Preparing Operating Schedule and Premises Plan

The Operating Schedule

An operating schedule is a required document for all new applications for premises licences and club premises certificates. It forms part of the application. It is the documentation that outlines what activities are proposed to be permitted when and where these activities will take place, the overall opening hours when the public are permitted on the premises and how the activities will be managed, particularly in respect of the licensing objectives.

It is advisable to apply for a realistic number of hours for any activity. You should consider the effect of your hours not only on the residents and businesses in your vicinity but also the other service industries such as street cleaning, transport etc. The Police will look at their ability to provide resources and will make representations should it be felt that they are unable to make their limited resources available to suit your hours. Therefore, early discussion with the Police is essential.

Particular thought should be given to community – type premises as these premises often have many different users and uses that change on a fairly frequent basis. It may be prudent to apply for activities that currently do not take place as hirers may request those activities in the future.

One of the most critical parts of the operating schedule is the section where the applicant describes the steps intended to promote the four licensing objectives. Careful consideration of what is entered is advised. What is written in this section will be translated into conditions on the licence or certificate. However, as a guide the Council’s Statement of Licensing Policy should be used to see what is expected to be addressed in the operating schedule. The list is not exhaustive and obviously, not all are appropriate to all premises.

The operating schedule will be examined by the responsible authorities to ensure that they are satisfied that the risks to the licensing objectives have been addressed and the steps you intend to take so as not to put the objectives at risk. You can expect a representation from responsible authorities or interested parties if the operating schedule is not specific, sufficiently detailed and robust enough to address the issues.

The starting point of the operating schedule should be close liaison with the responsible authorities and interested parties for their views and assistance before the application is submitted to the Licensing Authority. A risk assessment should be done on the proposed activities to identify the risks to the licensing objectives.

The operating schedule should include:-

- A description of the style and character of the business to be conducted on the premises;
- A risk assessment. Most premises that provide alcohol as part of their operation, will present some level of risk to the four licensing objectives. The level of risk and the impact on the local area / community need to be identified;
- A specific risk assessment for drinks promotions or ‘happy hours’ if these are to be held;
- The schedule should then set out the steps to be taken to reduce the impact factors identified in the risk assessment;
- The schedule should then show how the operation will promote the four licensing objectives;
- Where alcohol is provided for consumption on the premises, the type and amount of seating to be provided;
- The nature of any live entertainment;

When preparing operating schedules, there are several publications that applicants should be aware of and refer to which offer good guidance and best practice. These include:
Therefore, the steps that should be taken before submitting you application are:

- initially consult with responsible authorities and interested parties;
- draw up your risk assessment;
- draw up your operating schedule;
- liaise again with the relevant authorities and interested parties;

General

There are a number of steps that can be taken which satisfy more than one of the licensing objectives.

- Signage – Good signage can operate at many levels. At the door, clear signs can clarify the premises’ policy regarding any age restriction such as “over 18s only”, “over 21s only” or “no unaccompanied children”. Whether signs repeat the law or express the policy of the premises, it can act as a deterrent and as a tool for staff enforcing the law or the premises policy in a non-confrontational manner. However, it is certainly not the wish of the Licensing Authority to turn all licensed premises into notice boards. Signs should be used 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 all incidents will be reported to the police”
  - “These premises operate a zero tolerance drugs policy”
  - “Proof of age for purchase of certain goods may be required”
  - “Supervised children are welcome in the restaurant area before 8pm”
  - “No drinks allowed in this area/beyond this point”
- Staff training – Well trained staff are a real asset to any business. Critical areas of staff training in licensed premises should include a good knowledge of what is and is not permitted on the premises. The chain of command of a licensed premise is very important and an operating schedule should have a well-defined management structure especially for when the DPS is not physically on the premises. An example of best practice would be that the duty manager signs in for duty in a logbook so that it is clear for everybody who is in charge of the premises at any particular time. It would also be considered best practice for all duty managers to be personal licence holders so that the required knowledge level can be assured when the DPS is not physically present. Other key areas that should be covered including;
  1. What to do if they think that there is a customer behaviour problem or one is likely to occur.
  2. What to do and any special responsibilities in case of fire or any other emergency likely to lead to the evacuation of the premises.
  3. Where the supply of alcohol is concerned or where any age restriction is applicable training should be given and maintained.
  4. What is acceptable proof of age identification and what is not, as the names of cards may change or and new cards introduced having gained the PASS accreditation.
  5. Staff should know what would be expected of them if an incident occurred and potentially that if a court case ensued that they may have to give evidence.
  6. What the drug policy is and what to do if drug are found on the premises.
  7. What to do if they feel threatened or feel they are at risk how best to deal with such situations.

If staff members are well trained they may feel more confident to be more proactive in keeping trouble out of the premises. The British Institute of Innkeeping and other training providers offer recognised training for various activities within the leisure and entertainment industry. Additionally, to have a document which details what the staff training consists of and documentation to show that each member of staff is familiar
with the material is an essential managerial tool. The training to be given to staff and documentation may be referred to in the operating schedule. Where temporary staff is used, they should receive a thorough briefing and where possible try and obtain the same temporary staff so that they become familiar with the premises and its operation.

