

DO BE REALISTIC IN WHAT YOU INTEND TO DO.

TAKE INTO CONSIDERATION:

- **YOUR NEIGHBOURS BOTH RESIDENTIAL AND BUSINESS**
 - **YOUR TRACK RECORD WITH THE POLICE AND RYEDALE DISTRICT COUNCIL ENVIRONMENTAL HEALTH SERVICE, TRADING STANDARDS AND OTHER ENFORCEMENT AGENCIES**

Having given consideration to these matters send:

- The completed Application Form
- The completed Operating Schedule of proposed activities, times, and any changes to your current operations and how the licensing objectives will be promoted
- The correct fee*
- Any currently held licences and certificates
- A plan of 1:100 scale (unless an alternative scale is specifically agreed with the licensing authority) of the premises should include the following details:
 - The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;

- The location of points of access to and egress from the premises;
- If different from the above, the location of escape routes from the premises;
- In a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- In a case where an existing activity relates to the supply of alcohol, the location on the premises which is used for consumption of alcohol (include any beer gardens etc);
- Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- The location and type of any fire safety and any other safety equipment; and
- The location of a kitchen, if any, on the premises.

You must submit a copy of your application to all “Responsible Authorities” **on the same day as you give your application to Ryedale licensing authority**, contact details of the responsible authorities in Ryedale can be found under contact details in this guidance (see later). For your own benefit you may wish to get a receipt for the delivery of the applications or send the applications by registered post and keep the tickets as evidence that the applications have been sent. Responsible authorities have 28 consecutive days to make relevant representations with regard to your application. You may find it helpful to complete and retain licensing act form LS1 as a record of your application.

How do I know if the Application is complete?

Ryedale Licensing team will confirm with the responsible authorities that they have received copies of your application within the time scale mentioned above. Without this confirmation the licensing team will not consider the application as complete. Incomplete applications will be dealt with in one of two ways. If the application is simply missing one or two simple details, a letter requesting the missing documentation will be sent to the applicant and the application will be kept on hold. If there are more than one or two simple details missing, the application will be rejected and returned to the sender. The application must be resubmitted.

What happens next?

As the applicant you have a duty to advertise your Application in two ways:-

(A) For a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the licensing authority, by displaying a notice,

(1) which is -

(aa) of a size equal or larger than A4,

(bb) of a pale blue colour,

(cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

(2) in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises and in the case of a premises covering

an area of more than fifty metres square, a further notice in the same form and subject to the same requirements every fifty metres along the exterior perimeter of the premises abutting any highway; and

(B) by publishing a notice-

- (1) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;
- (2) on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant licensing authority. Examples of local newspapers can be seen in the contact details section. Both the newspaper notice and the notice for the application must contain the following information:

- The relevant licensable activities proposed to carry on at the premises;
- Any proposed changes to the licensable activities of the premises;
- The name of the applicant;
- The postal address of the premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises to be identified;
- The postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;
- The date by which an interested party or responsible authority may make representations to the relevant licensing authority;
- That representations shall be made in writing; and
- That it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

Again you may find it useful to complete and retain licensing act forms LS 2&3 as a record of both your public and press notices.

If there are no representations within the 28 working days, a complete application form has been submitted with the appropriate fees and other paperwork, and appropriate notices in the papers and on the premises, the licence will be granted.

However, if representation from any interested parties or responsible authorities has been received, the licensing team will decide whether the representation is relevant. If the licensing team find the representation relevant they will arrange a mediation meeting between the appropriate parties to try and find a reasonable compromise. If this informal process is unsuccessful a hearing before the licensing committee will ensue. All relevant parties will be notified. A decision will be made by the licensing sub-committee and the details of that decision will be circulated to the parties concerned.

Once the new licence is granted it will not take effect until the second appointed day.

The applicant does have a right to appeal and this should be made to the appropriate magistrates court. Professional advice should be sought if there is uncertainty as to the best course of action .

Need Help?

Ryedale District Council is aware that there are concerns about making premises licence applications and licensing staff will (as far as time permits) be available to check applications prior to submission and offer some help and guidance (please phone first to arrange an

appointment). Alternatively you may feel that you wish to seek help from a reputable licensing professional such as a solicitor or consultant who will submit the completed application on your behalf.

Fees*

Fees for all Licensing Act 2003 permissions have been set by central government. Many of the fees for the licences and certificates issued under the old regime were set by Ryedale District Council. The new fees are based on the non-domestic rateable value of the premises. These are divided into 5 bands:

Band	A	B	C	D	E
Non-Domestic rateable value	£0 - £4300	£4,301 - £33,000	£33,001 - £87,000	£87,000 - £125,000	£125,001 and over

Applications for premises licences are as shown below

A	B	C	D	E
£100	£190	£315	£450	£635

Fees will be annually payable by those holding premises licences and club premises certificates as follows:

A	B	C	D	E
£70	£180	£295	£320	£350

To find out how much your non-domestic rateable value of your premises is please enter your postcode into the Valuation Office's website, www.voa.gov.uk.

