

**MEMBERS INTERESTS 2012**

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	<b>General</b>		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest <b>because</b> it affects my financial position or the financial position of a person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or any person or body described in 10.1(1)(i) and (ii) <b>and</b> the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/>          <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>          <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of:  (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.  (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.  (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.  (iv) An allowance, payment or indemnity given to Members  (v) Any ceremonial honour given to Members  (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>          <input type="checkbox"/>	<i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>          <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

**'disclosable pecuniary interest'** (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

**Interest**

**Prescribed description**

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;*

*"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;*

*"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;*

*"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;*

*"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;*

*"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**'non pecuniary interest'** means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

**'a connected person'** means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

**'body exercising functions of a public nature'** means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

**NB** Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.



## WEST LANCASHIRE BOROUGH COUNCIL

### LICENSING AND GAMBLING COMMITTEE LICENSING SUB COMMITTEE

#### HEARING PROCEDURE

1. The Chairman introduces the Members and the main Officers.
2. The Chairman invites the other parties to the hearing to introduce themselves.
3. The Chairman refers to this procedure, which will be followed.  
(NB. The Chairman will explain that he will allow the parties to proceed without specific time constraints).
4. The Chairman asks the Assistant Director Community Services (or their representative) to outline the application.
5. Applicant's case
  - (a) The Applicant (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
  - (b) The other parties to the hearing may then ask questions of the Applicant and witnesses, commencing with each Responsible Authority (if present) and concluding with the Sub-Committee.
6. Relevant representations – Responsible Authorities (if present)
  - (a) Each Responsible Authority (or representative) will present their case. This will include general opening remarks followed by calling witnesses.
  - (b) The other parties to the hearing may then ask questions of each Responsible Authority and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
7. Relevant Representations – Interested Parties (if present)
  - (c) Interested Parties will be asked by the Chairman if they wish to elect a spokesperson or representative (or speak individually). Interested Parties will present their case. This will include general opening remarks followed by calling witnesses.

- (d) The other parties to the hearing may then ask questions of the Interested Parties and witnesses, commencing with the Applicant and concluding with the Sub-Committee.
8. If several representations (objections) have been received, Interested Parties may question the Applicant and witnesses in turn in an order to be determined by the Chairman. The same order will follow when it comes to the Interested Parties being questioned.
  9. The Chairman to ask all parties and the Sub-Committee if they have any further relevant questions or comments arising from the hearing.
  10. Interested Parties, Responsible Authorities and the Applicant to make their closing address in that order (so that the Applicant has the final say).
  9. The Chairman will ask the Legal Adviser whether there are any other matters to be raised or resolved before the hearing is closed for deliberations.
  10. The Sub-Committee will retire to determine the application calling the Legal Advisor and Member Services Officer as needed.
  11. When the Sub-Committee returns the Chairman will announce the decision and give reasons. All parties to the hearing will receive confirmation of the decision in writing within five working days.

End.

***If any of the parties, representative or observers, wish to discuss any matters relating to the hearing, Officers will be available at the conclusion of the hearing.***



**AGENDA ITEM: 8**

**LICENSING SUB-COMMITTEE**

**Thursday 25 April 2013**

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**Report of: Assistant Director Community Services**

**Relevant Managing Director: Managing Director (People and Places)**

**Contact for further information: Mrs S Jordan (Extn 5315)**

**(E-mail: [samantha.jordan@westlancs.gov.uk](mailto:samantha.jordan@westlancs.gov.uk))**

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**SUBJECT: APPLICATION FOR A PREMISES LICENCE IN RESPECT OF WETHERSPOONS, (FORMER BEST FOR DIY), 4 WHEATSHEAF WALK, ORMSKIRK L39 2XA**

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Borough wide interest

**1.0 PURPOSE OF REPORT**

1.1 To consider an application under the Licensing Act 2003 (the Act) for a Premises Licence in respect of Wetherspoons, 4 Wheatsheaf Walk, Ormskirk L39 2XA.

**2.0 RECOMMENDATIONS**

2.1 The Sub-Committee's instructions are requested.

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**3.0 PREMISES INFORMATION**

3.1 Address of Premises: Wetherspoons  
4 Wheatsheaf Walk  
Ormskirk  
L39 2XA

3.2 Premises Licence Holder: JD Wetherspoon plc  
Wetherspoon House  
Central Park  
Reeds Crescent  
Watford  
WD24 4QL

3.3 Designated Premises Supervisor: Deborah Hay  
6 Roehampton Court  
Queens Ride  
Barnes  
SW13 0HU

#### **4.0 THE APPLICATION**

- 4.1 On 7<sup>th</sup> March 2013 an application for the grant of a Premises Licence was received, a copy of which is attached as Appendix 1 to this report. The application was accompanied by J D Wetherspoon's Code of Conduct of Responsible Retailing which is attached as Appendix 2 to this report.
- 4.2 A location plan of the premises and the surrounding area is attached as Appendix 3 to this report.
- 4.3 A representation against the grant of the Licence has been received from Lancashire Constabulary, which includes a number of recommended conditions. This is attached as Appendix 4 to this report. A representation against the grant of the Licence has also been received from a member of the public, which is attached as Appendix 5 to this report.

#### **5.0 RELEVANT REPRESENTATIONS – RESPONSIBLE AUTHORITIES**

- 5.1 Appendix 4 details the representation and recommended conditions along with the "Secured by Design" principles submitted by Lancashire Constabulary. The representation is made under the 'prevention of crime and disorder' and 'public safety' Licensing Objectives. Lancashire Constabulary has stated that should these conditions be agreed by the applicant, then Lancashire Constabulary would withdraw the representation. At the time of writing this report, no conditions have been agreed by the applicant and therefore Lancashire Constabulary have not withdrawn their representation.
- 5.2 A copy of the above conditions have been sent to the member of public to ascertain whether they would wish to withdraw their representation if the conditions are agreed with Lancashire Constabulary. At time of writing this report ,the member of the public has not responded and therefore the representation remains.

#### **6.0 RELEVANT REPRESENTATIONS – MEMBER OF THE PUBLIC**

- 6.1 Appendix 5 details the representation received from a member of the public. The representation raises concerns of public order problems. The representation is made under the 'prevention of crime and disorder', 'protection of children from harm' and 'public nuisance' Licensing Objectives.

## 7.0 LICENSING POLICY AND LEGAL CONSIDERATIONS

7.1 Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under Section 182 of the Act.

7.2 The Council's Statement of Licensing Policy (the Policy) provides that licence holders should be given sufficient warning of any concerns regarding problems, which have been identified at the premises, and the need to make improvements. Licensees are expected to respond to such warnings and implement the necessary remedial action. The message is clear that any failure to respond to such warnings would more than likely lead to a request for a review of the licence.

7.3 As Members will be aware, the four licensing objectives are as follows:

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- The Protection of Children from Harm

7.4 The Act provides that before determining the application, the Licensing Authority must hold a hearing to consider it and relevant representations.

7.5 The Licensing Authority in determining the application, having had regard to the application and any representations, may take the following steps if it considers it necessary for the promotion of the Licensing Objectives:

- (i) Modify or add conditions to the licence
- (ii) Exclude a licensable activity from the scope of the licence
- (iii) Remove the designated premises supervisor.

7.6 In deciding which of the powers to use it is expected that the Licensing Authority should, as far as possible, seek to establish the causes of the concerns that the representations identify. Any action the Committee may wish to take should generally be directed at these causes and should always be no more than a necessary and proportionate response in the cause of promoting the licensing objectives.

7.7 In particular, Members' attention is drawn to the following sections of the Policy, which must be read in conjunction with this report:

Section 14	The Prevention of Crime & Disorder	pages 22-23
Section 15	Public Safety	pages 34-35
Section 16	Prevention of Public Nuisance	pages 26-28
Section 17	The Protection of Children from harm	pages 39-41
Section 19	Licensed Operating Hours	page 34

## **8.0 HUMAN RIGHTS ACT IMPLICATIONS**

- 8.1 The Human Rights Act 1988 makes it unlawful for a Local Authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention rights;

### **Article 6**

that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;

### **Article 8**

that everyone has the right to respect for his home and family life;

### **Article 1 of the First Protocol**

that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

## **9.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 9.1 The recommendations contained in this report have limited sustainability and/or community strategy implications. However, the Council's Licensing Policy (required under the Licensing Act 2003), which underpins the Committee's decision, impacts upon many areas within the Community. The Licensing Objectives contained in the Policy fit closely with many aspects of the Community Strategy and has the following links with the Community Strategy: Community Safety (issues A, C and E); Economy and Employment (issue D); Health and Social Care (issue A).

## **10.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 10.1 No additional financial or other resources are required.

## **11.0 RISK ASSESSMENT**

- 11.1 The Council has a legal duty to administer the Licensing Act 2003 and is under a legal duty to determine the matter contained in this report. A failure to determine this matter would result in potential legal challenge.

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### **Background Documents**

There are no background documents (as defined in Section 100 D (5) of the Local Government Act 1972) have been relied on to a material extent in the preparation of this report.



