

Licensing and Regulatory Panel

Wednesday 9 November 2022

An additional Licensing & Regulatory Panel will be held at the Town Hall, Royal Leamington Spa on Wednesday 9 November 2022 at **10:00am**, and available for the public to watch via the Warwick District Council [YouTube channel](#).

Membership: C Gifford, Jacques, and Wright

Agenda

1. **Appointment of Chairman**

To appoint the Chairman of the meeting.

2. **Apologies and Substitutes**

3. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

4. **Application for a new Premises Licence under the Licensing Act 2003 for JD Wetherspoon, 18-24 The Square, Kenilworth**

To consider a report from Health and Community Protection **(Pages 1 to 57)**

Published Friday 28 October 2022

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the report. Details of all the Council's committees, councillors and agenda papers are available via our website on the [Committees page](#)

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prior to the meeting, by telephoning (01926)
456114

Licensing and Regulatory Panel
9 November 2022

Title: Application for a new Premises Licence under the Licensing Act 2003 for JD Wetherspoon, 18 – 24 The Square, Kenilworth, CV8 1EB

Lead Officer: Emma Dudgeon

Portfolio Holder: Cllr Judith Falp

Public report

Wards of the District directly affected: Kenilworth St Johns

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: No

Final Decision: Yes

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Head of Service	19/10/2022	Marianne Rolfe
Legal Services	19/10/2022	Ross Chambers

1. Summary

Warwick District Council Licensing Authority has received a valid application for a new premises licence for JD Wetherspoon, 18 – 24 The Square, Kenilworth, CV8 1EB. Representations have been received in relation to this application for the consideration of the panel in the determination of the application.

2. Options available to the Panel

Members are asked to consider the information contained in this report and decide whether the application for a new premises licence at JD Wetherspoon, 18 – 24 The Square, Kenilworth, should be granted and, if so, whether the licence should be subject to any additional conditions. The following options are available to members:

Option 1 – Grant the application as requested;

Option 2 – Grant the application with amended hours and/or added conditions, or;

Option 3 – Refuse the application.

3. Details for Consideration

3.1 When considering the application the panel must also give appropriate weight to:-

- a) The representations received.
- b) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- c) The Council's Licensing Policy Statement (attached as appendix 7)
- d) The Licensing Objectives, which are:-
 - i) The Prevention of Crime and Disorder.
 - ii) Public Safety.
 - iii) The Prevention of Public Nuisance.
 - iv) The Protection of Children from Harm.

However, it must only consider those licensing objectives which have been referred to in the representations received.

3.2 The Council's Statement of Licensing Policy provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary in order to ensure the promotion of the four licensing objectives. Each application will be judged on its own merits.

- 3.3 Details of the procedure adopted by the Licensing and Regulatory Committee for Panel Hearings have been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.
- 3.4 JD Wetherspoon PLC applied for a new premises licence for JD Wetherspoon, 18 – 24 The Square, Kenilworth, CV8 1EB on 15 September 2022. The premises are currently not trading.
- 3.5 The application is for the sale of alcohol for consumption on and off the premises and late night refreshment. A copy of the relevant part of the application form is attached as appendix 1.
- 3.6 The Licensing Department initially received comments to the application from Environmental Health Officer Mr Lawson, this was followed up by an objection from Ms Walsham also from Environmental Health. The comments and objection received from Environmental Health are attached as appendix 2. The Licensing Department also received an objection from a resident attached as appendix 3.
- 3.7 Trading Standards made comments in relation to the application, requesting a challenge 25 scheme be implemented. However, following the agreement of conditions between the applicant and Warwickshire Police, Trading Standards withdrew their comments. The conditions agreed with Warwickshire Police are attached as appendix 4.
- 3.8 No representations have been received from:
- Fire Authority
 - The Licensing Authority
 - Enforcement Agency for Health and Safety
 - Authority Responsible for Planning
 - National Health Service/Public Health
- 3.9 A plan showing the location of the premises is attached as appendix 5 along with the current plan of the internal layout. Photographs of the premises are attached as appendix 6.

4. Legal Comments

- 4.1 The Council's Statement of Licensing Policy provides that the authority will take an objective view on all applications and will seek to attach appropriate and proportionate conditions to licences where necessary to ensure the promotion of the four licensing objectives. Each application will be judged on its own merits.
- 4.2 Restrictions may be required as licensed premises, especially those offering late night/early morning entertainment or alcohol and refreshment can sometimes be associated with elevated levels of crime and disorder.
- 4.3 There is also an expectation in the Policy that premises selling alcohol will be properly managed in accordance with the Act and operate in a way that promotes the prevention of crime and disorder and that, where alcohol is

being sold, premises licence holders will operate a recognised Age Verification Scheme.

- 4.4 Details of the procedure adopted by the Licensing and Regulatory Committee for Panel Hearings have been supplied to the applicant and those making representations. The procedure will be explained more fully by one of the Council's Legal Team at the commencement of the hearing.
- 4.5 All parties to the Hearing will be notified of the decision of the panel in writing within five working days of the conclusion of the hearing.
- 4.6 Any party aggrieved by a decision taken by the panel may appeal against the decision to a Magistrates' Court within 21 days of being notified of the decision in writing.
- 4.7 The decision should take place in accordance with the agreed procedure.

5. Policy Framework

5.1. Fit for the Future (FFF)

- 5.1.1 The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.
- 5.1.2 The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

5.2 FFF Strands

5.2.1 External impacts of proposal(s)

People - Health, Homes, Communities - The licensing policy recognises that residents within, and visitors to the District, need a safe and healthy environment to live, work and visit; and that safe and well run entertainment premises are important to the local economy and vibrancy of the District.

Services - Green, Clean, Safe – None.

Money- Infrastructure, Enterprise, Employment - The licensing policy relates to current legislation, and, where possible, to local factors, allowing flexibility and the potential to expand and augment the local economy and promote cultural issues.

5.3 Internal impacts of the proposal(s)

People - Effective Staff – None.

Services - Maintain or Improve Services - None.

Money - Firm Financial Footing over the Longer Term - None.

Continued from previous page...

Section 13 of 21

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State 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.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve & New Years Eve - until 0130
Boxing Day & Sundays before Bank Holiday Mondays - until 0030

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

☐ On the premises ☐ Off the premises ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve & New Years Eve - until 0130
Boxing Day & Sundays before Bank Holiday Mondays - until 0030

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

Continued from previous page...

Name

First name

Family name

Date of birth

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 21

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

None.

Continued from previous page...

Section 17 of 21

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

Start

End

End

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.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

SATURDAY

Start

Start

End

End

SUNDAY

Start

Start

End

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve & New Years Eve - until 0130

Continued from previous page...

Boxing Day & Sundays before Bank Holiday Mondays - until 0030

Section 18 of 21

LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. The premises licence holder will ensure that all staff at the premises have been trained in accordance with established JD Wetherspoon plc training procedures. Specifically the premises licence holder will ensure that all employees who work front of house 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. 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.

1. There shall be no customer use of the external areas of the premises between the hours of 2100 and 0700 daily.

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.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Emma Dudgeon

From: Stacey Walsham
Sent: 30 September 2022 11:14
To: Licensing
Cc: 'bmorrice@jdwetherspoon.co.uk'
Subject: RE: New Premises Licence Application - JD Wetherspoon plc, 18-24 The Square Kenilworth WDCPREM01052

Categories: Jess

Dear Licensing,

New Premises Licence Application - JD Wetherspoon plc, 18-24 The Square Kenilworth WDCPREM01052
Environmental Health Comments in respect of Nuisance

I write further to Peter Lawsons email below dated the 16th September 2022, in reference to the above application.

Environmental Health object to the grant of the application for this premises licence application as we have not received any further information.

Peter explains that that the premises is currently a shop , which was subject of a Planning application for conversion to a bar and restaurant.

Environmental Health objected to that planning application submitted by Wetherspoons because insufficient information was provided to allow appraisal of potential nuisance to neighbours arising from operation of the premises. The same lack of detailed information hinders appraisal of the licence application.

There are flats above the adjoining premises on both sides, across the road and residences to the rear. With the information that is available on the Licence Application, we foresee potential nuisance to neighbours:-

In connection with the late night refreshment

- noise of kitchen ventilation plant
- noise through the party wall to adjoining premises.

In connection with of the sale of alcohol

- noise arising from customers inside the premises, through the party wall to adjacent flats
- noise of customers drinking/smoking outside the premises at night
- noise of customers entering and leaving the premises late at night.

The fundamental structural issues that need to be addressed for the licence are :
the design of the kitchen ventilation system and any necessary sound insulation of the structure.

If these can be resolved then, any other Licensing matters could be addressed by conditions regarding operation of the premises.

Many thanks

Stacey Walsham

Environmental Protection Technical Officer
Community Protection

Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, CV32 5HZ
www.warwickdc.gov.uk

From: Peter Lawson

Sent: 16 September 2022 13:47

To: Licensing <licensing@warwickdc.gov.uk>

Cc: bmorrice@jdwetherspoon.co.uk

Subject: New Premises Licence Application - JD Wetherspoon plc,18-24 The Square Kenilworth WDCPREM01052

Dear Licensing

New Premises Licence Application - JD Wetherspoon plc,18-24 The Square Kenilworth WDCPREM01052
Environmental Health Comments in respect of Nuisance

I write in response to your consultation dated 15th September 2022.

Environmental Health are minded to object to the grant of a premises licence.

I note that the premises is currently a shop , which was subject of a Planning application for conversion to a bar and restaurant.

Environmental Health objected to that planning application by Wetherspoons because insufficient information was provided to allow appraisal of potential nuisance to neighbours arising from operation of the premises.

The same lack of detailed information hinders appraisal of the licence application.

There are flats above the adjoining premises on both sides, across the road and residences to the rear.

With the information that is available on the Licence Application, we foresee potential nuisance to neighbours:-

- in connection with the late night refreshment

noise of kitchen ventilation plant, and noise through the party wall to adjoining premises.

-In connection with of the sale of alcohol ,

noise arising from customers inside the premises, through the party wall to adjacent flats

noise of customers drinking/smoking outside the premises at night

noise of customers entering and leaving the premises late at night.

The fundamental structural issues to be addressed for the licence are the design of the kitchen ventilation system and any necessary sound insulation of the structure.

If these can be resolved then other Licensing matters could be addressed by conditions regarding operation of the premises.