There are other occasions that fees and charges must be paid to Ryedale District Council:

Occasion on which a fee may be payable	Who should be sent copies of application other than Ryedale Licensing Team	All fees are to be paid to Ryedale District Council
Simple Conversion of premises licence or club premises certificate	Police	Please see above as dependent of Non-domestic Rateable Value
Simultaneous Variation during transition period (premises licences, personal licences, club premises certificates)	<ul style="list-style-type: none"> • North Yorkshire Police • North Yorkshire Fire and Rescue • RDC Planning Building Control • RDC Pollution Team • RDC Health and Safety or Health and Safety Executive • Social Services/Child Protection • Advertise in local paper • North Yorkshire Trading 	Please see above as dependent of Non-domestic Rateable Value Remember to include the additional fees in brackets

	Standards	
New Premises Licence or Club Premises Certificate	<ul style="list-style-type: none"> • North Yorkshire Police • North Yorkshire Fire and Rescue • RDC Planning • RDC Pollution Team • RDC Health and Safety or Health and Safety Executive • Social Services//Child Protection • North Yorkshire Trading Standards • Advertise in local paper 	Please see above as dependent of Non-domestic Rateable Value
Personal Licence Application	North Yorkshire Police	£37
Variation of premises licence or club premises certificate	<ul style="list-style-type: none"> • North Yorkshire Police • North Yorkshire Fire and Rescue • RDC Planning • RDC Pollution Team • RDC Health and Safety or Health and Safety Executive • Social Services/Child Protection • North Yorkshire Trading Standards • Advertise in local paper 	Please see above as dependent of Non-domestic Rateable Value
Supply of copies of information contained in register	N/A	Set by Ryedale
Application for copy of licence or summary on theft, loss etc of premises licence or summary	N/A	£10.50 in all cases
Notification of change of name or address (holder of premises licence)	N/A	£10.50 in all cases
Application to vary to specify individual as premises supervisor	North Yorkshire Police	£23.00
Interim Authority Notice	North Yorkshire Police	£23.00
Application to transfer premises licence	North Yorkshire Police	£23.00
Application for making a provisional statement	<ul style="list-style-type: none"> • North Yorkshire Police • North Yorkshire Fire and Rescue • RDC Planning • RDC Pollution Team • RDC Health and Safety – if in on council land Health and Safety Executive • Social Services/Child Protection • North Yorkshire Trading Standards 	£315.00
Application for copy of certificate	N/A	£10.50 in all cases

or summary on theft, loss etc of certificate summary		
Notification of change of name or alteration of club rules	N/A	£10.50 in all cases
Change of relevant registered address of club	N/A	£10.50 in all cases
Temporary Event Notices	North Yorkshire Police	£21.00
Application for copy of notice on theft, loss etc of temporary event notice	N/A	£10.50
Application for copy of licence on theft, loss etc of personal licence	N/A	£10.50
Notification of change of name or address (personal licence)	N/A	£10.50
Notice of interest in any premises	N/A	£21.00

Exceptionally large events of a temporary nature that require premises licences are to be charged as follows:

Number of people	Additional Fees(appl)	Additional Fee(annual)
5,000 – 9,999	£1,000	£500
10,000 – 14,999	£2,000	£1,000
15,000 – 19,999	£4,000	£2,000
20,000 – 29,999	£8,000	£4,000
30,000 – 39,999	£16,000	£8,000
40,000 – 49,999	£24,000	£12,000
50,000 – 59,999	£32,000	£16,000
60,000 – 69,999	£40,000	£20,000,
70,000 – 79,999	£48,000	£24,000
80,000 – 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

For premises under construction, and have not been allocated a non-domestic rateable value but will be given such a value as soon as a completion certificate is given. In these cases it is proposed to allocate such premises to band C. Subsequent annual fees will relate to the non-domestic rateable value given to the property.

Operating Schedule

An operating schedule is a document required for all new applications of premises licences. It is this documentation that outlines what licensable activities are proposed, when these activities will take place, how these activities will be managed and the overall opening hours when the public will be permitted on the premises.

It is advisable to apply for the maximum amount of hours for any activity. One of the most critical parts of the operating schedule is the section where the applicant describes the steps they intend to take to promote the four licensing objectives. Careful consideration is advised. **What is written in this section may become a condition of the licence.** As a guide the “Appendices” section in Ryedale District Council’s Statement of Licensing Policy could be used

to note the areas that may be expected to be addressed in the operating schedule. Obviously, not all are appropriate to all premises. For example, attendant ratios for seated audiences would not normally be a feature of a public house, and similarly use of two-way radios may not be relevant to licensed premises in rural settings as there is not the same customer movement patterns as in a town centre.