## **Equality Impact Assessment**

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

## **Appendices**

Premises Licence Application Form	(Appendix 1)
J D Wetherspoon's Code of Conduct of Responsible Retailing	(Appendix 2)
Location Plan	(Appendix 3)
Representation/Conditions: Lancashire Constabulary	(Appendix 4)
Representations: Member of the Public	(Appendix 5)



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We JD Wetherspoon plc

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Wetherspoons (former Best For DIY) 4 Wheatsheaf Walk			
<b>Post town</b>	Ormskirk	<b>Postcode</b>	<b>L39 2XA</b>

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<b>£33250</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

<b>Name</b> JD Wetherspoon plc
<b>Address</b> Wetherspoon House Central Park Reeds Crescent Watford WD24 4QL
<b>Registered number (where applicable)</b> 01709784
<b>Description of applicant (for example, partnership, company, unincorporated association etc.)</b> Public Limited Company
<b>Telephone number (if any)</b>
<b>E-mail address (optional)</b>

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

Please give a general description of the premises (please read guidance note 1)

A proposed two storey public house and restaurant. The customer area for licensable activities is to be located on the ground floor together with the kitchen. Customer toilet facilities, cooled store, staff facilities and external terrace area on first floor.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- |   |                            |
|---|----------------------------|
| Provision of regulated entertainment  | Please tick any that apply |
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>   |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>   |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>   |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>   |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>   |

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					



C

Indoor sporting events Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<b>Both</b> <input type="checkbox"/>			
Mon						
			<b>Please give further details here</b> (please read guidance note 3)			
Tue						
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)			
Wed						
			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)			
Thur						
Fri						
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)	
			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)	
			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)	
Sun				

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

## H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	2300	0000	<b><u>Please give further details here</u></b> (please read guidance note 3)  Hot food together with hot drinks including tea and coffee		
Tue	2300	0000			
Wed	2300	0000	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	2300	0100			
Fri	2300	0100	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)  Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays/New Year's Eve - an additional hour		
Sat	2300	0100			
Sun	2300	0000			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	0800	0000	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	0800	0000			
Wed	0800	0000			
Thur	0800	0100	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)  Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays/New Year's Eve - an additional hour		
Fri	0800	0100			
Sat	0800	0100			
Sun	0800	0000			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Deborah Hay	
Address 6 Roehampton Court Queens Ride Barnes	
Postcode	SW13 0HU
Personal licence number (if known) 30659	
Issuing licensing authority (if known) London Borough of Richmond upon Thames	



K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0700	0030	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p> <p>Christmas Eve/Boxing Day/Maundy Thursday/Sundays preceding Bank Holiday Mondays/New Year's Eve/the morning BST commences - an additional hour.</p>
Tue	0700	0030	
Wed	0700	0030	
Thur	0700	0130	
Fri	0700	0130	
Sat	0700	0130	
Sun	0700	0030	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc trading procedures. Specifically the premises licence holder will ensure that all employees are trained in their responsibilities to prevent alcohol being served to anybody who is under the legal age limit or to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf.

**b) The prevention of crime and disorder**

1. The premises licence holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times.
2. CCTV shall be installed in the premises in compliance with any reasonable requirements of the police. Images will be retained for a minimum of 30 days and will be available to the police upon request. Members of the management team will be trained in the use of the system.
3. Non-alcoholic beverages including soft drinks, water, coffee and tea shall be available at all times, sale by retail of alcohol carried out at the premises.

**c) Public safety**

See conditions 1 to 3 Box B above.

**d) The prevention of public nuisance**

See conditions 1 to 3 Box B above.

e) The protection of children from harm

1. The premises licence holder will operate a “Challenge 21” Policy at all times.
2. Suitable food and non-alcoholic beverages shall be available at all times children are allowed on the premises.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>JP Withypoon MC</i>
Date	<i>6.3.13</i>
Capacity	APPLICANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

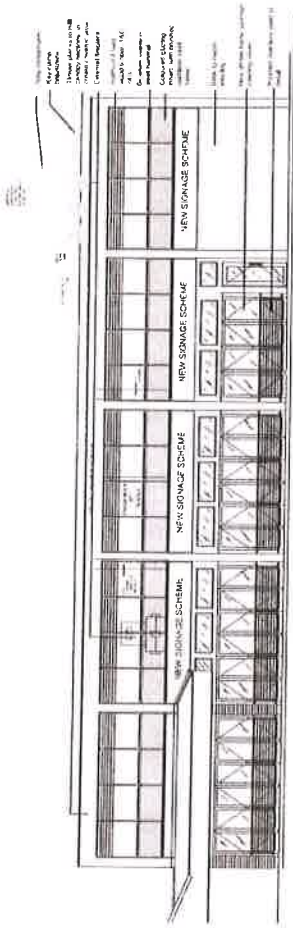
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Barbara Morrice c/o Legal Department Wetherspoon House Central Park Reeds Crescent			
Post town	<b>Watford</b>	Postcode	<b>WD24 4QL</b>
Telephone number (if any)	01923 477 804		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) bmorrice@jdwetherspoon.co.uk			

### Notes for Guidance

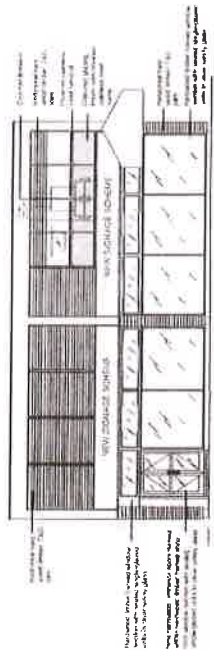
1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

As per the above, the proposed alterations to the existing structure are to be completed in accordance with the provisions of the Building Act 2011 and the Building Regulations 2012. The proposed alterations are to be completed in accordance with the provisions of the Building Act 2011 and the Building Regulations 2012. The proposed alterations are to be completed in accordance with the provisions of the Building Act 2011 and the Building Regulations 2012.

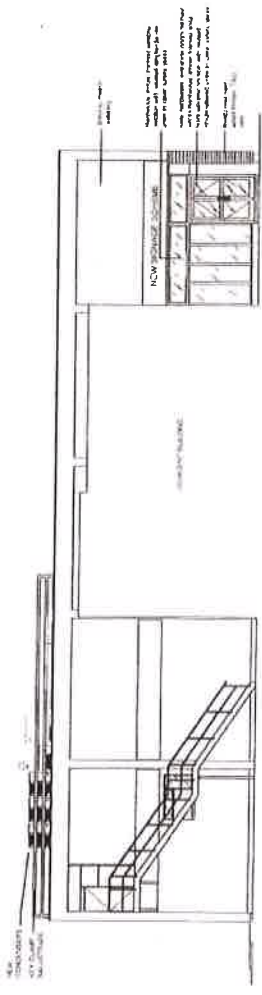
DATE: 25/10/2013  
 DRAWN BY: J. WETHERSPOON  
 CHECKED BY: J. WETHERSPOON  
 PROJECT: WHEATSHEAF WALK, PN 6439  
 SHEET: PROPOSED ELEVATIONS



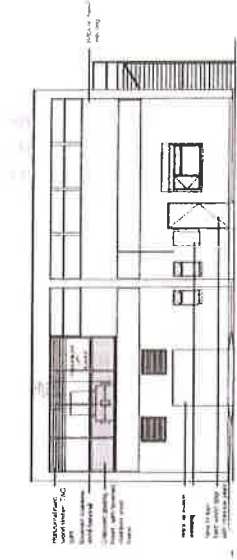
LEYLAND WAY ELEVATION



WHEATSHEAF WALK

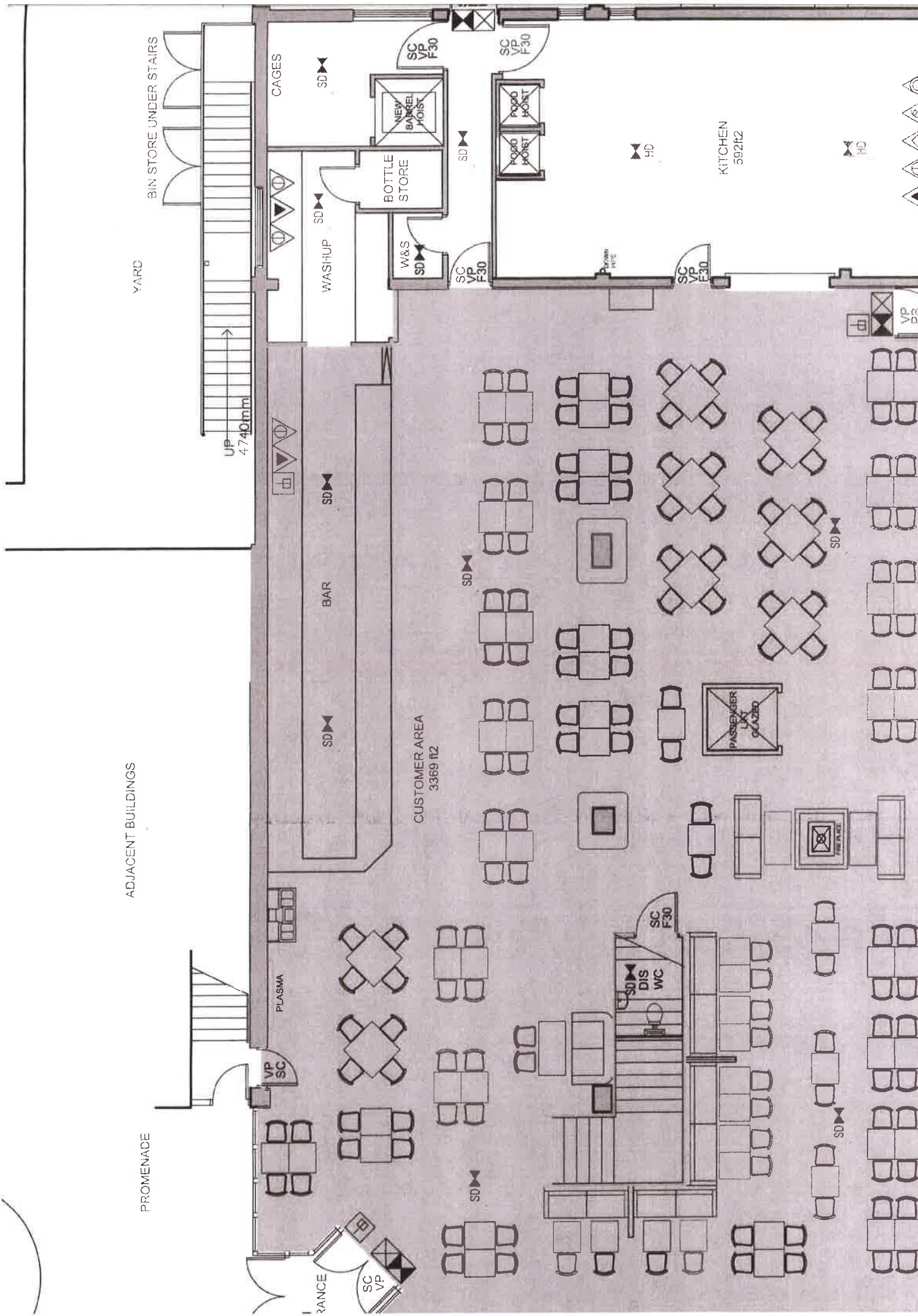


BURSCOUGH STREET ELEVATION



REAR ELEVATION

ARCHITECT: J. WETHERSPOON	
JO WETHERSPOON	
WHEATSHEAF WALK, PN 6439	
BURSCOUGH LANE, ZEN	
PROPOSED ELEVATIONS	
DATE: 25/10/2013	SCALE: 1:100 @ A1
DRAWN BY: J. WETHERSPOON	CHECKED BY: J. WETHERSPOON
PROJECT: WHEATSHEAF WALK, PN 6439	SHEET: PROPOSED ELEVATIONS