Kind regards

Peter Lawson BSc(Hons) MSc CMCIEH

Chartered Environmental Health Practitioner

Senior Environmental Health Officer

Warwick District Council

Tel: 01926 456715

Email: peter.lawson@warwickdc.gov.uk

Emma Dudgeon

From: Licensing
Sent: 20 September 2022 16:51
To: [REDACTED]
Subject: RE: Wetherspoons 18-24 The Square Kenilworth Premises Licence application

From: Neil Goodwin [REDACTED]
Sent: 20 September 2022 13:38
To: Licensing <licensing@warwickdc.gov.uk>
Subject: Wetherspoons 18-24 The Square Kenilworth Premises Licence application

Caution: This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk

Mr Neil Goodwin
[REDACTED]
[REDACTED]
[REDACTED]
CV8 1EQ
[REDACTED]
[\[REDACTED\]](#)

20th September, 2022

Dear Warwick District Council,

A document has just been posted within the window of 18-24 The Square, Kenilworth to make representations concerning an application which has been made.

It reads:

Take Notice that JD Wetherspoon plc has made an application under Section 17 of the Licensing Act 2003 for the grant of Premises Licence for Wetherspoons, 18-24 The Square, Kenilworth, CV8 1EB.

The application is to provide the following licensable activities:

1. Sale of Alcohol between 0800 and 2300 Sunday to Thursday and 0800 and 0000 Friday and Saturday.
2. Late Night Refreshment between 2300 to 2330 Friday and Saturday.
3. Extensions to the above hours are sought for certain non standard days, details of which are contained in the notice of application.

It is my request to NOT give a license for these activities.

This building has been used for the retailing of Food and general goods with the CO-OP and Pound Shop during daytime hours for as long as I can remember and possibly since the building was originally built.

This premise is not, in my view, a building that has been designed for catering and entertainment of which there are already an abundance within the Town Centre. The 2 floored building structure and materials provide a large building with the potential to create volume similar to a music speaker system. This effect will only be amplified and travel even further if the noise and music is allowed on the upper floors of the building.

Noise from Shop and Bank alarms going off all night (Barclays Bank) or faulty Air conditioning Systems (Iceland....now repaired) is rarely dealt with when the problem at night occurs.

The music and noise already heard at night from 'The Ale and Gin House' a short distance up the road is already echoing across to the residents.

The noise and music at night is amplified, will seriously disturb those residents that already surround this building and there are no barriers to prevent the music travelling at night.

The policing of this noise and sound is already limited (music from the Ale House persisted well past 12.30am last Saturday night) and further noise competition will only amplify this existing problem.

Disturbance from those using these catering and alcohol related facilities are already a problem which there is little if any help to rectify. The leaving of drinking glasses, bottles, cans etc scattered from the Town center through the 2

dark narrow alleyways to the Public Car Park is already a serious issue to those using these routes and Car Park. The cleaning up of sick left at the rear gates to the 18 Flats at Barrowfield Court was eventually left to the rain to clear, the pathway from the Town to Car Park is regularly used as a urinal as well as the bushes to the Flat garages. Similar examples of all this are already occurring with those similar catering businesses within the Town. This application is, in my view, seriously adding to these unsolved problems.

The already abundance of restaurants, cafes and Public Houses already within the Town Center does not to add another to the already existing issues and to allow this to remain open even longer at night. Please REFUSE this application on all accounts.

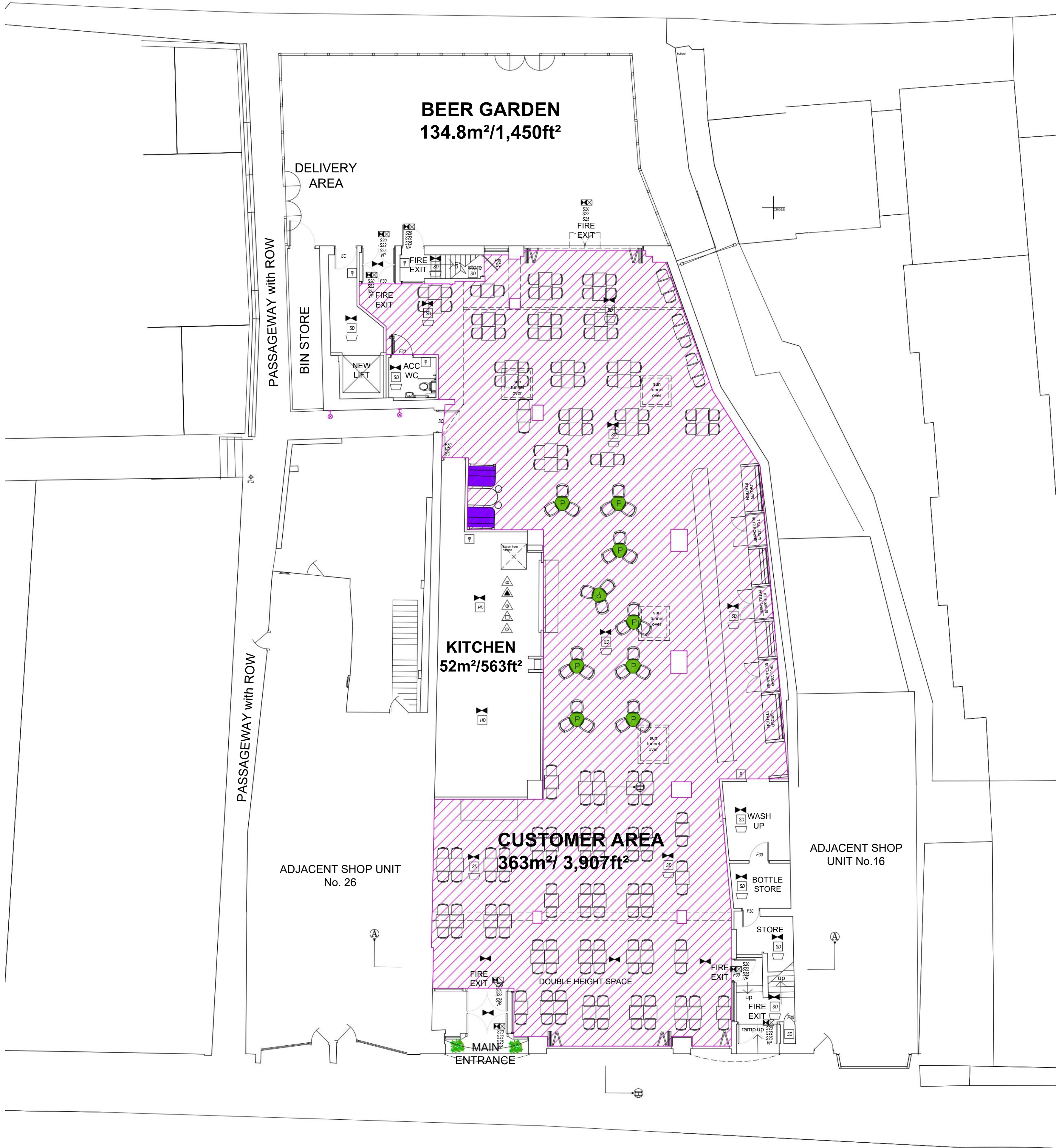
Yours Faithfully,

Neil Goodwin

Conditions agreed with Warwickshire Police

1. All front of house staff to be trained in the prevention of underage sales. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers to a level commensurate with their duties. Training completion records shall be retained for a period of 12 months and shall be available for inspection on request by an authorised officer of the Licensing Authority or an officer of the Police.
2. A Challenge 25 scheme shall be adopted and implemented which will require that any customer that appears under the age of 25 is requested to provide acceptable photographic proof of age establishing they are 18 or over before the sale of alcohol to them. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include, but not be limited to, PASS approved proof of age card, photo-card driving licence and passport. Challenge 25 point of sale material shall be displayed within the premises. Refusals under the scheme shall be recorded and records maintained for a period of 12 months and made available to the Police or an authorised officer of the Licensing Authority on request.
3. An incident recording system must be maintained at the premises, records from which shall be persevered for 12 months and made immediately available on request to the Police or an authorised officer of the Licensing Authority, which must record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any visit by a relevant authority or emergency service.
4. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Warwickshire Police for appropriate disposal.
5. The premises to use door staff as appropriate and at necessary times on the basis of regular operational risk assessments and all door staff employed to be on duty no later than 21:00. The premises supervisor will continue to liaise with Police in respect of door staff requirements and take into account their views in the formulation of any risk assessment.
6. The premises licence holder shall ensure that CCTV is installed and maintained to the satisfaction of the Police and Licensing Authority. Images from the CCTV system shall be preserved for a minimum 31 day period. There shall be sufficient members of trained staff available during the hours of operation of the premises to be able to download evidence at the request of the Police or an Authorised Officer of the Council.

7. In the event of a system malfunction, the Licence holder or a nominated person must, as soon as practically possible, notify the Licensing Authority and Warwickshire Police Licensing Department. Details of such malfunction must be recorded in the premises incident book.



LICENCE KEY

FIRE AUTHORITY REQUIREMENTS

- WITH SMOKE SEALS & INTUMESCENT STRIPS
F60 ONE HOUR FIRE RESISTANT
WITH SMOKE SEALS & INTUMESCENT STRIPS
VP VISION PANEL
PB PANIC BOLT
SC SELF-CLOSING
SCA SELF-CLOSING AUTOMATIC RELEASE
FL FUSIBLE LINK
DS DOOR SELECTOR

- ILLUMINATED SUSPENDED "FIRE EXIT" SIGN 75mm LETTERS
S13 "FIRE DOOR KEEP SHUT" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF
S14 "FIRE DOOR KEEP LOCKED" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF
S20 "FIRE ESCAPE KEEP CLEAR" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF
S22 "FIRE EXIT" 200 mm LETTERS
S25 "PUSH BAR TO OPEN" 200mm LETTERS
S26 DIRECTIONAL ARROW (GREEN)
FRG FIRE RESISTING GLAZING ELEMENT

- AREA COVERED BY ESCAPE LIGHTING TO BS 5266 PART 1

- AREA COVERED BY SMOKE DETECTORS
AREA COVERED BY HEAT DETECTORS

- FIRE ALARM CALL POINT

- FIRE ALARM INDICATOR PANEL

- FIRE BLANKET IN CONTAINER

- CARBON DIOXIDE FIRE EXTINGUISHER

- 9 LITRE WATER EXTINGUISHER

- DRY POWDER EXTINGUISHER

- FOAM FIRE EXTINGUISHER

- ALARM WARNING DEVICE

- FLASHING ALERT BEACON

- AREA FOR THE PROVISION OF THE SALE OF ALCOHOL BY RETAIL AND LATE NIGHT REFRESHMENT

ALL WALLS AND PARTITIONS TO BE MINIMUM HALF HOUR FIRE RESISTANT

EMERGENCY LIGHTING TO COMPLY WITH BS 5266 PART 1

FIRE SAFETY RELATED SIGNS AND NOTICES TO COMPLY TO BS 5499

FIRE FIGHTING EQUIPMENT TO COMPLY WITH BS 5306 WALL AND CEILING LININGS ARE TO BE CLASS 1 SURFACE SPREAD OF FLAME (AS DEFINED BY BS 476