General

Signage – Good signage can operate at many levels. Whether signs repeat the law or express the policy of the premises they can act as a non-confrontational deterrent and as a tool for staff enforcing the law or the premises policy. Signs should be used judiciously if there are specific problems, or where there is a need to demarcate certain areas for particular activities. Some examples of signs that could be used may include:-

“CCTV operates in this area and lawlessness will be reported to the police”

“This premises operates a zero tolerance drugs policy”

Staff training

Key areas that should be covered include:

- What to do if they think that there is a customer behaviour problem or one is likely to occur.
- What to do and any special responsibilities in case of fire or any other need to evacuate the premises.
- Where applicable, staff should know what would be expected of them if an incident occurred and if a court case ensued that they may have to give evidence.
- What is the drugs policy of the premises and what should be done if drugs are found on the premises.
- What to do if they feel threatened into making an illegal sale and how best to avoid such situations

Moreover, if staff members are well trained they are likely to feel more confident and so be more proactive in keeping trouble out of the premises. Have a document which details what the staff training consists of and evidence that each member of staff is familiar with the material. This document may be referred to in the operating schedule. Where agency staff are used, be sure that they have received a thorough briefing of what their role is and where possible try and re-use the same staff so that they get to know the premises and clientele.

Special consideration should be made regarding the licensing objectives when special events (e.g. local/national events, football matches etc) take place, how these would impact on the local community and what should be done to minimise the negative impact.

The Prevention of Crime and Disorder

Details of any off-premises and/or on-premises **CCTV systems** and signs associated with these systems. If installing a new CCTV system advice from the appropriate department of North Yorkshire Police should be sought.

Membership and regular attendance of meetings of a crime reduction group such as **Pubwatch** can help stop known troublemakers entering your premises. As this group and the Police share information, incidents such as resale of stolen goods, outbreaks of trouble may be averted. Pubwatch bans also have repercussions on the social lives of those people affected, eg making them travel much greater distances to frequent licensed premises and as such they cannot socialise with their friends in the same way. As such, up to date Pubwatch signage can act as a deterrent. Pubwatch in Ryedale operates a telephone call up system so that information about incidents actually happening can be quickly spread around all the premises involved into the scheme. The local police may also be telephoned for assistance or could arrange for town centre CCTV to record any particular activity. Pubwatch membership would be considered best practice for many premises located in town centres where the supply of alcohol is an authorised activity.

Experience shows that where licensed premises have a restricted entry policy queuing normally occurs. At premises where queuing is a regular occurrence or where the police recommend their use, **Door Supervisors** should be used to supervise/monitor the situation. **Where Door Supervisors are required, all such staff must be licensed by the Security Industry Authority(SIA).** In future it may be considered good practice to use Door Supervisors not only on premises licensed to sell alcohol but also on those licensed for late night hot food sales. To get more information about the SIA, please visit www.sia.org or call their helpline 08702430100.

Records kept of any crime or disorder incidents will help police and the local authority.

The development of good relations with local police officers is also beneficial in preventing incidents occurring on your premises. If customers become accustomed to policemen being frequent visitors, problem behaviour may be discouraged.

Public Safety

Risk assessment – this is a requirement under the Health and Safety at Work Act 1974 where there are more than 5 employees. It may include a fire risk assessment as required under Fire Precautions (Workplace) Regulations 1997 and will apply to all non-domestic premises following the Regulatory Reform Order likely to take effect in 2005.

Applicants should consider, as a basic requirement, areas such as electrical safety, building integrity, and heating installations and reassess these following any major refurbishments, repairs, and general maintenance.

Indication of capacity – This can be based on a recent assessment completed by a fire officer which was a requirement for a Public Entertainment Licence, however it is the responsibility of the manager/proprietor to do a risk assessment of the business. North Yorkshire Fire and Rescue Service recommend 0.5 m² per person standing or dancing and 1m² per person seated. Ease of exit in case of emergency may affect these numbers as does any fixed furniture and or fittings. Please specify if your premises has a capacity of less than 200 people as there is an exemption under section 177 of the Licensing Act 2003 where:

- A premises licence or club premises certificate authorises the supply of alcohol for consumption on the premises and the provisions of “music entertainment” (live music or dancing or facilities enabling people to take part in those activities),
- The relevant premises are used primarily for the supply of alcohol for consumption on the premises, and
- The premises have a permitted capacity limit of not more than 200 persons (including staff and performers) any conditions relating to the provision of music entertainment imposed on the premises licence or club premises certificate by

Ryedale District Council licensing authority, other than those set out by the licence or certificate being consistent with the operating schedule, will be suspended except where they were imposed as being necessary for public safety or the prevention of crime and disorder or both.

The nature of the business is an important factor:-

Describe the style of premises; e.g. traditional public house, modern restaurant, cinema complex, etc.

Describe the nature of clientele; young people who want to dance,

All age groups, family friendly, people interested in sports.

Where the premises is located; amongst residential housing including adjoining properties, amongst business premises that are not operational during the evenings, the nearest property is over 250 m away etc.

Describe the geographical location; town centre, rural village or hamlet, suburban area.

Door Supervisors – When to employ door supervisors is down to the managers/proprietors risk assessment and police intervention. Managers should be sensitive to local and national events such as major football events, even if your premises are not involved directly. Door supervisors can offer many benefits such as helping to keep under-18s out of businesses where the retail of alcohol for the consumption on-site is the predominant licensable activity. Advice on the numbers of door supervisors to be used is available from North Yorkshire Police. Where any significant variation from this advice exists, or is applied for, reasons for the variation should be given. Please be sure that any SIA licences are in order.