ADJACENT BUILDINGS

PROMENADE

YARD

BIN STORE UNDER STAIRS

UP  
4740mm

PLASMA

CAGES

ANCE

BAR

WASHUP

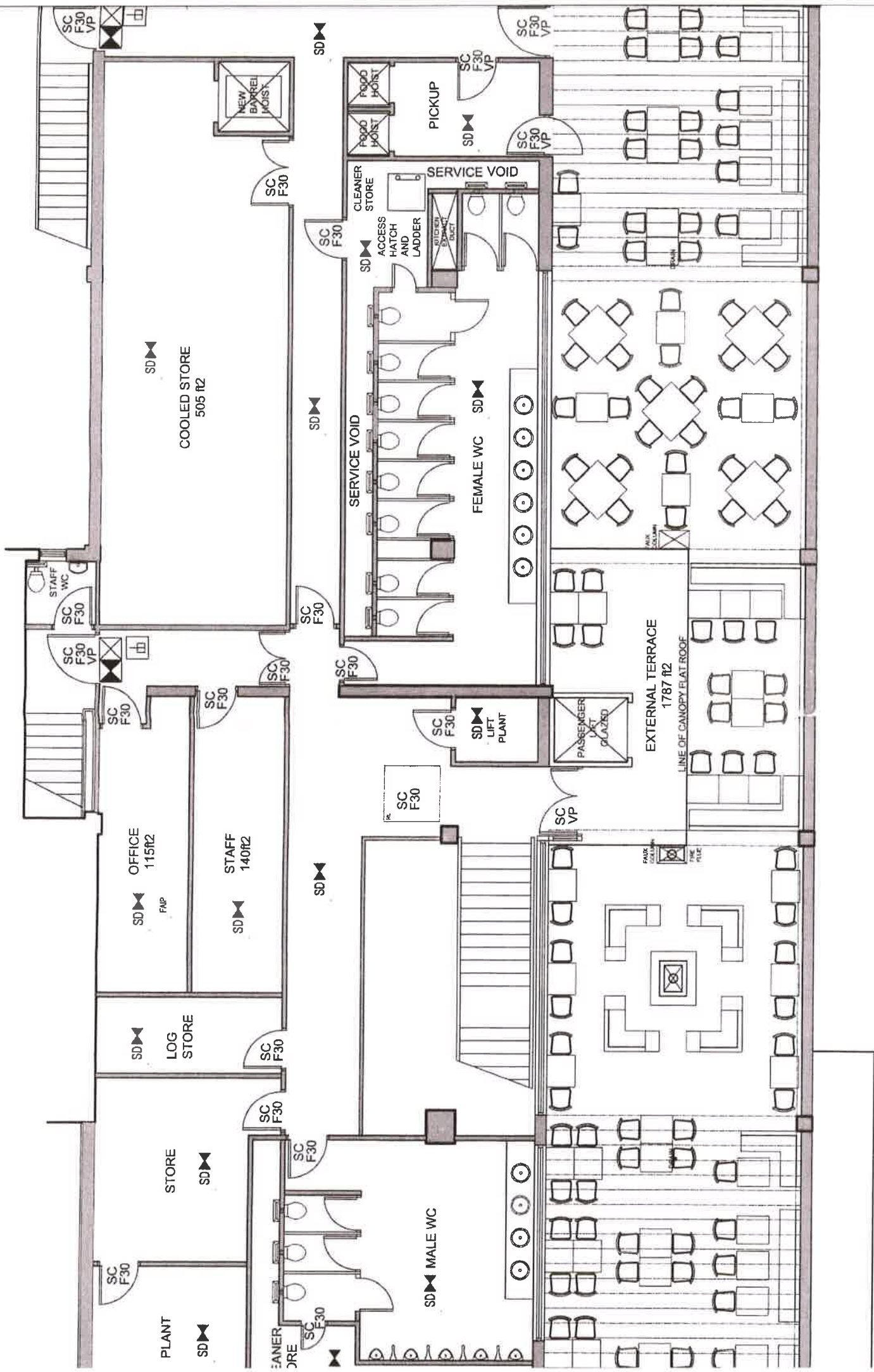
BOTTLE STORE

CUSTOMER AREA  
3369 f12

NEW BARREL HOIST

DIS WC

KITCHEN  
592ft2









**J D Wetherspoon's  
Code of Conduct for Responsible Retailing**

Updated January 2009

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## Overview

J D Wetherspoon began trading in 1979. Over time we have developed a sophisticated range of practices and procedures aimed at providing a safe and convivial environment in which the public may enjoy the wide range of facilities which we offer. The procedures that we have put in place are subject to constant review and improvement and are the result of careful consideration by our experienced team of directors, managers and professional advisors.

Overall, our aim is to provide a distinctive kind of pub which attracts a broad range of customers. We aim to create the congenial atmosphere of the traditional pub combined with features found in modern cafés, restaurants and bars. We successfully achieve this through a combination of high-quality design, good management and the provision of an all-day menu and a range of quality products.

J D Wetherspoon was the first company to develop a Code of Conduct for Responsible Retailing. This Code sets out the operational procedures that we as a company have put in place to ensure we are actively promoting the four licensing objectives; Prevention of Crime and Disorder, Preservation of Public Safety, Prevention of Public Nuisance and Protection of Children from Harm. At all times we operate to ensure that our commercial imperatives do not override the core values set out in the Code. The first edition of the Code was developed in April 2004 as a result of our experience in dealing with different local authorities, police forces and various other statutory bodies at the time of licensing reform. The Code formed an integral part of all applications that we submitted to convert and vary licenses prior to the introduction of the new licensing regime. Today we continue to offer a commitment to the principles set out in the Code with each and every application for a new premises licence.

The Code is divided into four sections, one for each of the four licensing objectives, with specific practices and procedures identified under the relevant objective. There is, however, considerable overlap between our practices and the objectives so that some of our procedures simultaneously address more than one of the objectives. For example, our staff training procedures address all four objectives and our CCTV policy meets both the crime prevention and the prevention of public nuisance objectives.

Our approach has always been to work closely with the statutory authorities and with local residents to ensure that the licensing objectives are being actively promoted. We appreciate that the success of the licensing regime depends on the continuation of strong partnerships between the licensed trade, responsible authorities and interested parties. We are always sensitive to concerns raised by interested parties or responsible authorities in response to our applications for new licences. We are always willing to modify our applications to address those concerns when that is deemed necessary.

# 1 Prevention of Crime and Disorder

## 1.1 Food

- 1.1.1 At J D Wetherspoon the provision of good quality food at reasonable prices is at the core of our business. A full menu is available in our premises from opening until 10pm, 7 days of the week.
- 1.1.2 Food has become an increasingly important element of our operation in recent years and in particular since the introduction of the smoking ban in England and Wales in 2007. Our experience is that a smoke-free pub provides a much more conducive atmosphere in which to eat, especially for families with children. As a consequence, in the past few years we have seen our food sales increase significantly. Food currently amounts to 29% of the total sales across the estate. In a number of our pubs a figure of 50% and higher is achieved. Including bar purchases made in association with table meals, diners now account for approximately two-thirds of sales.
- 1.1.3 The majority of our pubs open from 8:00am or 9:00am to cater for customers who want to join us for breakfast. We pioneered the availability of breakfasts across all our pubs. We now sell approximately 250,000 breakfasts per week. In a similar vein, we now sell over 400,000 cups of Lavazza coffee every week. Our coffee sales now approximately match those of Caffé Nero in volume and are about a quarter of Starbucks. We believe that we now have approximately 6 per cent of the United Kingdom 'chain' coffee market.
- 1.1.4 Our Curry Club, Grill Night and Sunday Club are a key offer available in all of our of pubs. These promotions are typical of our approach to responsible drinks retailing where we link drinks promotions with the sale of affordable food. For example, during Curry Club customers are offered a drink inclusive with their meal and can choose from a pint of lager, bitter, Guinness or cider, a bottled lager, a glass of wine, a single gin or vodka and tonic, or they can choose a coffee or tea, a bottle of water or a non alcoholic soft drink such as Pepsi or J2O.
- 1.1.5 We always use high quality ingredients and increasingly offer regional dishes and locally sourced products. We also take great care to ensure that artificial ingredients are avoided wherever possible. For example we use free range eggs, cod from sustainable stocks, the beef in our burgers is 100% British and cooking oils without trans-fats.
- 1.1.6 Our award winning children's menu is available throughout our trading hours. A number of our children's meals use only organic ingredients. We have no preservatives or sugar or artificial colours or flavours in any of the meals in the children's menu. All of our children's meals come with a bag of fresh fruit as well as milk, orange juice or water as the drink options. We provide nutritional information about the meals offered on the children's menu to help parents make informed decisions about what their children are eating.