Drinks promotions should never encourage excessive or binge drinking. Consideration of the implications on the licensing objectives and the community should be considered whenever an alcoholic drinks promotion occurs. A statement to clarify the drinks promotion policy of the premises is advisable where one of the licensable activities is the sale or supply of alcohol.

Special consideration should be made regarding the licensing objectives when special events such as football matches or other local or national events are being staged and how these events will impact the local community and what can be done to eliminate the negative impact.

The Prevention of Crime and Disorder

Examples of steps the Licensing Authority may expect applicants to consider and address include:

- Membership of the appropriate Pubwatch Scheme. Membership and regular attendance of meetings of a crime reduction group such as Pubwatch can help stop known troublemakers entering your premises. As Pubwatch and the Police can share information between each other, incidents such as resale of stolen goods, recent outbreaks of trouble and information of crimes against businesses. Pubwatch bans do have serious repercussions on the social lives of the people affected. They may have to 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 membership would be considered best practice for many premises located in the town centres where the supply of alcohol is an authorised activity.
- Physical security features should be considered e.g. use of toughened or plastic drinking glasses. Where appropriate, the operating schedule may specify details of when the use of plastic or toughened glass will be applied as defined by a risk assessment. Plastic may be very preferable for use in outside areas where broken glass could be difficult to clear up or where there may be an increased level of rowdiness such as when and where national sporting events are televised.
- Whenever security operatives are employed at licensed premises to carry out any security function they must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are vital to public safety at licensed premises, and the provision of door supervisors is an action point for the leisure industry to consider in the Home Office Alcohol Harm Reduction Strategy. If a licensee directly employs security operatives he/she will need to be licensed by the SIA as a supervisor / manager. Licensees should seriously consider recruiting SIA licensed door supervisors from a company with SIA Approved Contractor Status. Licensees must also consider what measures will be taken and what procedures will be put into place for checking the SIA Register of licensed door supervisors, to ensure that their premises and customers are protected only by door supervisors with an SIA licence. For more information on the SIA please visit their website at www.the-sia.org.uk or call their helpline 08702 430 100. The decision when to employ door supervisors and in what number depends on a risk assessment. Managers should be sensitive to local and national events such as major football events, even if the premises are not involved directly.
- The amount of seating to be provided to reduce high volume vertical drinking.
- Training given to staff in crime prevention and drug awareness measures. Please see the general heading above for further details.
- Measures agreed with the Police to reduce crime and disorder. The development of good relations with local police officers is beneficial in preventing incidents occurring on your premises. If customers become accustomed to policemen being frequent visitors, problem behaviour can be discouraged. Additionally, records kept of any crime or disorder incidents and where sales of alcohol have been refused will help the police and local authority monitoring.
- Measures to prevent the use or supply of illegal drugs. Ensuring adequate staffing at busy times so that staff members are regularly checking all areas of the licensed premises including toilets and other areas that are not easily visible from the bar.
- Search procedures. Effective searching not only prevents certain crimes by removing prohibited articles but also serves as a deterrent.
• Provision of CCTV in and around the premises. Details of any CCTV system and suitable signs associated with it. If installing a new CCTV system advice from the Crime Reduction Officer at Thames Valley Police should be sought.
• Formulation of a dispersal policy. You should ensure that when customers leave the premises, they do so in an orderly manner. A music and lighting policy which encourages a calming effect on customers before they leave can help. It may be that a transportation policy is required to get customers home after leaving the premises when there is no viable alternative.
• Measures to prevent glasses and bottles being taken away from the licensed premises. Open containers should not be taken from the premises. Signs to reinforce that only drinks purchased on the premises may be consumed on the premises could be advisable.

Public Safety

Examples of steps the Licensing Authority may expect applicants to consider and address include:

• Suggested occupancy figures (including staff and performers). This can be based on a recent assessment completed by a fire officer/building control officer which was a requirement for a Public Entertainment Licence. **It is the responsibility of the licence holder to do a risk assessment of the business and expert advice may be required.** Not only does the size and number of emergency exits affect the occupancy figure, so does the floor area, ease of exit and the density and type of furniture and fittings. Please note that sanitary accommodation can affect occupancy figures. Please specify if your premises has a capacity of fewer than 200 people, as there is an exemption available under section 177 of the Licensing Act 2003.
• Use of equipment and effects. You should be able to demonstrate that equipment, whether fixed or temporary is safe and in working order such as the electrical, fire alarm and emergency lighting systems and fire fighting equipment. There are however, types of equipment and effects which require specific risk assessment and advice from experts such as the Environmental Health or Health and Safety officers.
• Levels of door supervision. Please see above in Crime and Disorder. When assessing the numbers of doorstaff, you should be consider their safety and employ them in sufficient numbers to ensure that they are able to deal with all emergencies and evacuations, not just in their crime and disorder role.
• Measures to prevent the supply and use of illegal drugs. Please see the General and Crime and Disorder headings.
• Free availability of clean drinking water. It is recognised that some persons either in possession of or under the influence of drugs will gain entry to premises despite stringent search methods. Some drugs combined with dancing can cause overheating of the body and a craving for water. **Free availability of clean drinking water and its controlled consumption can help to alleviate the effects of the drug.** Water available in sanitary accommodation should not be used for this purpose.
• Physical safety features e.g. use of toughened glass and plastic containers. Please see above in Crime and Disorder.
• Fire safety, training and evacuation procedures;
• Provision of CCTV;
• Consider the effects of smoking in your premises on the health of employees and the public.