North Yorkshire Fire and Rescue Service have made the following recommendations to applicants with regard to public safety:

The Responsible Person for the premises will need to:-

- (a) carry out a specific fire risk assessment to identify any significant findings,
- (b) provide fire safety provisions,
- (c) provide an emergency plan
- (d) provide training for all members of staff and,
- (e) Make an assessment of the maximum numbers of persons (including staff) permitted on the premises at any one time. Also a simple floor plan showing the dimensions of the building and the fire safety provisions should be included in the application(see application for premises licence page 2).
- (f) They should also keep a log book for recording-all tests/repairs/instruction on fire alarms/emergency lighting/fire fighting equipment/staff training.

These are requirements under existing fire safety legislation for many premises and this documentation should already exist as part of the risk assessment for the Health and Safety at Work etc Act 1974.

Please provide the following information with your operating schedule when submitting your application:

- The date when the last fire safety risk assessment of the premises was carried out, along with any identified findings
- A summary of any proposed changes or improvements to remedy the significant findings, with the date of their implementation

- Details of the maximum occupancy numbers to be permitted in the premises (including staff), and the management arrangements to ensure they are not exceeded
- A copy of the emergency plan
- A single line scaled plan or architects drawing, showing the general layout of the premises, fire safety provisions, including escape routes from the premises to a place of ultimate safety with any significant features(see application for premises licence page 3)
- Supporting evidence demonstrating adequate maintenance of the fire safety provisions and systems e.g. copies of current servicing certificates .If no certificates are available then we will accept entries in the log book as proof of maintenance.

Offences relating to fire safety will be dealt with by North Yorkshire Fire and Rescue Service under the appropriate legislation.

Please specify in the operating schedule any first aid arrangements .

Please specify any evacuation procedures or policies in case of loss of power

The prevention of public nuisance

Businesses (selling hot food between 23.00pm-05.00am) should consider the provision of additional waste receptacles in the vicinity of their premises in consultation with the Licensing Authority and North Yorkshire County Council. It would also be considered good practice for such premises to sweep the areas outside their premises at closing time after each day's business, if necessary. Do state any policy regarding this is in your operating schedule.

Closure of outside areas (eg beer gardens) after a certain time is encouraged and should be included in your operating schedule. It is advisable that regulated entertainment is not performed in outside areas in the evenings without prior consultation with the Licensing Authority. Noise may be contained by keeping windows and doors shut, by installing double glazing where appropriate and keeping ventilation equipment in good order. Asking performers of regulated entertainment to remind customers to respect the premises' neighbours and leave quietly has proved successful, again these initiatives should be detailed in the operating schedule.

Protection of children from harm

Do make a statement regarding the child admission policy of your premises detailing any restrictions.

Be sure that all staff members know that they should be on their guard for children at risk, and know that they have a responsibility to report any children that they feel may be at risk to the North Yorkshire Social Services, contact details are at the back of this leaflet.

Offences

- To carry on or attempt to carry on a licensable activity on or from any premises other than in accordance with the authorisation provided by a premises licence or a club premises certificate meeting any required conditions.
- To knowingly allow such an activity to be carried on.
- Where an unauthorised activity has taken place, any performer or participant does not commit an offence unless they are involved in the organisation or arrangement of the unauthorised activity.
- It is an offence to expose alcohol for sale when not an authorised activity.

- To keep alcohol with the intention of selling it by retail or supplying it by or on behalf of a club or to the order of a member of a club where the sale or supply would be an unauthorised licensable activity.

Offences concerning children are as follows:

- Unaccompanied children are prohibited from certain premises eg premises open for the purposes of being used for the supply of alcohol for consumption and all relevant premises used for the supply of alcohol for the consumption there between the hours of midnight and 5am.
- Sale of alcohol by retail to an individual under the age of 18 is illegal.
- Clubs commit an offence if alcohol is supplied to a member or guest who is under the age of 18.
- It is an offence to allow the supply of alcohol to children from your premises.
- It is an offence for an individual under the age of 18 to buy or attempt to buy alcohol.
- It is an offence to buy or attempt to buy alcohol on behalf of an individual who is under 18.
- However, no offence is committed if a person over the age of 18 buys beer, wine or cider for an individual aged 16 or 17 if the purchase, or supply, is for consumption at a table meal on relevant premises and that the individual is accompanied at the meal by an individual aged 18 or over.
- An individual under the age of 18 commits an offence if he knowingly consumes alcohol on relevant premises.
- A person who works on relevant premises in any capacity, whether paid or unpaid commits an offence if he knowingly delivers to an individual aged under 18 alcohol sold on the premises, or alcohol supplied on the premises by or on behalf of a club to or to the order of a member of a club.
- A person commits an offence if he knowingly allows anyone else to deliver to an individual aged under 18 alcohol sold on relevant premises.
- Sending a child to obtain alcohol .