## 1.2 Responsible Drinks Retailing

- 1.2.1 J D Wetherspoon takes the issue of responsible drinks retailing extremely seriously. We understand that we are in the business of selling alcohol and we cannot therefore take the moral high ground, but we strive to operate our pubs in such a way that we create a safe and convivial atmosphere which encourages people to behave well. We closely work with the statutory authorities to ensure that any initiatives designed to achieve these goals are fully supported by our local operators. We are continually looking for new ways to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol and unruly behaviour that often goes with it.
- 1.2.2 The provision of food throughout our trading hours is a vital component of our approach to responsible drinks retailing. The consumption of food both before and during the consumption of alcohol is widely recognised to slow down its absorption into the blood stream. We encourage adults to drink in moderation and to enjoy alcoholic beverages in a sensible manner, preferably around mealtimes.
- 1.2.3 We do not engage in irresponsible drinks promotions. We do not offer 'all inclusive' promotions where our customers can drink unlimited amounts for a set fee. Neither do we offer promotions that entice customers with free alcoholic drinks such as buy-one-get-one-free promotions. The majority of our drinks promotions form part of our food promotions. Our practices and procedures are frequently held-up by the police and local authorities as 'best practice' for others to follow.
- 1.2.4 We sell a wide range of soft drinks, fruit juices and coffee. We ensure that low-alcohol and non-alcoholic beverages are prominently advertised in our 'table talker' menus. Where drinks are promoted we always offer a range of drinks including ones of different alcoholic strengths, soft drinks and coffee.
- 1.2.5 We concentrate on the provision of cask conditioned beers - selling more than any other pub company. Throughout the year we run regional festivals showcasing the very best ales from local microbrewers as well as larger provincial brewers. The vast majority of our premises are accredited by Cask Marque for the quality of their ales. Real ale typically attracts a broader, often older, cross-section of customers. This broad customer base creates an atmosphere within our pubs that we believe leads to better behaved customers.
- 1.2.6 We are the only pub company in the United Kingdom to produce a comprehensive, bi-monthly customer magazine – Wetherspoon News. The print run per issue is 250,000 however there is an estimated readership of 1,000,000 (4 readers per copy). Wetherspoon News is distributed nationally throughout all Wetherspoon pubs, Lloyds No1 bars, Wetherspoon Lodges and the company's head office. It is provided free-of-charge to customers. Wetherspoon News is an invaluable method of communicating responsible retailing messages to our customers. We also devote a large proportion of this publication to recognise and highlight our staff who have worked hard to promote responsible retailing and sensible drinking messages in their pubs.

- 1.2.7 We recognise the importance of informing customers about the alcoholic strength of products and unit measurements. We always try to source alcoholic products (wine, RTDs, bottled lagers and beers) that prominently advertise both the alcohol-by-volume ('ABV') content and units as a part of their packaging. All of our table talker/drinks lists record the ABV content for draught ales, lagers, spirits & bottled beers & ciders. Unit measurements for all alcoholic products are available through our website.
- 1.2.8 We adopt a socially responsible approach to marketing. We place our responsible retailing messages in prominent positions in public areas to ensure that our customers are kept well-informed about our commitment to these practices. The majority of our drinks promotions form part of food promotions such as our Curry Club or Grill Night where customers are offered a drink inclusive with the meal offer. We ensure that low-alcohol and non-alcoholic beverages are prominently advertised in our table talker/drinks lists. Where drinks are promoted we always offer a range of drinks including ones of different alcoholic strengths, soft drinks and coffee.

### **1.3 Price Structure**

- 1.3.1 J D Wetherspoon offers reasonable prices across the full range of products on offer to our customers and not just on alcoholic drinks. This approach has been always been an attractive part of our offer from the customer point of view. In our view customer behaviour is primarily influenced by strong management, highly trained staff, and a robust approach to responsible drinks retailing rather than the pricing of alcoholic products.
- 1.3.2 The Office of Fair Trading has consistently stated that price fixing or minimum pricing is prohibited under United Kingdom and European Competition Law. Accordingly, we do not adopt a minimum pricing policy in our pubs. We continually review the pricing structure of our alcoholic and non-alcoholic products to ensure that we are encouraging sensible drinking at all times.
- 1.3.3 Our approach to the sale of alcohol is to concentrate on the range and quality of the products on offer rather than to use price as an incentive. Our approach has been both welcomed and supported by the police and other statutory authorities around the United Kingdom. In 2005 we won the national 'Responsible Drinks Retailer - Pub Chain Company' award organised by the Morning Advertiser and supported by the Home Office and were short listed for the same award in 2006.

#### **1.4 Highly Trained Staff**

- 1.4.1 At J D Wetherspoon there is a very strong culture of thorough induction training and on-going refresher training. Training is provided for all employees regardless of their role, their age or their hours of work. It is widely recognised that the level and quality of staff training is a significant factor in controlling the behaviour of customers on licensed premises. Our employees are extensively trained on their obligations under licensing law.
- 1.4.2 Our training systems have been consistently praised by employees and by the industry. We have won many awards including the Supreme Training Award from the British Institute of Innkeeping ('BII') for two consecutive years. We have also won the National Innkeeping Training awards for Best Catering Training, Best Training in Managed Estates and in 2007 the Best Training Scheme by Institutions of Further and Higher Education in Partnership within the Licensed Retail Industry.
- 1.4.3 Training of our management personnel is conducted on a modular basis with continuing assessment throughout their employment period. Bar staff training is primarily carried out on site by management personnel.
- 1.4.4 An essential element in having a well trained staff is our ability to retain our employees. Turnover of Pub Managers is around 12% which is less than half the industry average. Moreover, 75% of all management employees began with J D Wetherspoon as hourly paid employees and, typically, anyone appointed to run one of our pubs for the first time is likely to have been employed by the Company for at least 5 years.
- 1.4.5 The quality of our training, recruitment and employment practices have been recognised by J D Wetherspoon being included in "Britain's Top Employers" for 5 consecutive years.

#### **1.5 Management Structure**

- 1.5.1 Our management structure is designed to ensure that we encourage responsible behaviour on our premises. Our pubs each have an average of five managers and the majority of these hold personal licence qualifications or are working towards them. There is always at least one manager (often more) on duty in every pub throughout trading hours and at peak times there will be a designated manager supervising the bar and 'walking the floor'.
- 1.5.2 Pub Managers have the support of their Area Manager who in turn reports to a General Manager. The Operations Director maintains regular contact with management at all levels. This management structure ensures that if any employee has any question or requires further support they can immediately ask for assistance from their management team. Area Managers look after an average of only 12 pubs each which is a low number of pubs in comparison to regional managers in competitor pub companies.

## **1.6 Preventing Drunkenness and Disorderly Behaviour**

- 1.6.1 In recent years we have taken numerous positive steps to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol. All of our employees are provided with intensive induction and refresher training on our Don't Do Drunk policy. This policy is designed to ensure that alcohol is not served to anyone who appears to be drunk or to anyone who is trying to purchase alcohol on their behalf. Our employees are trained to continually assess the state of sobriety of any customer purchasing alcoholic drinks or consuming alcohol within the premises. As part of this training we reassure our employees that if they ever feel uncomfortable dealing with a situation then they must notify the Pub Manager and ask for their assistance. Our management teams are asked to support the decision of any employee not to serve a customer who appears to be drunk or disorderly.
- 1.6.2 We monitor the effectiveness of this training by reviewing the use of the 'Refusal' button on the EPOS till system (pressed whenever a customer is refused alcohol) and from feedback given by enforcement authorities, customers and Company representatives. Adherence to our Don't Do Drunk policy is closely monitored through regular inspections of all pubs at any time during trading hours. These visits are completed by senior J D Wetherspoon managers and also by a body of independent professional advisers. There are specific questions on the visit report form regarding the perceived presence of drunk and disorderly customers on the premises and all employees participate in a monthly bonus scheme which is directly linked to the results of these visits.
- 1.6.3 All employees are trained to immediately notify the Pub Manager if any customer becomes insulting, threatening or aggressive. The Pub Manager is then able to act to prevent this behaviour escalating into violence. If such disorderly behaviour does occur on our premises the pub management team will take immediate action to diffuse the situation. If the disorderly individual refuses to leave the premises then, if necessary, the police will be called to assist in the ejection.
- 1.6.4 Details of disorderly customers are circulated to other licensed venues via the PubWatch or similar local intelligence systems. We will always support 'Banned from One - Banned from All' initiatives which ensure that a consistent approach is taken by licensed premises to refuse entry to anyone who has been included on the PubWatch 'banned list'.

## **1.7 Zero Tolerance to Drug Use**

- 1.7.1 J D Wetherspoon operates a zero tolerance policy towards drug use and we will take whatever measures are necessary to ensure this policy is being actively promoted. In particular, we co-operate with the police to ensure that wherever a risk has been identified customers are searched upon entry and where illegal substances are found, they are confiscated and given to the police at the earliest opportunity.



- 1.7.2 Where a search policy is in place we make every effort to ensure that customers are aware that this is a voluntary procedure and that they have the right to decline this 'condition of entry'. If a customer does decline and our door staff or employees remain concerned that the person is in possession of illegal substances they will make every effort to notify the police of these concerns so that a police search can be considered.
- 1.7.3 Employees are expected to be extra vigilant to prevent drug use occurring and all receive specific training on how to deal with such issues should they arise. Our Pub Managers will always welcome any additional site specific training that local police wish to offer that may be particularly relevant to their locality.
- 1.7.4 Toilet checks are carried out by employees at frequent intervals during peak trading times and they are carried out at least once every hour during all other trading hours. These checks help ensure that no illegal activities take place in these areas.

## **1.8 CCTV**

- 1.8.1 CCTV is provided throughout our premises. It has proved to be an active deterrent for anti-social behaviour and we are committed to continuing its provision. All new premises are fitted with digital equipment and the camera locations are selected in conjunction with the local police Crime Prevention Officer whenever possible.
- 1.8.2 We are committed to training adequate numbers of employees in each pub in the use of the CCTV system so that immediately following an incident a trained member of staff is always available to replay footage, download material or provide a VHS tape where the CCTV is recorded on an analogue system. This material will always be made available to the statutory authorities without delay.
- 1.8.3 All CCTV footage will be retained for a period of at least 30 days.

## **1.9 Door Staff**

- 1.9.1 The vast majority of our premises operate successfully without the need for door supervisors. We continually 'risk assess' the need to provide door supervision and are willing to follow any reasonable recommendations of the police to engage door supervisors where that is deemed necessary.
- 1.9.2 Where door staff are engaged they work in accordance with our policies and procedures under the control of a Head Door Supervisor. Their primary function is to ensure that the points of exit and entry and outside areas remain under supervision while also monitoring the interior of the premises to maintain a safe and relaxing environment for customers and employees alike. We would always expect door staff to meet the high standards of service and behaviour that we would expect from our own staff. We expect them to give customers confidence in their ability (and our ability) to create a safer environment. We expect that they can control and handle themselves in an appropriate manner in any situation where customers are rude, aggressive, violent and know how, when deemed necessary, to use proportionate force in controlling a situation. We ensure that all door supervisors are registered and in possession of an SIA badge and refuse to allow any unbadged door supervisor to work on our premises.