FIRE ALARM SYSTEM TO BE INSTALLED IN ACCORDANCE WITH BS 5839

CLASS 0 IN ESCAPE ROUTES

UPHOLSTERED SEATING FURNITURE TO SATISFY THE FOLLOWING

" IGNITION SOURCE (CIGARETTE TEST) AS SPECIFIED IN BS 5852 PART 1

FIRE TEST FOR FURNITURE METHODS OF TEST FOR THE

IGNITABILITY BY SMOKERS

"BS 5852 PART 2 FIRE TEST FOR FURNITURE-METHODS OF TEST FOR THE IGNITABILITY OF UPHOLSTERED COMPOSITES FOR TESTING BY

FLAMING SOURCE. MINIMUM TEST TO BE CRIB IGNITION SOURCE 5

FABRICS THAT HAVE HAD A FLAME RETARDANT TREATMENT TO PASS

THE WATER SOAK TEST AS DETAILED BY BS 5851 TEST CERTIFICATE TO BE SUBMITTED TO FIRE AUTHORITY

CURTAINS AND DRAPES TO SATISFY TYPE B. PERFORMANCE REQUIREMENTS TO BS 5867 PART 2

ARTIFICIAL FOLIAGE AND DECORATIVE EFFECTS TO BE FIRE RETARDANT TO THE SATISFACTION OF THE FIRE AUTHORITY

TOILETS

ALL WALLS TILED FULL HEIGHT

SANITARY FACILITIES HAVE BEEN DESIGNED TO BS 6465 PART 1 1994 CODE OF PRACTICE FOR THE SCALE AND PROVISION, SELECTION AND INSTALLATION OF SANITARY APPLIANCES



PROPOSED GROUND FLOOR PLAN

THE SQUARE

REV Date Note

rjd
Architectural Design & Project Management
info@rjd.eu.com

project
18-24 THE SQUARE
KENILWORTH CV8 1EB,

client
J D WETHERSPOON PLC

Pub No.
7591

drawing
PROPOSED LICENSING PLAN
GROUND FLOOR

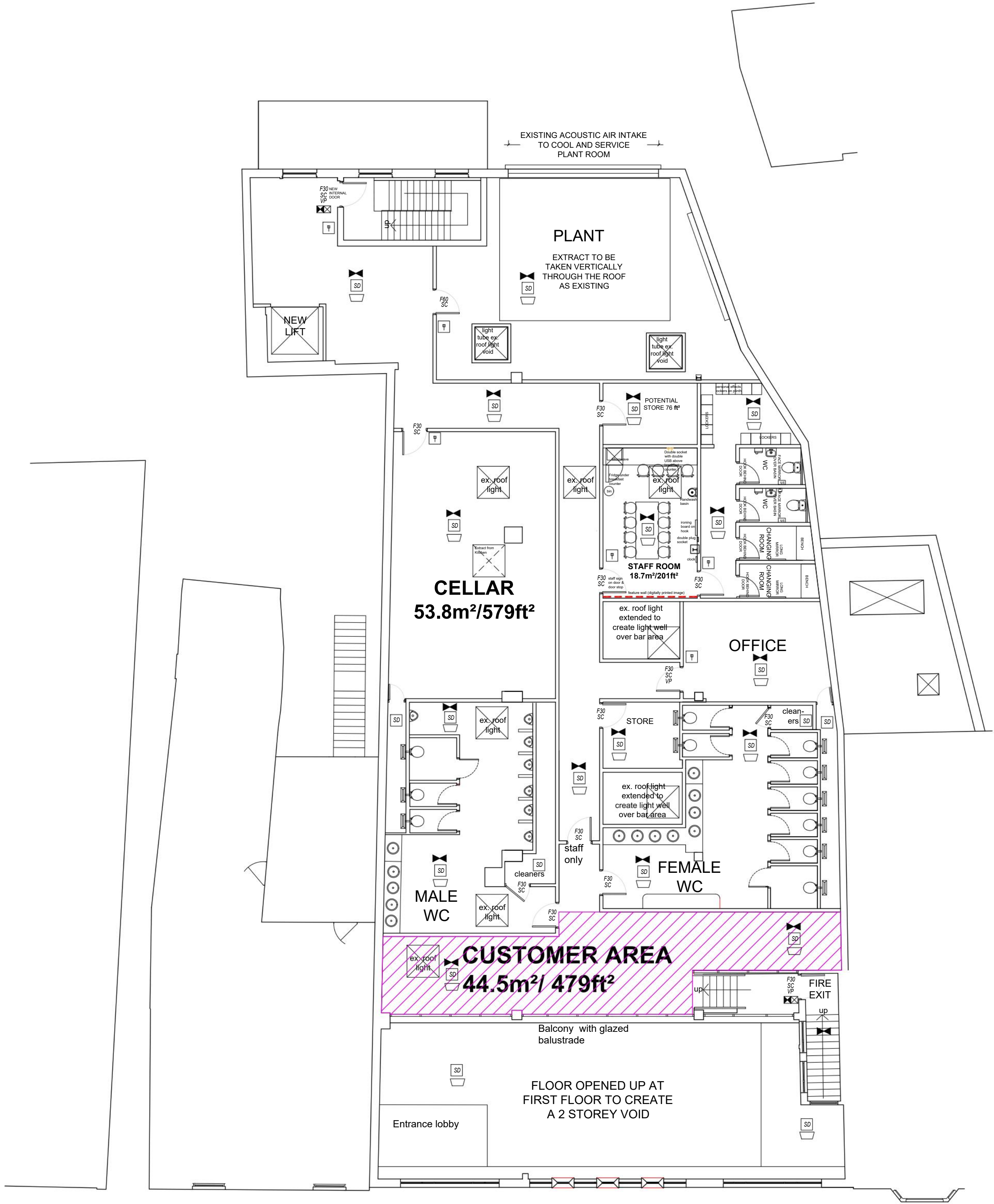
date
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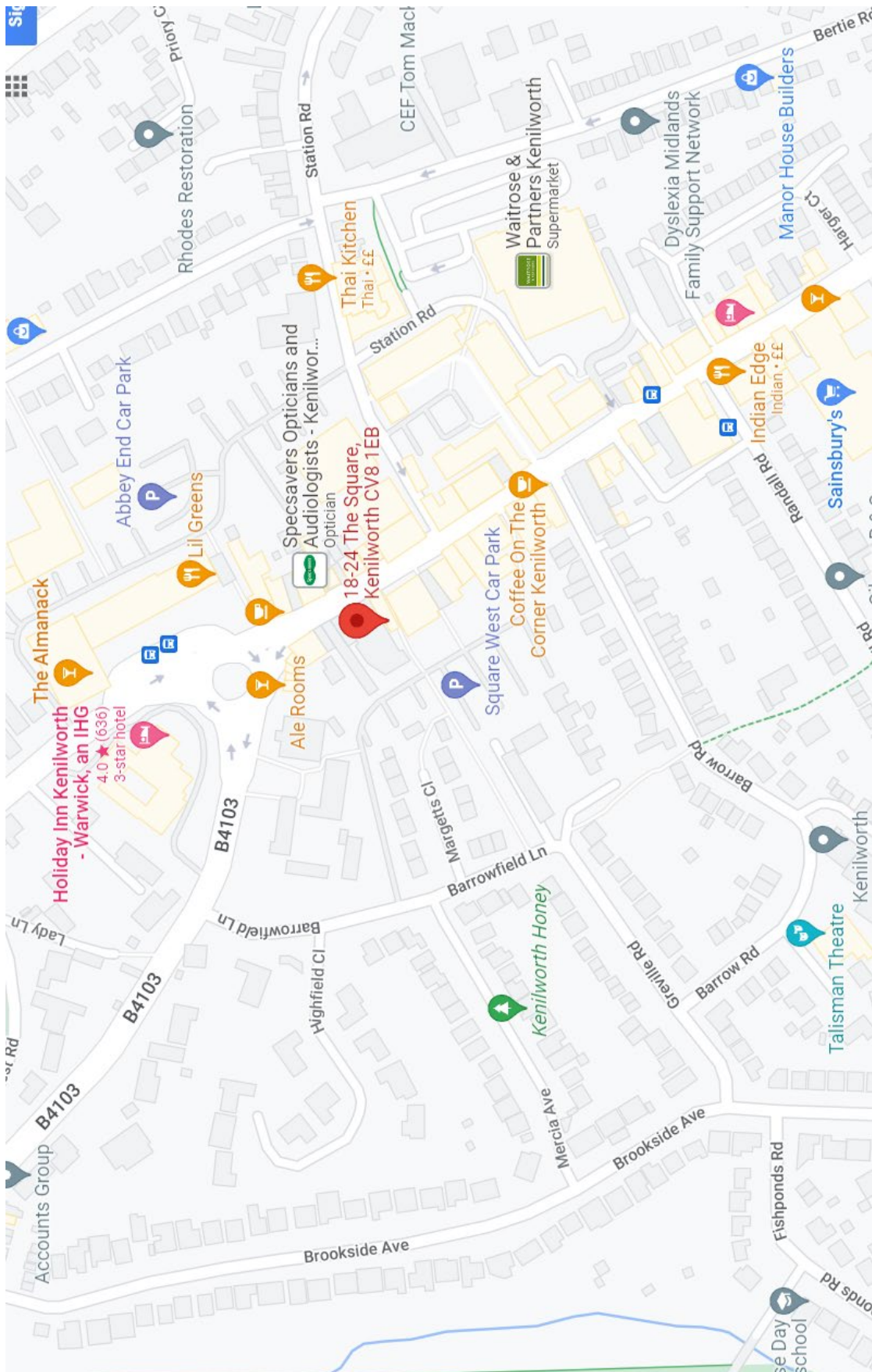