Contact Details

Consultation with all responsible authorities should be encouraged prior to the submission of the application. During the transition period Ryedale District Council licensing staff will try to assist applicants

<p>The Licensing Team Environmental Health Services PO Box 67 Ryedale House Old Malton Road Malton North Yorkshire YO17 7ZG</p> <p>01653 600666 Licensing@ryedale.gov.uk www.ryedale.gov.uk</p>	<p>Police Licensing Officer - Ryedale Malton Police Station Old Malton Road Malton North Yorkshire YO 17 7YD</p> <p>01723 509668 www.northyorkshire.police.uk</p>
<p>Child Protection Address Mrs L.Carr Director of Social Services North Yorkshire County Council Social Services Directorate County Hall Racecourse Lane Northallerton DL7 8BR 01609 532954</p>	<p>North Yorkshire Fire & Rescue Service Station Manager Malton Fire Station Sheepfoot Hill Malton YO17 OEB</p> <p>01653 692626</p>
<p>Development Control Manager Development Control Department Ryedale District Council Ryedale House Old Malton Road Malton North Yorkshire YO17 7ZG 01653 600666</p> <p>For properties which fall within the North York Moors National Park their Planning Unit should also be contacted: North York Moors National Park Authority Chief Planning Officer The Old Vicarage Bondgate Helmsley York YO62 5BP 01439 770657</p>	<p>Health and Safety Section Environmental Health Department Ryedale District Council Ryedale House Old Malton Road Malton North Yorkshire YO17 7ZG (for premises not owned/operated by Local Authorities/County Councils) 01653 600666</p>

<p>Pollution Section Environmental Health Department Ryedale District Council Ryedale House Old Malton Road Malton North Yorkshire YO17 7ZG</p> <p>01653 600666</p>	<p>North Yorkshire Trading Standards FAO Licensing Officer Unit 4/5, Block B Thornfield Business Park Standard Way Northallerton North Yorkshire DL6 2XQ</p> <p>01609 768616</p>
<p>Local paper public notice contact details</p> <p>Malton Gazette & Herald 22 Yorkersgate Malton N Yorks Tel 01653 693212</p> <p>Malton & Pickering Mercury 49 Market Place Malton N Yorks Tel 01653 600051</p> <p>York & County Press 76/86 Walmgate York YO1 9YN Tel 01904 653051</p>	<p>The Operations Manager Health & Safety Executive Marshall Mill Marshall Street Leeds LS11 9YJ (for premises owned/operated by Local Authority/County Council)</p>

Ryedale District Council

PHRASES THAT YOU MAY FIND HELPFUL WHEN COMPLETING YOUR OPERATING SCHEDULE

PHRASES RELATING TO THE PREVENTION OF CRIME AND DISORDER

Door Supervisors

Example measures to meet the licensing Objectives

1. Will be correctly registered with the SIA;
2. Will display the correct name badge;
3. Will carry proof of registration;
4. Will be used at a ratio to be agreed by the Police and Local Authority, ;
5. A female supervisor will be available if searches are to be conducted on female customers;
6. Will be in attendance at the entrance of the premises until the main exit doors to the premises are closed, and any time when patrons may be queuing for access;

CCTV

Example measures to meet the licensing Objectives.

7. Will be installed and working to the satisfaction of the Police and Local Authority;
8. Recordings will be maintained for an appropriate period of time (generally one month – but to be agreed with Police and Local Authority);
9. If the CCTV equipment is inoperative, the Police and Local Authority will be informed as soon as possible and immediate steps will be taken to put the equipment back into action;
10. A notice will be displayed at the entrance to the premises advising that CCTV is in operation;

Bottles and Glasses

Example measures to meet the licensing Objectives

11. Alcoholic and soft drinks will be served in plastic or toughened glasses;
12. All bottles (other than those where it is not intended that the contents are consumed direct from the bottle) will be made of plastic;
13. If glass bottles are used, the contents will be decanted into plastic or toughened glass;
14. No customers carrying open or sealed bottles or glasses will be admitted to the premises at any time;
15. No customers will be permitted to take open containers of alcoholic or soft drinks from the premises;
16. All bottles and glasses will be removed from public areas as soon as they are finished with or empty;

Radios

Example measures to meet the licensing Objectives

17. Radios/Text/Phones will be used in town centre licensed premises to provide two way communication between the police and other licensed premises(eg Pubwatch);
18. The equipment will be available at all times the premises are open to the public, and will be monitored by the Designated Premises Supervisor or other responsible staff member;
19. All instances of crime and disorder will be reported to the police ;
20. Any police requirements will be complied with at all times;

Capacity Limits

Example measures to meet the licensing Objectives

21. Consideration will be given to setting capacity limits to prevent overcrowding which could lead to crime and disorder;
22. This capacity figure will be based on advice from the Police, Fire or local authority;
23. Door supervisors may be required to ensure the capacity limits are controlled;

Proof of Age Cards

Example measures to meet the licensing Objectives

24. A proof of age policy to the satisfaction of the police and the Local Authority will be in place;

Drinks Promotions

Example measures to meet the licensing Objectives

25. All-inclusive nights or other irresponsible drinks promotions will not be permitted;

Drugs

Example measures to meet the licensing Objectives

26. An anti drug policy agreed by the Police and local authority will be in force;
27. A secure facility to store controlled drugs will be available;