## **1.10 Toughened Glassware & Polycarbonates**

- 1.10.1 J D Wetherspoon is 100% committed to working with the police to improve industry standards for customer safety in licensed premises and in particular reduce the risk of 'glassing' incidents.
- 1.10.2 We strive to eradicate glass-related incidents in our pubs through strong front-of-house management, staff training, effective door and customer management policies, regular glass collection, well-maintained premises and the use of toughened glass. Wherever possible the glassware used in our pubs is toughened glass. Due to the methods employed in the manufacture of toughened glass the glass, if broken, tends to break into very small pieces thereby reducing the possibility of it being used as a weapon. Our employees are trained to ensure that when customers leave our premises they do not leave taking glassware or bottles with them. Our employees are also tasked to ensure empty drinking vessels are cleared away in a timely fashion so as to reduce the risk of breakages and their use as weapons. Most importantly, however, J D Wetherspoon, unlike the vast majority of pub companies, has an extensive food offer which is available to customers throughout trading hours from 0900 hours to 2200 hours, 7 days a week. The result of this is that our pubs attract a much broader range of age groups and types of clientele than many of our competitors. We consider that this is a significant factor in reducing the potential for poor behaviour and glass-related violence.

1.10.3 We will always consider whether polycarbonates should be introduced on a premises-by-premises basis. When problems have been identified with a particular pub or a Town Centre then we accept that this approach may assist to address the problems at specific licensed premises. Similarly, there may be specific occasions when a temporary use of polycarbonates is appropriate, for example, on match days in premises that are situated close to major football grounds. The issue of whether we are willing to adopt polycarbonates involves a very delicate balancing exercise between our desire to work with the police to eradicate glass-related violence, the need to promote customer and staff safety whilst at the same time accommodating and respecting the expectations of our customers.

#### **1.11 PubWatch and Best Bar None**

1.11.1 J D Wetherspoon is a member of the National PubWatch organisation and a senior representative of J D Wetherspoon sits on the National PubWatch committee. We are one of the few pub companies that are involved in this organisation at a national level. National PubWatch is an entirely voluntary organisation that is set up to support local PubWatch schemes and encourages the creation of new schemes. The National PubWatch organisation has the key aims of achieving a safe, secure and responsible social drinking environment in all licensed premises throughout the United Kingdom and helping to reduce alcohol-related crime.

1.11.2 Our Pub Managers are expected to take an active role in their local PubWatch scheme. We will support the establishment of a local PubWatch where one is not already in existence. The type of support we can provide includes providing expertise on how to set up a local PubWatch scheme and/or PubWatch online, offering our premises as venues in which PubWatch meetings can be held and chairing those meetings.

1.11.3 We always support initiatives introduced by local PubWatch schemes to reduce crime and disorder in town centres. For example, many of our premises operate the 'Banned from One - Banned from All' initiative and subscribe to the Radio-Link scheme which provides radio contact with other licensed operators and with the town centre CCTV operators.

1.11.4 We provide national support for the Best Bar None Award scheme. The UK-wide scheme, which is backed by the Home Office, was piloted in Manchester in 2003 and has since been adopted by over thirty other towns and cities with great success. Best Bar None aims to promote the responsible management and operation of alcohol-licensed premises with the ultimate intention of offering and maintaining a safer, more welcoming, attractive and lively drinking experience. The scheme encourages local operators to act responsibly and take pride in their premises and surroundings and, in so doing, put something back into the town and their local community. Wetherspoon pubs have won numerous awards throughout the UK in the Best Bar None Awards scheme.

## **2.4 Health and Safety**

- 2.4.1 All management staff and Associates are trained in basic health and safety to a level commensurate with their job responsibilities.
- 2.4.2 A Safety Policy Statement is displayed on the staff notice board or in the staff room of every pub and detailed procedures in respect of safe working practices etc are contained in the written Safety Policy Manual.
- 2.4.3 Regular audits of all our pubs are carried out by senior managers and by independent consultants. These audits are often unannounced and are made throughout the entire estate.
- 2.4.4 An extensive accident and incident reporting and monitoring system is in place, with all accidents / incidents being reported to our independent health and safety consultants. Monthly records of types of accidents are collated using computer software. Accidents are investigated where necessary and RIDDOR reporting is undertaken.

## **2.5 Fire Safety**

- 2.5.1 All Wetherspoon premises comply with the terms of the Regulatory Reform (Fire Safety) Order. We engage independent consultants to conduct regular fire risk assessments focusing on the safety of all relevant persons in situations of fire. We identify and define the nature and extent of both the fire precautions that must be put in place to protect against fire and the inherent risks that remain, and take steps to remove or reduce those risks where appropriate.
- 2.5.2 All employees are trained in basic fire safety and regular refresher training is undertaken. Daily, weekly and monthly logs of fire safety checks are kept and all fire protection / precaution systems are regularly maintained.

## 3 Prevention of Public Nuisance

### 3.1 Dispersal Policy

3.1.1 J D Wetherspoon operates a dispersal policy designed to minimise the negative impact of our premises on their locality. A key element of encouraging customers who are leaving our pubs to behave in a responsible fashion is ensuring that they are well-managed whilst on the premises. We set out previously the measures that we adopt to ensure customers are well managed on our premises.

3.1.2 We accept that our responsibilities cannot simply end at our front door and that, by contributing to a better managed pubs at the end of the night, we can help deliver a safer town centre. We acknowledge that by the very nature of our operation we can be potential sources of nuisance, anti-social behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities. We therefore implement a dispersal policy in our pubs which will seek to reduce the pressure on the police at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. The key factors of that policy are:

- Where music is provided in our pubs, music levels will be reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers. Our experience is that because customers have not been using raised voices against the background of loud music immediately prior to leaving the premises they tend to leave more quietly.
- Wherever possible, lighting levels are manipulated to become 'brighter' at the end of trading hours to encourage the gradual dispersal of patrons during the last part of trading and the drinking up period.
- On dispersal our staff actively encourage customers not to congregate outside the venue, direct customers to the nearest taxi ranks or other transportation away from the area; and ensure the removal of all bottles and glasses from departing customers.
- Our managers will not hesitate to speak to any groups that congregate in the vicinity of the premises after closing time and ask them to move on.
- We generally request that a minimum of 30 minutes drinking-up time is incorporated in the premises licence as an aid to the gradual dispersal of all customers in the premises at the end of the evening.
- We ensure that there is strong management and staff presence in the customer area and at all exit points during the dispersal period.
- We routinely place signage at exit doors asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
- Where it is deemed appropriate we can provide customers with site-specific information on how they can get home safely. Where customers require individual assistance in obtaining safe transport from our premises we do whatever is reasonably possible to help, for example by providing details of bus routes or contacting taxi and private hire operators on their behalf.

- 3.5.3 All outside areas that are specifically used by smokers are closely managed to prevent any noise or litter nuisance occurring. All areas are equipped with adequate cigarette disposal bins and employees ensure that these bins are regularly checked and that any smoking materials discarded on the ground are removed. Outside areas are managed at all times to ensure that customer behaviour outside the premises does not adversely affect our neighbours or the general public.
- 3.5.4 All our pavement cafés and outside areas are covered by CCTV.

### **3.6 Preventing Odour Escapes**

- 3.6.1 All our premises have independently connected mechanical ventilation systems incorporating fans and ducting which terminate above the level of the eaves where applicable.
- 3.6.2 All kitchen extract ventilation passes through grease eliminating baffles at a rate that reduces the risk of odour-nuisance occurring. Kitchen extracts are usually located away from neighbouring properties. Where it is deemed necessary and subject to site survey, odour control equipment is installed.
- 3.6.3 Provision for refuse is made according to the limitations of the premises - for example, sometimes external storage facilities are not available and so an internal store is created. Refuse collection is conducted at frequent intervals either via the local authority contract services or through the use of a private refuse collection company.

## 4 Protection of Children from Harm

### 4.1 Family-Friendly Environment

- 4.1.1 The limited amount of entertainment provided in most of our pubs together with the range of products mentioned previously and an emphasis on drinks such as traditional ales means that a broad range of age-groups are attracted to our pubs. We encourage families to dine with us in most of our pubs which, together with our award-winning children's menu, further increases the age and range of our customers. In a large number of our premises we set aside an area that is suitable for family dining and erect signage to define the family dining area.
- 4.1.2 Legally, unaccompanied children aged between 16 and 18 are permitted to enter a pub provided that they do not consume alcohol. However, children in this age bracket are only permitted in our pubs provided they are accompanied by an adult and are there to dine. If adults are visiting the pub with children and young people and purchasing alcoholic drinks then we operate a 'house rule' which requires them to purchase meals for each member of the group. Once the meals have been finished and the tables cleared we recommend that only one additional alcoholic drink be purchased per adult. This approach is designed prevent children and young people being neglected by their responsible adult whilst in our pubs.

### 4.2 Challenge 21

- 4.2.1 We abide by a Challenge 21 policy in all of our premises. Under this policy, all of our employees are trained to ask any customer who appears to be under the age of 21 years to provide valid proof of age. We apply this policy not just to the sale of alcohol, but also to the use of AWP (amusement with prize) machines and the sale of tobacco products. Employees are also trained to be vigilant to ensure that customers buying drinks at the bar are not buying them for underage individuals.
- 4.2.2 All employees receive induction training on our Challenge 21 policy when they commence employment with J D Wetherspoon and then receive regular refresher training. All employees complete video training, quizzes and sign a letter to confirm that they have had this training and understand their responsibilities. All training records are retained on personnel files and these files are regularly reviewed by the pub management team and members of our Retail Audit department to ensure that the training system is being satisfactorily completed.
- 4.2.3 If any shortcomings are identified the individual employee is required to undergo further training until the policy is satisfactorily understood by them and applied.