PROPOSED FIRST FLOOR

LICENCE KEY	
FIRE AUTHORITY REQUIREMENTS	
WITH SMOKE SEALS & INTUMESCENT STRIPS	ALL WALLS AND PARTITIONS TO BE MINIMUM HALF HOUR FIRE RESISTANT
F00 ONE HOUR FIRE RESISTANT	EMERGENCY LIGHTING TO COMPLY WITH BS 5266 PART 1
WITH SMOKE SEALS & INTUMESCENT STRIPS	FIRE SAFETY RELATED SIGNS AND NOTICES TO COMPLY TO BS 5499
VP VISION PANEL	FIRE FIGHTING EQUIPMENT TO COMPLY WITH BS 5306 WALL AND CEILING LININGS ARE TO BE CLASS 1 SURFACE SPREAD OF FLAME (AS DEFINED BY BS 476
PB PANIC BOLT	FIRE ALARM SYSTEM TO BE INSTALLED IN ACCORDANCE WITH BS 5839
SC SELF-CLOSING	
SCA SELF-CLOSING AUTOMATIC RELEASE	
FL FUSIBLE LINK	
DS DOOR SELECTOR	
ILLUMINATED SUSPENDED "FIRE EXIT" SIGN 75mm LETTERS	CLASS 0 IN ESCAPE ROUTES
S13 "FIRE DOOR KEEP SHUT" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF	UPHOLSTERED SEATING FURNITURE TO SATISFY THE FOLLOWING
S14 "FIRE DOOR KEEP LOCKED" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF	* IGNITION SOURCE (CIGARETTE TEST) AS SPECIFIED IN BS 5852 PART 1
S20 "FIRE ESCAPE KEEP CLEAR" 100mm LETTERS TO BOTH SIDES OF DOOR LEAF	FIRE TEST FOR FURNITURE METHODS OF TEST FOR THE IGNITABILITY BY SMOKERS
S22 "FIRE EXIT" 200 mm LETTERS	* BS 5852 PART 2 FIRE TEST FOR FURNITURE-METHODS OF TEST FOR THE IGNITABILITY OF UPHOLSTERED COMPOSITES FOR TESTING BY FLAMING SOURCE. MINIMUM TEST TO BE CRIB IGNITION SOURCE 5
S25 "PUSH BAR TO OPEN" 200mm LETTERS	
S26 DIRECTIONAL ARROW (GREEN)	
FRG FIRE RESISTING GLAZING ELEMENT	
AREA COVERED BY ESCAPE LIGHTING TO BS 5266 PART 1	
SD AREA COVERED BY SMOKE DETECTORS	FABRICS THAT HAVE HAD A FLAME RETARDANT TREATMENT TO PASS THE WATER SOAK TEST AS DETAILED BY BS 3651. TEST CERTIFICATE TO BE SUBMITTED TO FIRE AUTHORITY
HD AREA COVERED BY HEAT DETECTORS	
F FIRE ALARM CALL POINT	CURTAINS AND DRAPES TO SATISFY TYPE B, PERFORMANCE REQUIREMENTS TO BS 5867 PART 2
FAP FIRE ALARM INDICATOR PANEL	ARTIFICIAL FOLIAGE AND DECORATIVE EFFECTS TO BE FIRE RETARDANT TO THE SATISFACTION OF THE FIRE AUTHORITY
CE FIRE BLANKET IN CONTAINER	
CD CARBON DIOXIDE FIRE EXTINGUISHER	TOILETS
9L 9 LITRE WATER EXTINGUISHER	ALL WALLS TILED FULL HEIGHT
DP DRY POWDER EXTINGUISHER	SANITARY FACILITIES HAVE BEEN DESIGNED TO BS 6485 PART 1 1994 CODE OF PRACTICE FOR THE SCALE AND PROVISION, SELECTION AND INSTALLATION OF SANITARY APPLIANCES
FO FOAM FIRE EXTINGUISHER	
AW ALARM WARNING DEVICE	
FA FLASHING ALERT BEACON	
AREA FOR THE PROVISION OF THE SALE OF ALCOHOL BY RETAIL AND LATE NIGHT REFRESHMENT	



REV	Date	Note
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STATEMENT OF LICENSING POLICY

(Required by section 5 of the Licensing Act 2003)

2021 - 2026

IMPORTANT NOTE

In producing this Statement Of Licensing Policy the Licensing Authority is aware that the Government may amend the Licensing Act 2003, subordinate legislation and statutory guidance.

Any such amendments made in the future may not be incorporated into this policy document and readers of this document are advised to check the Home Office/Gov.uk website to ensure they have the latest information.

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Appendix

1. Model Conditions
2. Responsible authorities List

STATEMENT OF LICENSING POLICY

INTRODUCTION

- 1.1 Warwick District Council ('the Council') has a duty under the terms of the Licensing Act 2003 ('the Act') to carry out its functions as the Licensing Authority with a view to promoting the following licensing objectives:
- **The prevention of crime and disorder**
 - **Public safety**
 - **The prevention of public nuisance**
 - **The protection of children from harm**
- 1.2 The promotion of these objectives is the paramount consideration when determining an application and any conditions attached to an authorisation.
- 1.3 Warwick District Council (WDC) is situated in the south of Warwickshire in the centre of England. Appropriately for England's heartland, Warwick District Council's boundaries are roughly heart-shaped, embracing an area of some 28,253 hectares with a population exceeding 138,400 people. The District covers four towns, Royal Leamington Spa, Warwick, Kenilworth and Whitnash as well as a large rural area with 18 Parish Councils. It is acknowledged that the town centres have a large proportion of residential premises.
- 1.4 This statement of licensing policy relates to all those licensing activities identified as falling within the provisions of the act, namely:
- **The sale by retail of alcohol**
 - **The supply of alcohol by clubs**
 - **The provision of regulated entertainment**
 - **The provision of late night refreshment**

For the purposes of this document any reference to an 'authorisation' means a Premises Licence, Club Premises Certificate, Temporary Event Notice (TEN) and where appropriate to the context a Personal Licence.

- 1.5 The Licensing Authority recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Licensing Authority will therefore continue to work with the Responsible Authorities, the South Warwickshire Community Safety Partnership, local businesses and local people to promote the common objectives as outlined. In addition the Licensing Authority recognises its duty under s.17 of the Crime and Disorder Act 1998 with regard to the prevention of crime and disorder.

- 1.6 This policy statement has been prepared in accordance with the provisions of the Act and the guidance issued under s.182 of the Act. The policy statement is valid until 5th January 2026. This policy statement will be subject to review and further consultation prior to any substantial changes.
- 1.7 A list of contact details for the Responsible Authorities authorised under the act is attached to this policy statement as Appendix 2.
- 1.8 The Licensing Authority has recognised Warwickshire County Council as the local body competent to advise it on the protection of children from harm and has designated it as a responsible authority for the purposes of s.13 of the Act.
- 1.9 The Licensing Authority will, when acting as a responsible authority, act in accordance with the guidance issued under s.182 of the Act wherever possible. In particular, it will not normally intervene in applications where the issues are within the remit of another responsible authority and will ensure an appropriate separation of responsibilities between the officer administering an application and an officer acting as a responsible authority.

Public Health as a Responsible Authority

- 1.10 There is not a specific licensing objective related directly to health within the current legislation. When making a representation, the Director of Public Health will be required to relate such representations and available data to the other licensing objectives. This may include underage drinking, prevention of accidents, injuries and other immediate harms that can result from alcohol consumption.
- 1.11 Health bodies hold valuable information which may not be recorded by other agencies, including analysis of data on attendance at emergency departments and the use of ambulance services following alcohol related incidents. Sometimes it may be possible to link ambulance callouts and attendance to irresponsible practices at specific premises. Anonymised data can be collated about incidents relating to specific premises and presented to Licensing Sub-Committees when representations are made.

CONSULTATION

- 2.1 Before publishing this policy statement the Licensing Authority has consulted and given proper consideration to the views of the following in line with the statutory guidance.
- The Responsible Authorities
 - Representatives of current licence and certificate holders
 - Representatives of local businesses
 - Representatives of local residents

FUNDAMENTAL RIGHTS

- 3.1 Under the terms of the Act any person may apply for a variety of authorisations and have each application considered on its individual merits. Equally, any person has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 3.2 Applicants and those making relevant representations in respect of applications to the Licensing Authority have a right of appeal to Warwickshire Magistrates' Court against the decisions of the Licensing Authority.

LICENSING CONDITIONS

- 4.1 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. 'Premises' includes open spaces. Conditions attached to various authorisations will be focused on matters that are within the control of the individual licensees and others in possession of relevant authorisations. Accordingly, these matters will centre on the premises being used for licensable activities and the vicinity of those premises. If there is an incident or other dispute, the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in other normal activities in the area concerned.
- 4.2 The Licensing Authority can impose conditions if it has received a relevant representation or if such conditions are consistent with the operating schedule.
- 4.3 When considering any conditions, the Licensing Authority acknowledges that licensing law should not be seen as the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of the individual club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of general control and licensing law will always be part of a holistic approach to the management of the evening and night time economy. For example, applicants should note that stricter conditions to control noise are likely to be imposed in the case of premises situated in largely residential areas.
- 4.4 The Licensing Authority will not impose standard licensing conditions on licences or other relevant types of authorisation across the board. Therefore, the Licensing Authority will attach conditions to relevant authorisations which are tailored to the individual style and characteristics of the premises and events concerned and that are appropriate to promote the licensing objectives in the light of any representations received.

- 4.5 The Licensing Authority has produced a set of model conditions, which is aimed at assisting and supporting applicants through the application process. The model conditions would also assist the Licensing Authority and Responsible Authorities in deciding which conditions would be appropriate to add to a licence. The model conditions may be found at the end of this policy as Appendix 1.

OPERATING HOURS

- 5.1 The Licensing Authority welcomes the opportunities afforded to the local economy by the Act and will strive to balance this with the rights of local residents and others who might be adversely affected by licensable activities based on the principles laid down in this document.
- 5.2 When dealing with licensing hours, each application will be dealt with on its individual merits. The Licensing Authority recognises that longer licensing hours with regard to the sale of alcohol can assist to avoid concentrations of customers leaving premises simultaneously thereby reducing the friction at late night fast food outlets, taxi ranks and other forms of transport which can lead to disorder and disturbance. The Licensing Authority does not wish to unduly inhibit the development of thriving and safe evening and night time local economies which are important for investment and employment locally and in the main welcomed by residents and visitors to the District.
- 5.3 The Licensing Authority will not set fixed trading hours within designated areas. However, an earlier terminal hour and stricter conditions with regard to noise control than those contained within an application, may be appropriate in residential areas where relevant representations are received and such measures are deemed appropriate to uphold the licensing objectives.
- 5.4 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are relevant representations giving good reasons based on the licensing objectives for restricting those hours.

LATE NIGHT LEVY AND EARLY MORNING RESTRICTION ORDERS

- 6.1 The Licensing Authority, having not been presented with any evidence to the contrary, does not consider that the application of a Late Night Levy or Early Morning Restriction Order are appropriate for the Licensing Authority's area at the present time. The Licensing Authority will keep these matters under review and accordingly reserves the right, should the need arise, to introduce these measures during the life of this statement of licensing policy.