Notices

Example measures to meet the licensing Objectives

28. A detailed "customer code of conduct" poster will be displayed warning customers that if they act in an inappropriate manner, they could be barred from all licensed premises in the vicinity; eg "**banned from one** **banned from all**"
29. Any restrictions on the admission of children to the premises will be displayed outside the premises eg **over 18`s only**

General

Example measures to meet the licensing Objectives

30. The premises will be a member of Pubwatch and a representative will attend Pubwatch meetings and participate in all initiatives;
31. A person holding the National Licensee's Certificate will be on the premises at all times when alcohol is being served or regulated entertainment provided;
32. A policy will be in force for the management of large groups, ie hen and stag parties. The group will be required to nominate a responsible person to liaise with staff;
33. I will keep an incident book and record details of all instances of public disorder;

Additional/alternative measures to meet the prevention of crime and disorder licensing objective:

PHRASES RELATING TO PUBLIC SAFETY

Door Supervisors

See phrases 1-6 on page 17.

CCTV

See phrases 7-10 on page 17.

Bottles and glasses

See phrases 11-16 on page 17.

Capacity Limits

See phrases 21-23 on page 18.

Drugs

See phrases 26-27 on page 18.

Notices

See phrases 28-29 on page 18.

Fire Safety

Example measures to meet the licensing Objectives

34. All exit doors will be easily openable without the use of a key, card, code or similar means and will be available for egress while the public are on the premises;
35. Means of escape will be maintained unobstructed, immediately available and clearly identifiable;

36. Exit doors will be regularly checked to ensure they function satisfactorily. Records of these checks will be kept and produced on request;
37. Any removable security fastenings will be removed whenever the premises are open to the public or staff;
38. All fire doors will be maintained effectively self-closing and shall not be held open other than by approved devices;
39. Fire resisting doors to service shafts, ducts and cupboards will be kept locked shut;
40. Step and stair edges will be highlighted so as to be conspicuous;
41. All gangways, exitways and treads of steps or stairways will be maintained with non-slippery and even surfaces;
42. All floor coverings will be secured and maintained so that they will not ruck;
43. Hangings, curtains and temporary decorations will be maintained in a flame retardant condition;
44. Upholstered seating will be fire retardant and compliant with current fire safety regulations;
45. Curtains, hangings and temporary decorations will not obstruct exits, fire safety signs or fire-fighting equipment;
46. Notices detailing the actions to be taken in the event of fire or other emergency will be prominently displayed and maintained in good condition;
47. Access will be provided for emergency vehicles and this access will be kept clear and free from obstruction;
48. Fire drill and emergency lighting tests will be conducted monthly. Records of these tests will be made available to the Licensing Authority upon request;
49. All fire exits and means of escape will be signed in accordance with BS5499;
50. An emergency plan will be in place that is to the satisfaction of the Fire Authority. All staff members will be trained in the emergency plan;
51. The fire brigade will be called to any outbreak of fire, however slight;
52. Wall and ceiling finishes will be fire resistant;
53. Exit doors should open outwards (or will be secured in the open position);

Disabled People

Example measures to meet the licensing Objectives

54. When disabled people are present, adequate arrangements will exist to enable their safe evacuation in the event of an emergency;
55. Disabled people on the premises will be made aware of these arrangements;

First Aid

Example measures to meet the licensing Objectives

56. Adequate and appropriate supply of first aid equipment and materials will be available on the premises;
57. At least one suitable trained first aider will be on duty when the public are present;
58. If more than one first aider is present, their respective duties will be clearly defined;
59. The first aider will be trained to deal with drug and alcohol related problems;

Lighting

Example measures to meet the licensing Objectives

60. In the absence of adequate daylight, the lighting in any area accessible to the public will be fully operational;
61. Fire safety signs will be adequately illuminated;

62. Emergency lighting will not be altered;
63. Emergency lighting batteries will be fully charged before the admission of the public;
64. In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, evacuation of the premises will be possible within 20 minutes;
65. Where the emergency lighting battery has a capacity of three hours, evacuation of the premises will be possible within one hour;
66. Emergency lighting tests will be conducted monthly. Records of these tests will be made available to the Licensing Authority upon request;

Safety Certificates

The provision of certain documentation will assist in showing how you intend to meet the public safety licensing objective.