- 4.2.4 Our Challenge 21 policy is actively promoted within the premises using self-adhesive signs at every entrance, staff badges and back-of-house posters throughout the premises. Every customer that is refused entry to the premises or is asked to leave the premises is logged via the 'Refusal' or 'Refused Service' button on the EPOS till system.
- 4.2.5 J D Wetherspoon has adopted the industry standards and recognises only the following forms of identification as valid forms of proof of age:
- National passport
  - Photographic Drivers' Licence
  - United Kingdom 'PASS' accredited age identification card with photograph.
- 4.2.6 If a young person tries to use ID which is fake or has been altered in any way, the ID is retained by the pub management team and given to the police at the first reasonable opportunity.
- 4.2.7 We were the first pub company to enter into an exclusive arrangement with CitizenCard, the United Kingdom's leading proof of age and ID card. Under this arrangement, any customer who does not possess any form of proof-of-age has the opportunity to purchase a CitizenCard at half the normal retail price.

### **4.3 Gambling**

- 4.3.1 J D Wetherspoon upholds the principles of the Gambling Act 2005. Our employees are trained to adopt a Challenge 21 policy towards the use of AWP (amusement with prize) machines and take proactive measures throughout trading hours to prevent children and young people from accessing these machines.





### Wetherspoon



Date: 10/04/2013

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# Lancashire Constabulary

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# Lancashire Constabulary

police and communities together

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Licensing Officer  
West Lancashire Borough Council  
Stanley Depot  
Stanley Way  
Skelmersdale  
WN8 8EE

26<sup>th</sup> March 2013

Dear Sirs

**RE: Application for a new Premises Licence – Section 17 Licensing Act 2003.**

**PREMISES :- JD Wetherspoon (former Best For DIY), 4 Wheatsheaf Walk, Ormskirk.**

The Police are in receipt of an application from JD Wetherspoon asking for the grant of a premises licence for the above premises in Ormskirk Town Centre.

With regards this application the police have some comments to make in relation to the granting of this licence. These comments fall into two separate areas of the application, these being the hours and activities as applied for, and the operating schedule.

Hours and Licensable Activities

With regard the hours and activities applied for the police would make no representations.

Operating Schedule

The operating schedule attached to any licence application is a mechanism introduced to enable operators to demonstrate how the premises will promote the licensing objectives.

With regards the operating schedule for this application the police would state that it is not sufficiently detailed to demonstrate how the premises will promote the licensing objectives, in particular the objectives of Crime and Disorder and Public Safety.

**The police therefore have no alternative but to make representations against the granting of this application in its current format.**

Having said this police feel these concerns can be alleviated by liaison with the applicants.

There is some difficulty with this application as the premises is currently still operating as a DIY store and work on converting the premises will not commence

until Wetherspoon's have taken possession of the building. It is understood that this cannot occur until a full licence is in place. This creates some difficulty in establishing what issues are going to be created by these premises when only being able to work from plan drawings.

In order to progress this matter the police have drafted some recommended conditions that they feel will assist in the promotion of the licensing objectives for the consideration of the applicants.

Secured By Design

There has been a reference made in the conditions to the development of these premises complying with the Secured By Design principles. The Secured By Design document has also been attached which explains the ethos behind the scheme. The police would strongly recommend that the developers take into account the measures outlined in the document, particularly in relation to the vast expanse of glazing proposed at the ground floor of the premises.

The police would welcome any views by the applicants in relation to the suggested conditions and can be contacted by e-mail or on the number above.

Yours faithfully



Police Sergeant 1506

(Licensing)

**J D Wetherspoon  
4 Wheatsheaf Walk, Ormskirk  
Recommended Conditions**

CONDITIONS	REASON
<ul style="list-style-type: none"> <li>• The Premises Licence Holder will ensure that its staff are trained and compliant with the JD Wetherspoon Code of Conduct Responsible Retailing document, where one exists.</li> </ul>	Slight re-wording of condition offered on application form by applicants.
<ul style="list-style-type: none"> <li>• The Premises Licence Holder will ensure that there are sufficient staffing levels including managers to encourage responsible behaviour on the premises at all times</li> </ul>	Condition as offered on application form
<ul style="list-style-type: none"> <li>• The Premises Licence Holder shall install a CCTV system in compliance with any reasonable requirements of the police.</li> </ul>	Condition as offered on application form
<ul style="list-style-type: none"> <li>• The Premises Licence Holder will operate and maintain the CCTV system which shall be in use during all times licensable activities are taking place at the premises and comply as follows;               <ol style="list-style-type: none"> <li>i. The system shall cover all entrances and exits from the premise, in addition to covering all internal and external areas of the premises used to supply or consume licensed products.</li> <li>ii. The focus of the camera(s) shall be so as to enable clear identification of persons on the premises</li> <li>iii. The system will be capable of accurate time and date stamping recordings and retaining said recordings for at least 21 days.</li> <li>iv. The Data Controller shall make footage available to a police officer or authorised officer, where such a request is made in accordance with the Data protection Act 1998.</li> </ol> </li> </ul>	Further condition to complement condition 2 and to provide clarity as to what is required from the management and enable better enforcement if required.

CONDITIONS	REASON
<ul style="list-style-type: none"> <li>The Premises Licence Holder / DPS shall ensure that the provision for and number of door supervisors at the premises will be carried out on a weekly risk assessed basis. This risk assessment will reflect the potential for crime and disorder posed by the number of customers on any particular trading day or as a result of local or national events.</li> </ul>	<p>Although JD Wetherspoon do not generally use Door Supervisors, it has not been offered as a condition in the operating schedule. <b>The police would strongly recommend the provision of door-staff is considered at this venue at weekends.</b> The wording of this condition is not to enforce door-staff provision, nor to stipulate numbers required on specific days etc. It is to give the operator the flexibility to make a judgement as to the security requirements for any specific nights or events.</p>
<ul style="list-style-type: none"> <li>A copy of the risk assessment will be in a written format, kept at the premises and produced for inspection by any responsible authority on reasonable request.</li> </ul>	<p>Provides clarity in relation to decisions made as to whether door-staff are required or not.</p>
<ul style="list-style-type: none"> <li>The premises will have and operate a Town Centre Link radio</li> </ul>	<p>Will allow for the prompt relaying of information re problem persons to and from other venues in the town. It will also provide a facility to request assistance via the town centre CCTV operators.</p>
<ul style="list-style-type: none"> <li>Customers will be prevented from leaving the premises with unsealed or open glasses, bottles or containers.</li> </ul>	<p>The police have concerns that customers will seek to use the small square located at the entrance to the premises to congregate when smoking or utilise this area as an external drinking area. This could cause problems in relation to numbers in the area and would also create added responsibility for staff who would have to ensure the area is clear of glasses and bottles. The accumulation of glassware in this area could give rise to the potential for them to be used as weapons etc.</p>

CONDITIONS	REASON
<ul style="list-style-type: none"> <li>The external terrace located on the first floor will have a fixed barrier of no less than 2 Metres high surrounding the entire perimeter of the area.</li> </ul>	<p>The police have real concerns over the use of this area by customers. The concerns arise from the size of and the lack of physical supervision of this area. In the absence of physical supervision the area will need comprehensively covering by CCTV cameras, which will need to be monitored from the downstairs bar area. This will be catered for within the CCTV condition above. There is also concern that there is a risk of persons throwing items off or falling from the terrace. This is compounded as the terrace is above a pedestrian footpath which also affords vehicle parking below. This would also prevent the availability of easy access to the premises from a burglary or other acquisitive crime perspective.</p>
<ul style="list-style-type: none"> <li>The external terrace area shall not be used after 23:00 hrs on any day of the week.</li> </ul>	<p>The later this area is utilised the more likelihood there will be for drunken behaviour to take place which will be difficult to supervise.</p>
<ul style="list-style-type: none"> <li>No glassware will be taken onto the external first floor area, All drinks in this area will be provided in plastic or similar material vessels.</li> </ul>	<p><b>This is an alternative condition</b> - If it is felt that the barrier as stated above is unacceptable and a lower height is required then the police would insist on this condition being imposed. However if the barrier is agreed then the police feel that this condition would not be necessary and would not seek imposition of this.</p>
<ul style="list-style-type: none"> <li>The development of the premises will be compliant with the recommendations as outlined in the "Secured by Design" licensed premises Document.</li> </ul>	<p>The "Secured by Design" scheme is nationally recognised as best practice for the design of new build licensed premises. It has been endorsed by ACPO and ensures that the potential for crime at the premises is minimised. (A copy of the document is attached)</p>

# Secured By Design Licensed Premises



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# Secured By Design Licensed Premises



## 1 Introduction

1.1 The purpose of this guidance is to establish and maintain a safe and secure environment in licensed premises within the hospitality industry. Primarily these will be public houses, bars, restaurants, clubs and music venues. It is aimed at helping all those involved in the design and development (or refurbishment) of such licensed premises. The recommendations that follow should be interpreted appropriately to meet relevant risks associated with each type of licensed venue. The primary objective is to reduce opportunities for crime and anti-social behaviour both in and around licensed premises, and in so doing enhance the safety of both customers and staff and the security of the building and facilities.

1.2 It is emphasised that this guidance seeks to address the design and refurbishment of such premises only and does not address issues around subsequent management of such premises. Responsible management, however, is crucial to delivering a safe environment in and around licensed premises and applicants for the Secured By Design award are actively encouraged to seek guidance from both Police and local authorities and join/form local partnerships aimed at reducing opportunities for crime and anti-social behaviour.

1.3 The guidance supports the aims of the national Alcohol Harm Reduction Strategy and the government {ODPM} strategy in respects of Urban Renaissance. It seeks to build on the knowledge base established in the ODPM publication "Good Practice in Managing the Evening and Late Night Economy" and to complement the implementation of the Licensing Act 2003.

1.4 This guidance also provides a system of self-assessment that enables premises to be measured against the template requirements of the 'Secured by Design' scheme.