CUMULATIVE IMPACT ASSESSMENT

- 7.1 For the purposes of this document 'cumulative impact' means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative impact is a proper matter for the Council to consider in developing its licensing policy. This should not be confused with 'need', which concerns the commercial demand for another particular type of premises. Government guidance states that 'need' is not a matter for the Licensing Authority but is a matter for the Planning Authority and the free market.
- 7.2 The Licensing Authority has not been presented with sufficient evidence to consider any area within the District to currently have a particular concentration of licensed premises causing a cumulative impact on one or more of the licensing objectives. The Licensing Authority will keep this matter under review and accordingly reserves the right, should the need arise, to introduce a special policy concerning cumulative impact during the life of this statement of licensing policy.
- 7.3 The absence of a special policy does not prevent any responsible authority or any other party from making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. The Act allows for such consideration but the individual merits of each application must always be considered.

PROMOTION OF THE LICENSING OBJECTIVES

Prevention of Crime and Disorder

- 8.1 Licensed premises, especially those offering late night/early morning entertainment or alcohol and refreshment can sometimes be associated with elevated levels of crime and disorder.
- 8.2 The Licensing Authority expects individual licence/certificate holders, new applicants and temporary event organisers, to regularly review their arrangements in addressing crime and disorder issues pertinent to their particular licensable activities, location and/or premises. Information and advice can be obtained from the Police, business network groups and other sources. The Licensing Authority also encourages local residents and other businesses, where appropriate, to discuss issues of concern directly with individual businesses, or, to contact the Police or the Licensing Authority.
- 8.3 The Licensing Authority will, through its Community Safety Partnership devise and help deliver strategies to tackle the misuse of alcohol, which has been identified as being a precursor to crime and anti-social behaviour. The Licensing Authority expects existing licence/certificate holders, new applicants and the organisers of temporary events, to be able to demonstrate the measures they

use, or propose to adopt, to prevent and actively discourage the sale/supply of alcohol to children and to individuals who are already drunk.

- 8.4 The risk assessment approach remains fundamental in the operation of all licensed premises. Licence/certificate holders and applicants are strongly recommended to work closely with the Police in particular, in bringing into effect appropriate control measures to overcome established and potential problems. A combination of short and longer term strategies may need to be deployed by holders of authorisations to sustain and promote the prevention of crime and disorder.
- 8.5 The Licensing Authority will expect new applicants, existing licence/certificate holders and organisers of temporary events to adopt recognised good practice in whatever area of operations they are engaged. The Licensing Authority will regard each responsible authority as the expert in their respective field and in some cases as the primary source of advice in relation to a particular licensing objective.
- 8.6 Queues at late night take-aways can be a source of disorder and applicants for premises licences for this type of premises are expected to address this in their operating schedule.
- 8.7 The Licensing Authority has specific duties under s.17 of the Crime and Disorder Act 1998 that underpins any control strategy that is employed. The Licensing Authority will continue to work in partnership with the Police in addressing crime and disorder issues.
- 8.8 The Licensing Authority is of the view that generally, in order to promote the licensing objectives, all licensed premises within the District are encouraged to be members of the relevant local Pubwatch Scheme, or any similar scheme, where one exists.
- 8.9 The Licensing Authority and Police have a zero tolerance of drug use in licensed premises but recognise that drug use is not something that is relevant to all licensed premises. However, it is recognised that special conditions may need to be imposed for certain venues to reduce the likelihood of drugs being sold and consumed and to create a safer environment for those who may have taken them.
- 8.10 Once away from licensed premises a minority of consumers may behave badly and unlawfully. There are other mechanisms both within and outside the licensing regime that are available for addressing such issues. The Licensing Authority will address a number of these issues through the Community Safety Partnership in line with the strategic objectives for crime and disorder reduction and drug and alcohol misuse within the District.
- 8.11 In relation to premises seeking or holding a premises licence and where alcohol will be sold under the terms of that licence, the Licensing Authority expects that

(a) any Designated Premises Supervisor (DPS) will have been given sufficient management authority and be able to exercise effective day-to-day control of the premises and (b) authority to make alcohol sales when given by the DPS or any other Personal Licence holder should be clearly evidenced in writing. This is to ensure that premises selling alcohol are properly managed in accordance with the Act and that premises operate in a way that promotes the prevention of crime and disorder. This will also benefit operators themselves through being able to demonstrate a commitment to the proper management of premises, particularly if enforcement action becomes necessary.

Promotion of Public Safety

- 8.12 Public safety is not defined within the act, but the Government guidance advises that it is concerned with the physical safety of people using the premises and not with public health, which is covered by other legislation.
- 8.13 Applicants and event organisers will be expected to assess not only the physical environment of the premises or site but also operational practices, in order to protect the safety of members of the public visiting the premises or site, those who are employed in the business, those who are engaged in running an event or anyone else that could be affected by site activities. This assessment would normally take place within a risk assessment framework.
- 8.14 Holders of premises licences and club certificates, or those organising temporary events, should interpret 'public safety' widely to include freedom from danger or harm.
- 8.15 For licensed or certificated premises and for temporary events, public safety must be kept under review and where changes to operational practices/events occur, or the customer profile changes, a review of risk assessments must be undertaken.
- 8.16 Fire safety is governed by the Regulatory Reform (Fire Safety) Order 2005 and is not something with which the Licensing Authority will normally become involved.

Where a Responsible Authority has recommended a safe capacity limit on all or part of a premises the Licensing Authority will normally expect an applicant/authorisation holder to follow such a recommendation unless there are good reasons for not doing so.

Prevention of Public Nuisance

- 8.17 The Licensing Authority remains sensitive to the expectations and needs of different parts of the community in respect of leisure and cultural pursuits, and will view applications accordingly. The impact of those activities on people who have to live, work and sleep within the local vicinity of a licensed premises or event will also be considered. If the impact of licensed activities is

disproportionate and unreasonable or markedly reduces the amenity value of the area to local people, then the Licensing Authority will take account of this when exercising its functions.

- 8.18 The Licensing Authority considers that the potential for public nuisance can be prevented or much reduced by good design and planning during new or ancillary construction works, by the provision of good facilities and effective management. This will require appropriate advice at the planning and development stages of new projects. Applicants should consider carefully the suitability of the premises for the type of activity to be undertaken, particularly in terms of ventilation, cooling, noise breakout and noise/vibration transmission to adjoining premises.
- 8.19 Licence holders already in receipt of complaints should seek an early remedy to any confirmed problem. The organisers of temporary events should seek to pre-empt potential nuisance, especially if complaints have previously arisen at the same venue.
- 8.20 The Licensing Authority expects holders of authorisations to use their risk assessment and operating schedules to review and, if need be, to make necessary improvements to the premises or to operational practices, in order to prevent public or statutory nuisance.
- 8.21 Where the provisions of existing legislation prove inadequate or inappropriate for control purposes, the Licensing Authority will consider imposing licence conditions. Any condition deemed appropriate and imposed by the Licensing Authority to promote the prevention of public nuisance will focus on measures within the direct control of the licence holder or designated premises supervisor.
- 8.22 Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place. Any conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

Protection of Children from Harm

- 8.23 The Act details a number of legal requirements designed to protect children in licensed premises. The Licensing Authority is concerned to ensure that holders of authorisations, including organisers of temporary events, create safe environments (in terms of physical, moral and psychological welfare) for children who may be on the premises. Children should be unable to access alcohol or drugs and be subject to an appropriate level of care and supervision at all times.
- 8.24 The Act prohibits children under the age of 16 years old and unaccompanied by an adult, to be present in licensed premises (including premises operating under a TEN) being used primarily or exclusively for consumption of alcohol.

- 8.25 The admission of children to any premises will otherwise normally be left to the discretion of the individual licensee/event organiser, as the Act does not prohibit children from accessing licensed premises. Where children are accompanied and supervised by a responsible adult, additional measures, should not normally be necessary. The Licensing Authority supports the view that children should enjoy access to a range of licensed premises, but cannot impose conditions requiring the admission of children to any premises.

The Licensing Authority will judge the merits of each application before deciding whether or not to impose conditions restricting access by children. Conditions which may be relevant in this respect are outlined in the Government Guidance.

- 8.26 In premises where alcohol is sold or supplied it is a mandatory condition that premises licence holders will operate a recognised Age Verification Scheme. The Licensing Authority supports the Challenge 25 scheme and where this is not proposed within the operating schedule, alternative and similarly rigorous controls should be detailed. The Licensing Authority recommends that the premise licence holder operates a method for recording when a sale is refused as part of any age challenge scheme (also known as a refusals book).
- 8.27 The Licensing Authority expects that customers should be confronted by clear and visible signs on the premises that underage drinking constitutes an offence in law and that they may well be required to produce proof of their age to a member of staff. Organisers of temporary events should apply similar safeguards in their undertakings.
- 8.28 Venue operators seeking premises licences and club premises certificates can volunteer prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. These will become conditions attached to the licence or certificate where no relevant representations are received by the Licensing Authority.
- 8.29 The Licensing Authority regards Warwickshire County Council as being the primary source of advice and information on children's welfare and would normally expect any advice/recommendations from the County Council to be followed unless there are good reasons for not doing so. The Licensing Authority will attach appropriate conditions where these appear necessary to protect children from moral, psychological or physical harm. It is also reasonable for the licensing authority to expect the responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concerned about crime and disorder or the sexual exploitation of children.
- 8.30 The Licensing Authority will consider the need to protect children from sexual exploitation when undertaking licensing functions.

- 8.31 In order to prevent children from seeing films incompatible with their age, licence holders who exhibit films will be expected to impose and enforce viewing restrictions in accordance with the recommendations of the British Board of Film Classification. In exceptional cases e.g. where the BBFC has not classified a film then the Licensing Authority may specify viewing restrictions which an authorisation holder will be expected to comply with.
- 8.32 It is expected that authorisation holders will ensure that, whenever children are in the vicinity of a film or exhibition that is being shown/staged in a multi-purpose premises, sufficient ushers/stewards (minimum 18 years old) will be in attendance at the entrance the viewing rooms at all times to ensure children cannot enter or view the film or exhibition.
- 8.33 Children have access to a range of regulated public entertainment venues and may be present as members of a viewing audience or as performers in their own right. The Licensing Authority expects authorisation holders including those organising temporary events, to make proper provision for child safety and welfare during such events. Notwithstanding public safety issues, supervisory arrangements must be reflected within operating schedules. Suitable monitoring strategies should also be in place to ensure that supervisory levels are appropriate.
- 8.34 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, the Licensing Authority may require that there is an adequate number of adult staff at places of entertainment to control access and egress of children and to protect them from harm. Children present at events as entertainers will be expected to have a nominated adult responsible for each child performer.

MANDATORY LICENSING CONDITIONS

- 9.1 The Government has introduced a range of mandatory conditions aimed at establishing minimum standards for the way certain licensable activities are conducted. The conditions apply to all appropriate premises. A full list of the mandatory conditions can be found on the Gov.uk website.

OTHER CONSIDERATIONS

Relationship with Planning

- 10.1 The planning and licensing regimes involve consideration of different (albeit related) matters. The Council's Licensing and Regulatory Committee and Sub – Committees are not bound by decisions made by the Council's Planning Committee and vice versa.
- 10.2 The grant of any application or variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control approval where appropriate.