The Prevention of Public Nuisance

Examples of steps the Licensing Authority may expect applicants to consider and address include:

• The location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship and the proximity of other sensitive areas such as schools, war memorials etc;
• The hours of opening, particularly between 23.00 and 07.00;
• The nature of the activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside the premises;
• The design and layout of the premises and in particular the presence of noise limiting features;
• The occupancy capacity of the premises;
• The availability of public transport;
• The availability of parking in residential areas;
• ‘Wind down period’ between the end of the licensable activities and the closure of the premises;
• The formulation of a dispersal policy;
• Last admission time;
• The upkeep of the area immediately surrounding the premises such as litter collection.

Closure of outside areas after a certain time is encouraged to be included in your operating schedule. It is advisable that no regulated entertainment is carried out in outside areas in the evenings without prior consultation with the licensing authority. Noise can also be contained by keeping windows and doors shut, by installing double-glazing where appropriate and keeping ventilation equipment in good order. Using performers of regulated entertainment to remind customers to respect the premises’ neighbours and leave quietly has proved successful.

Protection of Children from Harm

Do make a statement regarding the child admission policy of the premises detailing any restrictions. Good management and staff training are essential in dealing with this objective.

Signage can be very important in the protection of children from harm. It is important that signage makes clear the restrictions on access to the premises or part of the premises by children. It is also important to have children supervised at all times in these types of premises.

It is expected to show in your operating schedule that if children are permitted on the premises that any areas where children are not allowed are demarcated, these may be bar areas, in areas with amusements with prizes or a strong element of gambling, suitable refreshments should also be available at all times when children are permitted. Do make sure wherever possible that children needing to use the toilets can get there without crossing areas within which they are not permitted.

When considering access by children, you may wish to consider the following:

• Limitations of the hours when children may be present;
• Limitations on the exclusion of the presence of children under certain ages when particular specified activities are taking place;
• Limitations on the parts of premises to which children might be given access;
• Age limitations (below 18);
• Requirements for accompanying adults (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
• Full exclusion of those people under 18 years of age from the premises when any licensable activities are taking place.

It should be noted that it is an offence;

• to permit children under the age of 16 unaccompanied by an adult (that is a person aged 18 or over) to be present on premises open for the supply of alcohol for consumption there and being used exclusively or primarily for the supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or temporary event notice;
• to permit the presence of children under 16 who are not accompanied by an adult (that is a person aged 18 or over) between midnight and 5am to be on premises supplying alcohol for consumption on the premises under the authorization of any premises licence, club premises certificate or temporary event notice.

The offences may be committed by a premises licence holder, designated premises supervisor or any person who works at licensed premises, whether paid or unpaid, in a capacity which authorises him or her to request an unaccompanied child under 16 to leave the premises. It may also be committed by any member or officer of a club, which holds a club premises certificate, who is present on the premises in a capacity which enables him to make such a request or a premises user in relation to premises being used under the authorisation of a temporary event notice.
The Licensing Authority will therefore expect licensed premises to have adequate controls in place to prevent under age sales of alcohol and other age restricted products to children and young persons. Licensees should contact the Trading Standards Service at Oxfordshire County Council to obtain guidance on preventative control systems, including staff training, record keeping and proof of age cards. The Trading Standards Service, in liaison with the Police, conducts covert test purchasing exercises in response to complaints and information received, to check compliance with the law.

Plan specifications

The plan of your premises should show:

- the boundary of the building with any external or internal walls; entrances and exits to the building;
- escape routes from the building;
- locations of different licensable activities in the building (if relevant); and where alcohol will be consumed in the premises;
- fixed or temporary structures which may block entrances or exits to the building;
- the location and height of any stages in the premises; any steps, stairs, elevators or lifts in the premises;
- the location of any public toilets in the building;
- fire safety equipment or any other safety equipment such as;
  - Location of fire alarm; type of sounder e.g. siren or bell
  - Whether it is a heat or smoke detector
  - Location of emergency lighting
  - Location of illuminated exit signs
  - Location of fire extinguishers and ID type
  - Position of any fire doors
  - Location of fire blanket
- the location of a kitchen (if applicable)

The plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100 (in exceptional circumstances an alternative scale may be agreed to in writing).

Contact Licensing Department

By Post: Licensing Department
          Legal and Democratic Services
          South Oxfordshire District Council
          Benson Lane
          Crowmarsh Gifford
          WALLINGFORD
          OX10 8NW

Telephone Enquiries:  01491 823209
Fax:  01491 823625
Email: licensing@southoxon.gov.uk
Website: www.southoxon.gov.uk/licensing