Example measures to meet the licensing Objectives

67. I will provide a satisfactory periodic electrical installation report. The inspection will be carried out annually by an approved and qualified electrician unless otherwise recommended by the electrical contractor. The results and details of inspections will be recorded in a logbook kept on the premises and made available to the Licensing Authority as required. Certificates/reports will be in the form set out in the appropriate British Standard or by the recognised trade body.
68. I will provide a CORGI certificate of inspection in respect of any gas boiler, calorifier or appliance. The inspection will be carried out annually and I will provide a new report each year;
69. I will provide an OFTEC certificate of inspection in respect of any oil-fired boiler or appliance. The inspection will be carried out annually and I will provide a new report each year;
70. I will provide a certificate of inspection for portable fire fighting equipment. The inspection will be carried out annually and I will provide a new certificate each year;
71. I will provide a certificate of inspection for any fire detection alarm at the premises. The inspection will be carried out annually and I will provide a new certificate each year;
72. Where a temporary electrical installation is being used, a temporary electrical installation report by a competent electrician or a certificate of compliance with BS7909 will be provided;

Indoor Sports Entertainments

Example measures to meet the licensing Objectives

73. An appropriately qualified medical practitioner will be present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature;
74. Where a ring is involved, it will be constructed and supported by a competent person and inspected by a competent authority. Any material used to form the skirt will be fire-retardant;
75. At any wrestling or similar entertainment, members of the public will not occupy any seat within 2.5 metres of the ring;
76. At water sports entertainments, staff trained in rescue and life saving procedures will be stationed within the vicinity of the water at all times;

Alterations to the premises

Example measures to meet the licensing Objectives

77. A variation of the premises licence will be sought for any alteration of the premises which would make it impossible to comply with an existing licence condition;

Special Effects

Example measures to meet the licensing Objectives

78. The use of special effects or mechanical installation will be arranged and stored so as to minimise any risk to the safety of the audience, performers and staff;
79. Special effects including the following will only be used with prior notification to the Licensing and/or Fire authorities:-

Dry ice machines and cryogenic fog;
Smoke machines and fog generators;
Pyrotechnics, including fireworks;
Real flame;
Firearms;
Motor vehicles;
Strobe lighting;
Lasers;
Explosives and highly flammable substances;

General

Example measures to meet the licensing Objectives

80. A chill out area to the satisfaction of the Police and Licensing authority will be provided. This will be cooler and quieter than the dancing areas;
81. The Licensee will ensure that a constant and accurate record will be maintained of the number of patrons within the premises. These records will be made available upon request;
82. Searching as a condition of entry will be considered at all times and will be mandatory when directed by police;

PHRASES RELATING TO PUBLIC SAFETY (Theatres, cinemas, concert halls & similar places)

Premises used for closely seated audiences

Attendants

Example measures to meet the licensing Objectives

83. The number of attendants on each floor in a closely seated auditorium will be as set out in 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
751-1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

84. Attendants will not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from the auditorium where they are on duty;
85. Attendants will be readily identifiable to the audience;
86. The premises will not be used for a closely seated audience except in accordance with seating plans. A copy of the plan will be available at the premises and shown to any authorised person on request;
87. No article will be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction;
88. A copy of any certificate relating to the design, construction and loading of any temporary seating will be kept available and shown to any authorised person on request;

Gangways

Example measures to meet the licensing Objectives

89. Sitting on floors will not be permitted except where authorised in the premises licence;
90. Waiting or standing will not be permitted except in areas designated in the premises licence;
91. In no circumstances will anyone be permitted to:-
 - (i) sit in any gangway;
 - (ii) stand or sit in front of an exit; or
 - (iii) stand or sit on any staircase including any landings;

Special Effects

Example measures to meet the licensing Objectives

92. Any special effects or mechanical installation will be arranged and stored so as to minimise any risk to the safety of the audience, performers and staff. Special effects include:
 - Dry ice machines and cryogenic fog;
 - Smoke machines and fog generators;
 - Pyrotechnics, including fireworks;
 - Real flame;
 - Firearms;
 - Motor vehicles;
 - Strobe lighting;
 - Lasers;
 - Explosives and highly flammable;

Fire Safety

Example measures to meet the licensing Objectives

93. Any scenery will be maintained flame-retardant;
94. Where a safety curtain is provided, it will be arranged so as to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium;

General

Example measures to meet the licensing Objectives

95. All ceilings in those parts of the premises to which the audience are admitted will be inspected by a suitably qualified person. A certificate concerning the condition of the ceilings will be forwarded to the Licensing Authority;
96. Where the potential audience exceeds 250, all seats in the auditorium will, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve;

Premises used for film exhibitions

Example measures to meet the licensing Objectives

97. The following number of attendants will be present during film exhibitions (as set out in the tables below):

Attendants – premises without a staff alerting system

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
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 an 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

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1-500	Two	One
501-1000	Three	Two
1001-1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

98. The staff alerting system will be maintained in working order;
99. Attendants will wherever possible be evenly distributed throughout all parts of the premises to which the public have access;

Flammable films

Example measures to meet the licensing Objectives

100. No flammable films will be allowed on the premises without prior notification to the fire and/or licensing authority;

Lighting

Example measures to meet the licensing Objectives

101. The level of lighting in the auditorium will be consistent with the effective presentation of the film. This will normally be in compliance with BS CP 1007 (Maintained Lighting for Cinemas);

PHRASES RELATING TO PUBLIC SAFETY (Late night refreshment)

Example measures to meet the licensing Objectives

102. I will ensure that the public are not admitted to any part of the premises other than those which have been approved by the Council;
103. Overcrowding will not be allowed in any part of the premises;
104. Where tables and chairs are provided, clear gangways to exits will be maintained;
105. Portable heating appliances will not be used at the premises;
106. Appliances utilising cylinders or containers of gas will not be used on the premises;
107. Paraffin or other mineral oil will not be used in any lamp, stove or other appliance except for cooking purposes;
108. The premises will be adequately ventilated in all areas to which the staff and public have access;