- 10.3 There are also circumstances when as a condition of planning permission; operating hours are set for the use of the premises for commercial purposes. Where these hours are shorter than the licensing hours, the applicant must observe the planning restrictions. Premises operating in breach of their planning consent would be liable to enforcement action under planning law.
- 10.4 The Local Planning Authority may also make representations against a licensing application in its capacity as a Responsible Authority, where such representations relate to one or more of the licensing objectives.

Applications

- 10.5 An applicant may apply under the terms of the Act for a variety of authorisations and any such application will be considered on its individual merits. Any person may make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 10.6 The Licensing Authority expects each and every applicant for a premises licence, club premises certificate or variation to address how they intend to promote the licensing objectives.
- 10.7 In determining a licence application the Licensing Authority will take each application on its merits. Licence conditions will only be imposed following a hearing or in order to promote the licensing objectives and will only relate to matters within the control of the applicant. Licence conditions will not normally be imposed where other regulatory provisions are in force (e.g. planning, health and safety at work, fire safety and building control legislation) so as to avoid confusion and duplication, except where they can be exceptionally justified to promote the licensing objectives.
- 10.8 The Licensing Authority will impose only such conditions as are proportionate towards promoting the licensing objectives and which do not impose unnecessary burdens and which are appropriate to the individual size, style and characteristics of the premises and events concerned.
- 10.9 In considering applications, the Licensing Authority will primarily focus on the direct impact of activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned.
- 10.10 Conditions include any limitations or restrictions attached to a licence, certificate or other authorisation and essentially are the steps or actions the holder of the authorisation will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.

Deregulated Public Entertainment

- 10.11 As a result of the Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014 most public entertainment taking place between 08:00 and 23:00 hrs has, subject to certain conditions, been deregulated and removed from the scope of Licensing Authority control. No authorisation is required where public entertainment is being provided under these statutory exemptions. However, if exempt public entertainment is or will be taking place as well as licensable activities (e.g. selling alcohol) then an authorisation covering the licensable activities will still be required. Operators of 'on-licensed' premises should also note that it is possible to re-introduce full licensing controls over public entertainment where a premises licence or a club premises certificate has been reviewed and a Licensing and Regulatory Sub-Committee determines that it is appropriate for such controls to be re-introduced.

Public Spaces Protection Order

- 10.12 At the time of writing, The Warwick District Public Spaces Protection Order (PSPO) (Introduced by The Anti Social Behaviour, Crime and Policing Act 2014) are under review. Regardless of the outcome of the PSPO review the local authority must have regard to section 62 and 63 of the 2014 Act which limits what can be restricted in relation to alcohol. For example, where a PSPO covers alcohol prohibition, section 62 of the 2014 Act lists a number of premises to which an Order cannot apply – such as on licensed premises (or within its curtilage), premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol, or facilities or activities relating to the sale or consumption of alcohol which are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses). Section 63 makes it an offence only when a person refuses or fails to comply with a reasonable requirement from an authorised person not to consume or surrender alcohol.

BEST PRACTICE SCHEMES

- 11.1 The Licensing Authority supports best practice schemes for licensed premises. Premises in an area covered by a scheme are encouraged to become members of the scheme.

INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION

- 12.1 By consulting widely prior to this policy statement, the Licensing Authority has taken full account of local policies covering crime prevention, anti-social behaviour, culture, transport, planning and tourism as part of an integrated strategy for the Licensing Authority, Police and other agencies. Many of these strategies may not be directly related to the promotion of the licensing objectives, but indirectly impact upon them.

12.2 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Council's Licensing and Regulatory Committee can request reports, where it thinks it is appropriate on the following areas:-

- The needs of the local tourist economy, to ensure that these are reflected in their considerations;
- The employment situation and the need for new investment and employment where appropriate; and
- The general impact of alcohol related crime and disorder.
- The general impact of alcohol related harms to health.

Crime Prevention Strategies

12.3 Crime prevention and drug and alcohol misuse policies and the input of the South Warwickshire Community Safety Partnership (SWCSP) will be reflected in licence conditions as far as possible.

12.4 The SWCSP is committed to making South Warwickshire a safe place in which to live work and visit. It is the role of the SWCSP to strategically plan, commission and oversee services that tackle crime and disorder and address drug and alcohol misuse.

Duplication

12.5 When considering any application the Licensing Authority will avoid duplication with other regulatory regimes as far as possible. Therefore the Licensing Authority will not attach conditions to a licence in relation to a matter covered by another regulatory regime unless going beyond such a regime is considered appropriate for the promotion of the licensing objectives in the particular circumstances.

Promotion of Equality

12.6 The Licensing Authority in carrying out its functions under the Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Government guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Licensing Authority therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equalities Act 2010. This includes a duty that any person who provides a service to the public must make

reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

ENFORCEMENT

- 13.1 The Licensing Authority has an established working relationship with the Police and other responsible authorities on enforcement issues through the Multi Agency Licensing Enforcement Meeting. This provides a more efficient deployment of resources targeting high risk premises and activities.
- 13.2 This enforcement regime follows the Government's Regulators' Code in that it follows the basic principles of openness, helpfulness, proportionality and consistency. The Licensing Authority has a separate enforcement policy in respect of licensing.
- 13.3 Licensed premises are visited by the Responsible Authorities and the Licensing Authority to carry out targeted inspections to check that the premises licence or certificate is being complied with, to check compliance with other legislation and/or deal with complaints that have been received.
- 13.4 On some occasions a multi-agency group (representing a number of Responsible Authorities) will visit premises. The officers will check the premises/activities relevant to their particular role.
- 13.5 There are several enforcement options that will be used as appropriate and in line with the Licensing Authority's licensing enforcement policy. These options include:
 - Verbal advice – this covers minor complaints/infringements where advice is seen as the most appropriate way to deal with the issue.
 - Written warning – this is a step-up from verbal advice and holders of authorisations are given a letter recording the warning given and containing the details of any necessary remedial action.
 - Action planning – this plan will be written down and given to the holder of the authorisation and designated premises supervisor. It explains what actions are required, within a timescale, for compliance with the licensing objectives, specific legislation or conditions. It will be regularly reviewed and if compliance has been achieved it will be terminated. If areas of non-compliance remain a more formal enforcement option further up the scale may be selected in order to achieve compliance.
 - Review – any person may call for a review of a licensed premises where there is evidence that the licensing objectives are not being promoted. The holder of the authorisation will have to attend a review hearing in front of the Licensing Sub Committee who may decide, based on the evidence

submitted to them, to take no action, to remove the DPS, to revoke, suspend, or amend the licence or apply additional conditions.

- Prosecution – Under the Licensing Act 2003 certain offences can be prosecuted by the Licensing Authority/Director Of public Prosecutions/Weights and Measures Authority (Trading Standards). In addition, Responsible Authorities have a wide range of powers to institute prosecution under other specific legislation.
- Closure – several of the Responsible Authorities have the power to close licensed premises if they deem it necessary. The Licensing Authority also has powers to request closure through the Magistrates court for continuing unauthorised alcohol sales.

ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS

Licensing and Regulatory Committee

- 14.1 The majority of powers given to the Licensing Authority by the Act have been delegated by the Council to the Licensing and Regulatory Committee and Officers. The Licensing and Regulatory Committee has in turn established Sub-Committees to determine some matters under the Act.
- 14.2 The Council's Constitution defines those responsibilities and is available for inspection on the Council's website, but a summary of responsibility is set out in Table 1 below.

14.3 Table 1:

Matters to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application to transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases		
Decision on whether a complaint is irrelevant frivolous vexatious etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases		
Determination of a police/EHO objection to a temporary event notice		All cases	
Determination of a Minor Variation application			All cases
Removal of the requirement for a designated premises supervisor at community premises		If a police objection	All other cases

- 14.4 However Council has retained the power to set the Council's Licensing Policy Statement, but it will seek the views of the Licensing & Regulatory Committee before determining any amendments.

Application forms And Process

- 14.5 All application forms will be in the prescribed format. The operating schedule will form part of the completed application form for a premises licence and a club premises certificate. The applicant will have to detail the steps that will be taken to promote the licensing objectives. Applicants should carry out a risk assessment before they apply for a licence.
- 14.6 Applicants are encouraged to fully consult the police and other statutory services well in advance of carrying out their risk assessments and submitting their applications. Application forms and guidance leaflets will be available from the Licensing Authority, including contact names for each of the responsible authorities. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.
- 14.7 Where national guidance permits, on line applications will be accepted providing the necessary documentary attachments are uploaded into the application and the appropriate fee paid.
- 14.8 Applicants are encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies and local crime, alcohol, drug and disorder strategies in order to take these into account, where appropriate, when formulating their operating schedule.

COMMENTS ON THIS POLICY

- 15.1 The statement of licensing policy will be reviewed on a regular basis. Individuals and organisations that wish to comment on the policy are invited to send their comments in writing to:

Warwick District Council, Licensing Team, Riverside House, Milverton Hill,
Royal Leamington Spa, CV32 5HZ

Email: licensing@warwickdc.gov.uk

APPENDIX 1 – Set of Model Conditions

Warwick District Council has produced this document to assist and support applicants and existing licence holders through the application process. It has also been designed for the consideration of responsible authorities and the Council's Licensing and Regulatory Committee.

When deciding to grant or vary a premises licence under the Licensing Act 2003, the licensing authority may do so subject to conditions which it considers are appropriate for the promotion of one or more of the licensing objectives.

Those applying for a premises licence, club certificate, variation of a premises licence or variation of a club certificate may also wish to consider those conditions which would promote the licensing objectives when completing the operating schedule.

In determining what conditions are appropriate, it will be necessary to consider the individual circumstances of the premises, including:-

- The nature and style of the venue,
- The activities being conducted there,
- The location, and,
- Anticipated clientele

Guidance for operating schedule

Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate.

Licensing authorities should be satisfied that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Conditions should be tailored to the particular circumstance of an individual licensed premises and determined on a case-by-case basis.