*NB Developers/architects should liaise at the earliest opportunity with the ALO / CPDA, who can provide useful advice from the outset in respect of Secured By Design – Licensed Premises and can help in establishing the appropriate Secured By Design requirements for a particular style of licensed premises.*

## 2 'Secured By Design' Guidance Aimed At Reducing Criminal & Anti-Social Opportunity

2.1 There is general acceptance that the design of buildings and their surroundings are major factors affecting crime and, in particular, alcohol related disorder. It is recognised that certain elements in the design of licensed premises can promote or dissuade criminal behaviour at or near premises and also assist the ability of a licensee to exercise control over their premises. 'Designing out crime' principles seek to reduce or eliminate risks through the design or redesign of a licensed premises and the immediate surrounding area

2.2 Good design can make a major contribution to both the prevention of crime and the reduction of fear of crime and must be the aim of all those involved in the development process.

2.3 'Secured by Design' (SBD) aims to achieve security for the building shell and to introduce appropriate internal and external design features that facilitate natural surveillance and create a sense of ownership and responsibility, in order to deter criminal and anti-social behaviour within the curtilage of the business.

2.4 Incorporating reasonable and realistic security measures during the design, build or refurbishment of a licensed venue, combined with good management practices, indisputably reduces levels of crime, fear of crime and disorder.

The aim of the police service is to assist in the design process to achieve a safe and secure environment for customers and staff, without creating a 'fortress environment'. Experience shows that including security measures at the design stage to address anticipated and predictable problems resulting from usage are both cost effective and more aesthetically pleasing than retrofit solutions.

### **3 Role Of The Architectural Liaison Officer (ALO) / Crime Prevention Design Adviser (CPDA)**

3.1 Police forces throughout the country employ Architectural Liaison Officers (ALOs) or Crime Prevention Design Advisers (CPDAs) to advise on designing out opportunities for crime to occur during the design process. The main mechanism for delivery is the Secured By Design award scheme, which combines the principles of crime prevention through environmental design (CPTED) and appropriate physical security measures to achieve the required elements of the award.

### **4 The Concept Of 'Secured By Design'**

4.1 One of the Government's key objectives for planning is to secure quality, sustainable environments where people choose to live, work and play. To achieve this, more emphasis needs to be placed on design and on the need to encourage higher standards. Designing for community safety is a central part of this.

4.2 'Secured by Design' (SBD) is a police initiative to encourage the building industry to adopt crime prevention measures in development design to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment. 'Secured by Design' is endorsed by the Association of Chief Police Officers (ACPO), and has the backing of the Home Office Crime Reduction Unit. It was drawn up in consultation with the former Department of Transport, Local Government and the Regions (DTLR), Minister (ODPM).

4.3 Subsequently the ODPM published "Good Practice in Managing the Evening and Late Night Economy", a document that sheds more light on the environmental perspective with regard to this subject (published September 2004). [www.odpm.gov.uk/stellent/groups/odpm\\_urbanpolicy/documents/downloadable/odpm\\_urbpol\\_032242.pdf](http://www.odpm.gov.uk/stellent/groups/odpm_urbanpolicy/documents/downloadable/odpm_urbpol_032242.pdf)

4.4 Once a development has been completed, the main opportunity to incorporate crime prevention measures has gone. It should be the responsibility of the client to instruct the architectural practice or developer to liaise with the ALO/CPDA, preferably at the sketch stage of the pre-planning process. This will allow the designer to incorporate advice at the earliest opportunity, rather than make adjustments at the planning application stage, which often results in delays and additional unnecessary expense

### **5 The Relevance Of The 'Secured By Design' Concept To Alcohol Retailing Licensed Premises**

5.1 There is now no doubt that poorly designed and managed licensed premises act as generators of crime and anti-social behaviour both within premises and in the local environment.

5.2 The media all too frequently report the findings of research undertaken by the Home Office and numerous academic institutions highlighting the link between alcohol consumption and crime.

5.3 These are some of the known facts about alcohol related crime:

- Many studies have shown that drinking in bars is associated with greater violence or aggressive behaviour than in other drinking settings e.g. private clubs or restaurants.
- Research indicates that a small percentage of licensed premises are directly or indirectly linked with crime and disorder. Analysis shows that these are most frequently located in a small, distinct entertainment area of a town or city with customers travelling from outskirt areas.
- As with many other offences and issues, the local environment and the physical layout of the premises will affect the type and level of offences committed.
- Research indicates that badly designed, poorly maintained, unattractive premises can lead to aggressive behaviour.
- The sudden increase in numbers of people emptying onto the streets at closing time, increased demand for hot food outlets, public transport and taxi locations all contribute to the likely occurrence of crime and disorder.
- Typically, over 50% of arrests for alcohol-related crime and disorder in any one week period occur between 11pm and 2am on Friday and Saturday nights.
- The attitude and behaviour of door staff and bar staff heavily influences the levels of violence within licensed premises by setting the tone for the social environment.
- Poorly managed bars where swearing, racial harassment and breaches of the licensing laws take place and are tolerated, increase the potential for crime and disorder.
- The British Crime Survey 2000 indicates that 19% of all violent incidents occur in or around pubs or clubs. This rises to 33% for violent incidents where the offender is a stranger.

- Encouraging excessive drinking through special promotions of high alcohol drinks, “happy hours” or illegally selling more alcohol to already intoxicated drinkers may foster aggression.  
(Source: Home Office Crime Reduction website [www.crimereduction.gov.uk](http://www.crimereduction.gov.uk))

5.4 Crime takes place both inside and outside premises. Pubs, bars, nightclubs, music venues, their staff and customers are all at risk from crimes such as assaults, robberies, burglaries, thefts of personal property and drug dealing. Poorly designed premises often allow criminal activity to occur. Good planning and design can enhance the business at little, if any, additional cost and make it more difficult for criminal and anti-social behaviour to occur.

5.5 ‘Secured By Design’ seeks to minimise these negative effects and sets down requirements that will ensure good design and facilitate responsible management of licensed premises for the enhanced safety of customers, local residents and workers in the night time economy.

## **6 Licensed Premises- Assessment Guidance**

### 6.1 Site & building layout

6.2 Building sight lines should be kept as simple as possible. Complex building shapes create hiding places, which reduce both natural surveillance and the effectiveness of CCTV systems. Recesses create congregation points, which are a focal point for crime and anti-social behaviour, potentially leading to littering, graffiti, vandalism, arson and drug dealing.

6.3 Where possible, buildings should be orientated to maximise natural and formal surveillance opportunities.

6.4 External Areas It is advisable to provide secure storage areas for outside furniture, beer kegs, waste storage, any external freezers, etc. Where exterior structures are present, they should be detached from main building, sited where they do not act as a climbing aid.

6.6 ‘Wheelie’ bins or other items should be locked away so they cannot be used as a climbing aid.

6.7 External areas should be kept clean and tidy, to discourage vandalism and promote a culture of respect and care. An unkempt site suggests a casual attitude and can promote vandalism and anti social behaviour.

### 6.8 Parking Areas

6.9 The necessary standard for parking areas specific to licensed premises is that required for the Safer Parking Award Scheme. This is an initiative of the Association of Chief Police Officers managed by the British Parking Association. Further details of the scheme can be found at [www.britishparking.co.uk/pages/secure/secure1.htm](http://www.britishparking.co.uk/pages/secure/secure1.htm)

### 6.10 Windows

6.11 All ground floor and accessible windows should be independently certificated to BS 7950 Windows of Enhanced Security as well as the relevant performance standard i.e. BS 644 for timber windows, BS 4873 for aluminium, BS 7412 for PVC U or BS 6510 for steel windows. All ground floor and vulnerable windows should use minimum 6.8mm laminated glazing.

6.12 Sills should be steeply angled to prevent them being used as climbing aids, seats or litter points.

### 6.13 Perimeter Doors

6.14 The suitable security standard for the external doors of licensed premises is LPS 1175 SR 2. The key point in assessing doors is independent testing and certification to the relevant security standard. All glazing to doors shall be laminated to a minimum 7.5mm thickness and certificated to BS 6206.

6.15 Styles of doors not currently tested or certificated should be sufficiently robust and fit for purpose. Emergency escape doors and frames should be manufactured from steel and designed without visible external ironmongery.

### 6.16 Roller Shutters

6.17 In some instances, such as vulnerable unobserved rear areas, roller shutters may be deemed appropriate. Roller shutters must comply with LPS 1175 SR 1/2. Locks may be applied internally where possible; otherwise a close-shackled padlock should be used, to EN standard 12320. All shutters should have contacts fitted and be linked to the alarm system.

#### 6.18 Lighting - General

6.19 The objective of security lighting is to deny criminals the advantage of being able to operate unobserved. Note, however, that if an area cannot be overlooked or viewed AT NIGHT, then lighting will only help a criminal see what they are doing, not deter them. Other security measures will be required.

Ensure that light levels are appropriate for the users, activities and tasks of an area. Higher lighting levels may be required for vulnerable areas.

#### 6.20 Internal lighting

6.21 Use internal lighting to create the right atmosphere. Strike a balance - lighting which is too dim prevents the staff from seeing all that is going on allowing criminal behaviour to go unheeded, but bright glaring light is cold, and unwelcoming.

6.22 Lighting should be controlled from behind the bar, away from public access. If this is not possible, use tamper proof light switches.

6.23 Consider installing zoned dimmers, to increase your control of areas from the bar.

6.24 Ensure lighting controls are clearly labelled.

6.25 An override is required, within easy reach of bar staff, so that if an incident occurs the lighting level can be raised. High-level house lighting is an important element of control. This will also help at the end of trading so that staff can see to clear up, and patrons have no doubt that its closing time.

6.26 The lighting override can also be linked to music controls so that, in the event of an incident, music can be turned off immediately as well as lighting increased.

#### 6.27 External lighting

6.28 Adequate, uniform lighting should cover the entire property. The emphasis should be on installing low glare/high uniformity lighting levels in line with British Standard 5489-1 of 2003.

6.29 Preferred external lighting should be of a 'white light' source. Note that low pressure sodium orange' lighting is not compatible with quality CCTV systems.