PHRASES RELATING TO THE PREVENTION OF PUBLIC NUISANCE

Noise and vibration

Example measures to meet the licensing Objectives

109. Noise or vibration will not be audible at the façade of any noise sensitive premises;
110. Doors and windows will be kept closed whenever necessary;
111. Noise limiters on amplification equipment will be used;
112. Prominent, clear and legible notices will be displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly;
113. The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas will be restricted;
114. The placing of bottles into receptacles outside the premises will take place at times that will minimise disturbance to nearby properties;
115. For the final hour of opening the music will be discernibly quieter;
116. The playing of live or recorded music in garden areas of the premises will not

be permitted after a specified time (please specify time);

Noxious smells

Example measures to meet the licensing Objectives

- 117. Noxious smells from licensed premises will not cause a nuisance to nearby properties;
- 118. Premises will be adequately vented to prevent nuisance from noxious smells;

Light pollution

Example measures to meet the licensing Objectives

- 119. Flashing or bright lights on or outside licensed premises will not cause a nuisance to nearby properties;

General

Example measures to meet the licensing Objectives

- 120. A “no smoking at the bar” rule will be enforced;
- 121. A crime prevention policy agreed by the police and Licensing Authority will be in place;

PHRASES RELATING TO PUBLIC NUISANCE (Late night refreshment)

Example measures to meet the licensing Objectives

- 122. A sufficient number of suitable receptacles for refuse storage will be provided. These will have properly fitted covers;
- 123. The receptacles will be maintained in a clean condition;
- 124. Nearby streets will be monitored after 11pm to ensure that patrons are not littering the streets and/or residents’ property or causing a nuisance to residents;
- 125. Patrons will be prevented from eating and drinking immediately outside the premises after 11pm;
- 126. Any queues inside or outside the premises will be monitored by a member of staff to ensure compliance with the licensing objectives;

PHRASES RELATING TO THE PROTECTION OF CHILDREN FROM HARM

General

Example measures to meet the licensing Objectives

- 127. For any premises with known associations with heavy or binge or underage drinking, drugs, significant gambling, or any activity or entertainment of a clearly adult or sexual nature, access will not be permitted for children under 18 years;
- 128. Applicants wishing to allow access to under 18s to such premises will explain their reasons and outline in detail the steps they intend to take to protect children from harm;
- 129. The hours of the day during which age restrictions will and will not apply will be detailed;
- 130. If under 18s are allowed on the premises, alcohol will not be available to any customers;

- 131. A “no smoking at the bar” rule will be enforced;
- 132. A proof of age policy agreed by the police and local authority will be enforced;
- 133. If children are allowed on the premises, a “no smoking” area of such a size and design that it genuinely provides a suitable, comfortable area for children and families wishing to be separated from smoking areas will be available;
- 134. A crime prevention policy agreed by the police and local authority will be in place;

Nudity and Striptease

Example measures to meet the licensing Objectives

- 135. Any advertising of such events will be agreed with the Council in advance;
- 136. No person under 18 will be permitted to enter the premises whilst nudity or striptease is taking place;
- 137. Physical contact will not be permitted between performers, staff and customers;

Cinemas

Example measures to meet the licensing Objectives

- 138. When films are classified by the film classification body, they will be classified in the following way:-
 - U – Universal – suitable for audiences aged 4 years and over;
 - PG – Parental Guidance – some scenes may be unsuitable for young children;
 - 12A – viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult;
 - 15 – viewing by persons aged 15 years and over;
 - 18 – viewing by persons aged 18 years and over;
- 139. Immediately before each exhibition of a film classified by the BBFC, there will be a reproduction of the certificate of the Board for at least five seconds so as to be easily read by all persons in the auditorium or, as regards a trailer advertising a film, a statement approved by the Board indicating the classification of that film;
- 140. Where the Licensing Authority has made a recommendation on the restriction of admission of children to a film, notices will be displayed both inside and outside the premises so that persons are aware of the classification;

Performances especially for children

Example measures to meet the licensing Objectives

- 141. An attendant will be stationed in the area(s) occupied by the children and in the vicinity of each exit;
- 142. The minimum number of attendants on duty will be one attendant per 50 children (or part thereof);

Children in performances

Example measures to meet the licensing Objectives

- 143. The backstage facilities will be large enough to accommodate safely the number of children taking part in any performance;
- 144. All chaperones and production crew on the show will receive instruction on the fire procedures prior to the arrival of the children;

145. Special effects, including smoke, dry ice, rapid pulsating or flashing lights, will not be used in such performances;
146. Children performing in productions will be kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises;
147. Children will be accounted for at all times in case of an evacuation or emergency;

NB These phrases are listed to assist you in completing your operating schedule .You do not have to use any of them it is for you to decide.
However you should remember that anything mentioned in the operating schedule may be incorporated as a condition on your licence.