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

Prevention of Crime and Disorder

1. There shall be no sales of alcohol for consumption off the premises after (time).
2. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
3. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
4. No beer, lager, cider, ale or spirit mixers with an alcohol by volume content above (insert percentage) will be sold or offered for sale.
5. Each self-serve pump must be covered, in full, by the CCTV system.
6. Only craft beer or ale is permitted to be dispensed from the self-service pumps and will only be available in measures of (measure).
7. Only wine is permitted to be dispensed from the self-service wine dispenser and will only be available in a maximum measure of (measure).
8. When a self-service dispenser is in use a notification system must be in place to alert a member of bar staff.
9. Regular meetings will take place between the Designated Premises Supervisor, Warwickshire Police and Licensing authority. The meetings will take place every (number) months.
10. All door supervisors, and other persons engaged at the premises, for the purpose of supervising or controlling queues or customers, must wear (high visibility jackets or vests or armbands).
11. Door supervision must be provided on (specify days). Door supervisors must be on duty from (insert hours) and must remain on duty until the premises are closed and all the customers have left.
12. Door supervisors must be provided with radios to enable them to contact each other and the duty manager at the premises.
13. On/at (specify days/hours) at least (insert number) of SIA registered door supervisors must be on duty at the premises (may specify location at the premises or as shown on the plan).
14. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty. That register shall be available for inspection on reasonable request Authorised Officer of the Council, the Security Industry Authority or a Police Constable and shall contain the following details:-
 - the door supervisor's name, date of birth and home address;
 - his / her Security Industry Authority licence number;
 - the time and date he / she starts and finishes duty;

- each entry shall be signed by the door supervisor.
15. Any door staff register shall be available for inspection on demand by an Authorized Officer of the Council, the Security Industry Authority or a Police Constable and will be retained on the premises for a period of 12 months from the date of the last entry.
 16. The Premises Licence holder / Designated Premises Supervisor will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The Premises Licence holder / Designated Premises Supervisor will ensure that staff receive training on the policy.
 17. CCTV to be installed and the premises licence holder must ensure that:-
 - a. CCTV cameras are located within the premises to cover all public areas.
 - b. The system records clear images permitting the identification of individuals.
 - c. The CCTV system is able to capture a minimum of 12 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - d. The CCTV system operates at all times while the premises are open for licensable activities'. All equipment must have a constant and accurate time and date generation.
 - e. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
 - f. Downloads will be provided to the Police upon reasonable request in line with the Data Protection Act 2018.
 - g. Signed off by Warwickshire Police Design Out Crime Officer.
 18. The Premises Licence holder / Designated Premises Supervisor is to provide the Police with the contact details of at least two members of staff (or other person(s)) who are trained and familiar with the operation of the equipment so that, at the expense of the Premises Licence holder, they are able to check that the equipment is operating properly and that they are able to provide copies of recorded data upon request and within no more than 12 hours from the time of the request.
 19. The Premises Licence holder / Designated Premises Supervisor must notify the Licensing Office or the Police in the event of CCTV breakdown or malfunction as soon as is reasonably practicable and in any event within 24hrs.
 20. No open vessels to leave the premises at any time.
 21. No open vessels to be taken outside the curtilage of the premises at any time.
 22. Empty bottles must be placed into locked bins so as to prevent them from being used as weapons.

23. Toughened recycled and recyclable polycarbonate glasses or bottles (or similar compostable/reusable alternative) to be used in the outside areas of the premises.
24. Toughened recycled and recyclable polycarbonate glasses or bottles (or similar compostable/reusable alternative) will be used when requested by Warwickshire Police.
25. Drinks must only be served in toughened recycled and recyclable polycarbonate glasses or bottles (or similar compostable/reusable alternative) containers.
26. No customers carrying glassware shall be admitted to the premises at any time that the premises are open to the public.
27. SIA door staff will be required to remove all alcohol from customers who are queuing to enter the premise or entry to be refused. This alcohol must then be disposed of immediately in a bin provided at the premises.
28. A Personal Licence holder must be on the premises at all times when open to the public.
29. A Personal Licence holder must be on the premises on (state days) (time) between (time) hours and close of business.
30. The designated premises supervisor will ensure that he/she gives written authorisation to individuals whom they are authorising to sell alcohol in their absence. This should be maintained and made available for viewing by Authorised Officers.
31. Details of the names, addresses and up-to-date contact details for the Designated Premises Supervisor and all Personal Licence holders shall be maintained and kept on the premises.
32. Premises will participate in any Police or responsible authority awareness campaign or training that is relevant to the sale of alcohol, use of drugs or entertainment.
33. The Premises Licence holder shall have a written policy in relation to drugs which will include search, seizure and disposal of drugs and weapons. Staff will be provided with training on the policy, including drugs awareness.
34. A suitable receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with Warwickshire Police.
35. There shall be displayed on the premises, information regarding drugs awareness. / Zero tolerance policy.
36. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

37. The premises will be a member of the locally approved radio scheme and abide by its policies and procedures.
38. The premises is to maintain an incident book to record details of the following:-
- Any violence or disorder on or immediately outside the premises,
 - Any incident involving controlled drugs (supply / possession or influence on the premises,
 - Any other crime or criminal activity on the premises,
 - Any call for police assistance to the premises,
 - Any ejection from the premises,
 - Any first aid/other care given to a customer.
39. An incident book to made available for inspection by a responsible authority on reasonable request.
40. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:-
- (a) The police (and, where appropriate, the Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
41. Any staff employed at the premises will be provided with training on first appointment and on a regular basis thereafter. Training will include (delete where applicable);
- Drunk awareness
 - Drugs awareness
 - Age verification training
 - Conflict management training
 - First aid
42. A written record will be kept of all training carried out. This record must be kept on the premises and made available for inspection by a responsible authority on reasonable request.
43. No entry / re-entry 1 hour before permitted hours.
44. No entry / re-entry after (time) (days).
45. Any queue (in a designated queuing area) to enter the premises must be supervised at all times by door supervisors.
46. Any (designated) queuing area must be within suitable barriers.

47. Any outside areas to be demarked by physical barriers or similar with clear signs displayed to instruct patrons that vessels must not be taken outside said area.
48. The premises must only operate as a restaurant:
- in which customers are seated at a table
 - which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non-disposable crockery
 - which do not provide any take away service of food or drink for immediate consumption, and where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals
49. The supply of alcohol to customers must be by waiter or waitress service only.
50. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

Prevention of Public Nuisance

1. Prominent, clear and legible notices must be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
2. The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause disturbance to local residents. A written record shall be made of these assessments in a log book. This record must be kept on the premises and made available for inspection by a responsible authority on reasonable request.
3. All external doors and windows shall be kept closed when regulated entertainment is being provided, except for access and egress and in the event of an emergency.
4. The beer garden / outside area is not to be used/occupied after (x) hours daily.
5. There will be no external loud speakers.
6. The Premises Licence holder / Designated Premises Supervisor will adopt a "cooling down" period where music volume is reduced (insert minutes) before the closing time of the premises.
7. At an appropriate time before closing time, announcements shall be made reminding customers to leave quietly.
8. Where the premises provide food to the public for consumption off the premises, there shall be provided at or near the exits, (insert number) waste bins to enable the disposal of waste food, food containers, wrappings etc.
9. Where the premises provide food for consumption off the premises, the public area immediately surrounding the premises shall be cleared of waste food, food containers, wrapping etc. at the end of trading on each day. Such refuse shall be placed in a container designed for the storage and disposal of refuse and waste foods.
10. The Premises Licence holder / Designated Premises Supervisor will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.
11. Outside areas and activity must cease and be cleared at (time).
12. The beer garden / outside area(s) is not to be used/occupied after (time) hours daily.
13. With the exception of smokers, the outside area shall not be used by customers after (time).
14. Drinks shall not be permitted to be consumed in the outside area after (time).

15. In relation to the (specified function room) there shall be no admission after (midnight) other than to (1) residents of the hotel and their bona fide guests, or (2) persons attending a pre-booked function.
16. Licensable activities at events in the (specified function room) shall only be provided at pre-booked ticketed events.
17. Customers shall not enter or leave the premises from / by (insert specific entrances or exits), except in the event of an emergency.
18. The licence holder (or his/her nominees) shall ensure that exits are manned at closing time to ensure that patrons leave the area quickly and as quietly as possible.
19. The licence holder (or his/her nominees) shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
20. There shall be no admittance or re-admittance to the premises after (time) except for patrons permitted to temporarily leave the premises to smoke.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (number) persons at any one time.
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
23. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as (specify location).
24. Clear and legible notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
25. All outside tables and chairs shall be prohibited from use after (time) each day.
26. All tables and chairs shall be removed from the outside area by (time) each day.
27. No external seating shall be provided at the premises.
28. All external doors and windows shall be kept closed after (time) hours, or at any time when regulated entertainment is being provided, except for the immediate access and egress of persons or in the event of an emergency.
29. Staff shall check prior to the commencement of regulated entertainment, and periodically during regulated entertainment that all windows and doors are shut.
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the local authority's Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Service. No additional sound generating equipment for the purposes of providing regulated entertainment shall be used on the premises without being routed through the sound limiter device.
33. A sound limiting device shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of Warwick District Council's Environmental Health service to ensure that no noise nuisance is caused to local residents. The limiter shall not be altered without prior agreement with the Environmental Health Service.
34. No regulated entertainment shall take place in the outdoor areas at any time.
35. The provision of live music shall be limited to no more than two performers.
36. All outdoor entertainment shall be unamplified.
37. Suitable means of ventilation shall be provided and maintained at the premises to enable doors and windows to be closed whilst regulated entertainment is being provided.
38. Where the premises provide food to the public for consumption off the premises, there shall be provided at or near the exits, (insert number) waste bins to enable the disposal of waste food, food containers, wrappings etc.
39. The Premises Licence holder (or his/her nominees) will ensure that litter arising from people using the premises is cleared away daily and that promotional materials such as flyers do not create litter.
40. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (time) hours and (time) hours on the following day.
41. During the hours of operation of the premises, the licence holder (or his/her nominees) shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

42. No collections of waste or recycling materials (including bottles) from the premises shall take place between (time) and (time) on the following day.
43. No deliveries to the premises shall take place between (time) and (time) on the following day.

Public Safety

1. A designated room, space or location to be provided within the premises to create a safe environment which is monitored by a trained and DBS checked member of staff or volunteer.
2. All doors/gates through which persons may have to pass whilst making their way from the premises shall be readily and easily openable from within without the use of a key, code, card etc.
3. Once a licence has been granted a Fire Risk Assessment is to be kept on the premises and be available for inspection by an authorised officer.
4. The premises should be provided with a means for raising the alarm in the event of fire.
5. Staff should be aware of the siting of extinguishers, of their correct method of operation and know which equipment is appropriate for a particular fire. The equipment should be so placed as to be readily available for use. At least one appliance should be placed at or near to the exit from a floor and, where extinguishers are provided for special risks, as far as practical be sited close to the risk for immediate use.
6. There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.
7. At all times when the public are present, at least one person who holds a current recognised first aid certificate or award shall be present on the premises. Where more than one such person is present, their duties shall be clearly defined.
8. The premises licence holder shall develop and operate a procedure for dealing with unwell members of the public including those who appear to be affected by alcohol and drugs. Staff will be appropriately trained in such procedures.
9. The maximum number of persons allowed in the premises shall be (insert numbers, areas and occasions).
10. A person who is responsible for the management of the premises shall at all times be aware of the number of persons on the premises and shall if required to do so, give that information to an authorised person.
11. At all times door supervisors on duty, numbers or persons inside the venue shall be recorded by way of a clicker system or similar, and shall if required to do so, give that information to an authorised person.
12. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
13. The Premises Licence holder / Designated Premises Supervision must develop and operate a policy which ensures the safe evacuation of disabled people in the event of an emergency. All staff shall be made aware of these arrangements.