6.30 All lighting sources should be compatible with requirements of any CCTV system installed.

6.31 Lighting to all external doors and common entrances should be operated by photoelectric cell.

6.32 Insure adequate lighting of external storage areas, such as barrel stores.

#### 6.33 Monitored Security System

6.34 In most instances, premises should be equipped with a monitored security system with a signal terminating at a recognised Alarm Receiving Centre (ARC). The system should comply with the current version of the EN 50131-1 standard and be eligible for a Police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1 status.

6.35 This should incorporate personal attack buttons for the use of staff in identified locations such as behind bar areas.

#### 6.36 Entrances and Exits

6.37 Consideration given to the citing and number of entry and exit points is an important part of reducing opportunities for crime. It allows owners, management and staff to monitor who is entering and leaving premises.

6.38 Ensure that entrances are easily viewed from behind the bar, reception or serving area, including emergency exits. CCTV should be used if this is not possible.

6.39 Minimise the number of entrances (one is preferable, although not always possible).

6.42 Fire exit doors should not have external door furniture.

6.43 Design out or compensate for the crime and anti-social behaviour problems associated with recessed emergency exit doors. The 'Recessed Pest' guidance, which can be found at [www.crimereduction.gov.uk/securedesign19.pdf](http://www.crimereduction.gov.uk/securedesign19.pdf) details these problems and offers solutions to a range of scenarios.

6.44 Where door supervisors are to be used, make sure that a space is designed into the building for them, so as to avoid congestion in the doorway. Preferably, this area should be covered and well lit.

6.45 Fireproof letterboxes should be installed to accept mail. Licensed premises have been identified as more susceptible to arson by attacks on letterboxes than other commercial premises. This is particularly important, as staff are frequently resident on premises. The degree of associated risk will determine whether means extinguishment or containment is appropriate.

#### 6.46 Bar Area

6.47 Raise the floor area behind the bar to maximise staff visibility. This has the effect of raising staff above customers, making them appear more imposing and in control.

6.48 Maximise viewing from the bar by not closing down the space with glass racks, low canopies, screens or pillars.

6.49 Make the counter top as high and wide as possible, to dissuade customers from attempting to reach across. Such provision must, nonetheless, accommodate service for the disabled.

6.50 Position tills away from customers' reach. Tills fronting customers are preferable as they enable staff to maintain vision of the serving area and beyond. (Ideally fit tills below the bar or protect with screening to prevent snatches). If tills are placed rear facing, mirrors should be installed to facilitate staff monitoring.

6.51 The counter should be provided with a lockable hatch with gate below.

6.52 Consider a chute deposit safe (to LPS 1183) behind the servery to reduce cash amounts held in tills during busy periods.

#### 6.53 Internal Layout

6.54 Avoid designing in to a development or refurbishment areas that are not clearly visible from the bar. Alcoves or a separate room, such as a games room without supervision, should be avoided.

6.55 If alcoves are to be used, consider having them at 90° angles to the bar in order to maximise visibility.

6.56 If screens are to be used, incorporate transparent screens that improve visibility.

6.57 Consider raising areas, which are some distance from the bar in order to improve visibility.

6.58 Have a clear policy regarding seating and/or standing of customers. For example, standing can obstruct visibility from the bar, but ambience must be taken into consideration and other measures can be taken to improve visibility (raised areas for example).

6.59 Incorporate mirrors into the design to improve visibility of awkward areas (remember safety glass).

6.60 If separate rooms or mezzanine floors are provided, the use of CCTV is essential.

6.61 Research shows that bars that are primarily dedicated to 'vertical' (i.e. stand up) drinking are more likely to generate problems of drunkenness and assaults. An imbalance of standing areas over seating areas is therefore discouraged.

#### 6.62 Stores and Cellar Security

6.63 Stores and cellars not only provide easy access into the rest of the premises but also provide opportunities for stock theft. Cellars and ramps to 'below surface' storage should be secured with internally mounted locks. In some cases it may be prudent to further secure these opening with grilles or shutters to minimum LPS 1175 SR2.

6.64 Stores and cellars should be incorporated into the areas protected by an Intruder alarm security system.

#### 6.65 Toilets

6.66 Toilet facility entrances should be clearly visible from the bar. In 'new build' licensed premises, the placing of toilets either upstairs or downstairs to maximise drinking space on the floor level (usually ground) of the bar is actively discouraged. Where it is not feasible in refurbishments to place toilets 10m on the same floor as the bar, compensatory factors such as CCTV will need to be incorporated.

6.67 Toilet entrances should be away from main entrances to the premises, and inside the building.

6.68 Entrances should also be away from other at risk areas, such as accommodation or kitchen entrances.

6.69 There are three types of toilet entrance: totally separate male and female facilities; entrance to male and female facilities next to each other; and shared entrance with separate doors to each facility behind the first entrance. The third type is most difficult to control.

6.70 Consider CCTV coverage of entrances and lobby areas. (See CCTV guidance).

6.71 The correct use of lighting must be installed to avoid improper use of the facilities and should be discussed with the ALO / CPDA on a site-specific basis. Inappropriate or poorly planned lighting could affect the effectiveness of any CCTV used, therefore both must be considered jointly.

6.72 Avoid areas where items such as drug paraphernalia can be hidden. Suspended ceilings, for example, should be avoided. Fittings should be flush, to avoid tampering. Concealed cisterns, pipe work, etc. should be used. Services where possible should be accessed from outside the facility.

6.73 Graffiti and vandal resistant materials, such as stainless steel, laminates and plastics should be considered.

6.74 Consider hanging cubicle doors as outward opening. This aids gaining access to collapsed persons. Opaque panels have been used to great effect to ensure no persons are collapsed inside but preserve some privacy. This measure discourages drug taking and facilitates staff checks. An alternative measure is to reduce toilet doors in size by a minimum of 20 centimetres from the floor and to reduce the top height.

6.75 Consider the safety of vending machines. Cash boxes can be tampered with, consider fitting them with alarms.

6.76 Provide hooks high up on the back of cubicle doors or partitions for bags and coats.

6.77 Separate staff toilet and changing facilities should be provided, with sloping topped or built in lockers (to prevent items being left on top and insecure).

6.78 Consider setting out a rota and putting notices in toilet facilities that make customers aware that regular checks will be carried out. A built in visited/checked chart should be provided.

## 7 Cash/Management Office

7.1 The office should be separate from staff residential accommodation.

7.2 Position the office away from access points and common areas, where it is more vulnerable.

7.3 Provide appropriate door security (LPS 1175 SR2) including provision of visibility from the office to outside area.

7.4 The office should be incorporated into an intruder alarm security system and where a CCTV system is present, it should include coverage of the office area.

7.5 A safe providing adequate capacity and overnight cover should be installed with a deposit facility, certified to LPS 1183. The correct size and category of safe should be determined by an assessment of prospective takings and meet insurance requirements.

7.6 In premises located in areas of high illegal drug use, the installation of a 'drug' safe may be deemed appropriate. This should have two keys; one held by Police and one by the premises supervisor. Both are needed to empty the safe and deposits can be made without a key. A formal protocol between operators and Police will need to be put in place to manage this facility.

## **8 Gaming & Vending Machines**

8.1 Careful attention to the practicalities of machine citing should be made before making application for their licensing. This may necessitate the creation of specifically tailored recesses to house machines or in situations of greater risk, machines may need to be housed in purpose built security casing.

8.2 To help avoid tampering, ensure all machines containing cash are clearly visible from the bar.

8.3 Ensure machines do not block visibility from the bar to other areas.

## **9 Closed Circuit Television**

9.1 CCTV provides an important tool not only in improving the perception of safety within premises but allows for the proper monitoring of the whole premises. It also, if properly set up, will provide evidence if a crime is committed.

9.2 Premises should be assessed to establish whether a CCTV system is appropriate or required. An operational requirement should be put in place: see the following web link to assist in establishing one, [www.homeoffice.gov.uk/docs/or\\_manual.pdf](http://www.homeoffice.gov.uk/docs/or_manual.pdf)

9.3 Ascertain the need for registration with the Information Commissioner. Basic functions do not require registration but more details functions such as monitoring of staff do. For more information see: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

9.4 Recording equipment should be stored in a secure area (i.e. management office) with access restricted to authorised staff only.

9.5 The CCTV system should record clear images that will serve as valid evidence in a court of law. The Home Office Police Scientific Development Branch will publish in early 2005 guidance entitled 'UK Police Requirements for Digital CCTV Systems'. The ALO/CPDA dealing with an application will be able to access this document and offer guidance based on it.

*NB Developers/architects should liaise at the earliest opportunity with the ALO / CPDA, who can provide useful advice from the outset in respect of Secured By Design – Licensed Premises and can help in establishing the appropriate Secured By Design requirements for a particular style of licensed premises.*

### **Appendix:**

- Plans to accompany each Secured by Design application form:
- Location Plan to minimum 1:2500 scale.
- Site Layout to minimum 1:200 scale.
- Elevations & floor plans.
- External lighting layout and specification.
- Landscape and boundary details.
- Schedule of security fittings as appropriate.

### **Footnote.**

- The selection of the most appropriate measures will depend on:
- Perceived hazard, risk and likelihood of incidents arising.
- Who is at risk and the value of property at risk.
- Cost of installing measures.
- Likely reduction in risk.
- It should be noted that the standards discussed in this document are a minimum level required to obtain Secured By design accreditation and are flexible dependent on the particular style of licensed premises. High-risk sites may require additional measures to be implemented.





Jordan, Samantha

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**From:** Ben Squires [REDACTED]  
**Sent:** 04 April 2013 14:14  
**To:** Licensing Enquiries  
**Subject:** Wetherspoons

I wish to object to Wetherspoon's application as I feel that the proximity of the premises will lead to public order problems in the town centre, the tight walk through in Wheatsheaf walk, where pensioners and children walk through will clash with drunken people coming in and out of the premises furthermore the first floor smoking area could lead to cigarettes and alcohol being thrown over the balcony. Also cars and taxis will be parking in a road which is meant to be a service/ access road for local businesses. I strongly believe the reasons I have given are predominantly against the 4 licensing objectives. Namely prevention of crime and disorder, protection of children from harm, public nuisance.

Ben Squires  
11 Ruff Lane Ormskirk Lancashire L394QX Sent from my iPhone