14. Staff or attendants shall be readily identifiable to members of the public.

Protection of Children from Harm

1. Signage to be displayed around the premises in prominent places informing both staff and customers of the 'Challenge 25' policy.
2. Challenge 25 policy promoted on business website.
3. A notice(s) shall be displayed in and at the entrance to the premises where they can be clearly seen, indicating that there is a "Challenge 25" policy in place at the premises.
4. A prompt or reminder to staff, at the point of sale, to consider whether a sale or challenge is to be made.
5. All deliveries of alcohol must be made by a person over the age of 18 years.
6. Delivery: ID checks by courier at the point of delivery in line with Challenge 25 age verification policy.
7. No person under the age of 18 shall be permitted access to the premises when entertainment of an adult nature is taking place.
8. No person under the age of (insert age) shall be permitted to remain on the premises after (insert hours).
9. Under 18's events will not take place without prior consultation with the Police and Licensing Authority.
10. Under 18's events will not take place at the premises.
11. No persons under the age of 18 years will be allowed on the premises after (time) unless accompanied by a responsible adult of 18 years or above and with the express permission and knowledge of the DPS or someone acting under their authority.
12. The premises will operate a "Challenge 25" proof of age policy.
13. The premises is to maintain a refusals book/record to record the details of incidents where a member of staff has refused to sell alcohol to a person suspected of being under the age of 18. The Premises Licence holder / Designated Premises Supervisor or nominated representative shall regularly monitor the book make a record of these checks. The book must be made available to a Police Constable/Authorised Officers of the Licensing Authority on request.
14. Any person who is authorised to sell alcohol at the premises will be provided with training on first appointment and on a regular basis thereafter. Training will include information on how to prevent underage sales and any other relevant matters. A written record will be kept of all training provided and this record will be kept on the premises for inspection by any Responsible Authority.

15. No persons under the age of 18 years to operate the self-serve pumps at any time.

The above are generic conditions that applicants may wish to include within their application to speed up any discussions with the relevant responsible authorities. The use of these conditions does not guarantee the granting of a premises licence. Each application will be assessed on its own merits and in the context of its location and potential to impact on the licensing objectives. Additional conditions, or amendments to these model conditions, may be necessary in order to uphold the four licensing objectives. These model conditions are not exhaustive and do not prevent you from volunteering any alternative measures that you believe are more appropriate for your particular premises.

Applicants will also need to consider whether their premises falls with any designated cumulative impact zones (CIZ) as higher standards will be applied.

For premises licences relating to outdoor music events, festivals, etc. applicants are encouraged to read the guidance provided by Warwick District Council's Safety Advisory Group (SAG) for information on planning their events. This can be found at: www.warwickdc.gov.uk/safetyadvisorygroup

APPENDIX 2 – LIST OF RESPONSIBLE AUTHORITIES

POLICE:

Chief Officer of Police
Warwickshire Police Licensing Team
Warwickshire Justice Centre Leamington Spa
Newbold Terrace
Leamington Spa
Warwickshire
CV32 4EL

Tel: 01926 484226

Email: southwarksliquorlicensing@warwickshire.pnn.police.uk

FIRE AUTHORITY:

County Fire Officer
Warwickshire Fire & Rescue Service
Warwick Street
Leamington Spa
CV32 5LH

Tel: 01926 423231

Email: firesafety@warwickshire.gov.uk

ENFORCEMENT AGENCIES FOR HEALTH AND SAFETY:

Regulatory Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456707

Email: ehsafety@warwickdc.gov.uk

HEALTH AND SAFETY EXECUTIVE –**Birmingham Office**

19 Ridgeway
9 Quinton Business Park
Quinton
Birmingham
B32 1AL

AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:

Safer Communities Manager
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456714

Email: ehpollution@warwickdc.gov.uk

THE LICENSING AUTHORITY:

Licensing Team
Health and Community Protection
Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456705

Email: Licensing@warwickdc.gov.uk

AUTHORITY RESPONSIBLE FOR PLANNING:

Manager, Development Services

Warwick District Council
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ

Tel: 01926 456541

Email: gary.fisher@warwickdc.gov.uk

BODY RESPONSIBLE FOR THE PROTECTION OF CHILDREN FROM HARM:

Strategic Commissioning People Group
Building 2, Saltisford Office Park
Ansell Way
Warwick
CV34 4UL

Tel: 01926 410410

E-mail: licenseapplications@warwickshire.gov.uk

WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):

Divisional Trading Standards Officer
Warwickshire Trading Standards
Old Budbrooke Road
Warwick
CV35 7DP

Tel: 01926 414040

Email: tradingstandards@warwickshire.gov.uk

NATIONAL HEALTH SERVICE/PUBLIC HEALTH:

Public Health Department (Licensing)
NHS Warwickshire/Warwickshire County Council
PO Box 43 – Shire Hall
Warwick

CV34 4SX

Email: phadmin@warwickshire.gov.uk

Emma Dudgeon

From: Nigel Connor <NConnor@jdwetherspoon.co.uk>
Sent: 13 October 2022 12:29
To: Stacey Walsham
Cc: Licensing; Barbara Morrice
Subject: New Premises Licence Application - 18-24 The Square, Kenilworth
Attachments: 1. Code of Conduct for Responsible Retailing - May 2022.pdf

Categories: Emma

Caution: This is an external email. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk

Dear Ms.Walsham

Thank you for our comments in respect of the above application and our apologies for the delay in engaging with you.

Dealing with your concerns in turn , I comment as follows:

*There are flats above the adjoining premises on both sides, across the road and residences to the rear.
With the information that is available on the Licence Application, we foresee potential nuisance to neighbours:-*

In connection with the late night refreshment

- *noise of kitchen ventilation plant*
- *noise through the party wall to adjoining premises.*

Note that our kitchens close at 2300 and there will be no food preparation after that time.

The provision of late night refreshment after 2300 will solely be to allow hot drinks which are dispensed from front of house machines and not the kitchen.

I am reluctant to overstep into matters regarding the suitability of the premises themselves for the proposed use rather than their actual operation by Wetherspoon which are perhaps more properly reserved for planning. I understand that a revised application has been lodged which includes an acoustic report which addresses the plant ventilation point in appendix D.

In respect of the party wall issue, I am informed by the premises architects that we intend to provide Sounbloc acoustic plasterboard fixed back to proprietary resilient bars with 100mm acoustic insulation between metal studs fixed back to the affected party wall structure

In connection with of the sale of alcohol

- *noise arising from customers inside the premises, through the party wall to adjacent flats*

Please see above. We of course do not play music which will reduce the risk of sound transmission.

- *noise of customers drinking/smoking outside the premises at night*

We have proposed a condition which precludes use of any outside area between 2100 and 0700 which addresses this point to an extent.

The condition does not preclude smokers from using the street area for smoking but we will ensure that they are monitored and if causing disturbance asked to desist . We will provide signage asking customers to be considerate of neighbours whilst outside and whilst leaving the premises and would be happy to condition its requirement if you felt it necessary.

- *noise of customers entering and leaving the premises late at night.*

To an extent the proposed hours of operation which we believe are those based on the original planning application do limit the risk of late night noise but even within these times we acknowledge the need to ensure that customer disturbance of neighbours is reduced as far as possible.

We have agreed a number of condition with Warwickshire Police as to the effective management of customers on the premises which will encourage good behaviour off them and these are set out below.

1. All front of house staff to be trained in the prevention of underage sales. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers to a level commensurate with their duties. Training completion records shall be retained for a period of 12 months and shall be available for inspection on request by an authorised officer of the Licensing Authority or an officer of the Police.

2. A Challenge 25 scheme shall be adopted and implemented which will require that any customer that appears under the age of 25 is requested to provide acceptable photographic proof of age establishing they are 18 or over before the sale of alcohol to them. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include, but not be limited to, PASS approved proof of age card, photo-card driving licence and passport. Challenge 25 point of sale material shall be displayed within the premises. Refusals under the scheme shall be recorded and records maintained for a period of 12 months and made available to the Police or an authorised officer of the Licensing Authority on request.

3. An incident recording system must be maintained at the premises, records from which shall be persevered for 12 months and made immediately available on request to the Police or an authorised officer of the Licensing Authority , which must record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any visit by a relevant authority or emergency service.

4. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Warwickshire Police for appropriate disposal.

5. The premises to use door staff as appropriate and at necessary times on the basis of regular operational risk assessments and all door staff employed to be on duty no later than 21:00. The premises supervisor will continue to liaise with Police in respect of door staff requirements and take into account their views in the formulation of any risk assessment.

6. The premises licence holder shall ensure that CCTV is installed and maintained to the satisfaction of the Police and Licensing Authority. Images from the CCTV system shall be preserved for a minimum 31 day period . There shall

be sufficient members of trained staff available during the hours of operation of the premises to be able to download evidence at the request of the Police or an Authorised Officer of the Council.

7. In the event of a system malfunction, the Licence holder or a nominated person must as soon as practically possible notify the Licensing Authority and Warwickshire Police Licensing Department. Details of such malfunction must be recorded in the premises incident book.

We also tend to find that our premises are rarely if ever , anywhere peak occupancy at close of business. They are busier earlier in the evening around 1900 to 2130 for food and thereafter there is a gradual drift away of customers either home or to later opening venues which provide entertainment.

Provision of door staff will be by way of risk assessment but when on duty , they will assist in the dispersal of customers away from the premises.

I attach for your information , a copy of our Code of Conduct for Responsible Retailing which sets out how we promote the licensing objectives which you may find of interest.

I am on leave for the next two days but will be happy to discuss with you further on my return next week.

Yours sincerely

Nigel Connor
Legal Director and Company Secretary
JD Wetherspoon PLC
07818 232529

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J D Wetherspoon plc

CODE OF CONDUCT FOR RESPONSIBLE RETAILING
– ENGLAND, SCOTLAND AND WALES

Updated May 2022

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Overview

J D Wetherspoon ('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 our customers can enjoy the wide range of facilities which we offer. The implemented procedures, the result of careful consideration by our experienced team of directors, managers and professional advisers, are subject to constant review and improvement.

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

Wetherspoon was the first company to develop a code of conduct for responsible retailing. It sets out the operational procedures which we, as a company, have put in place to ensure that we are actively promoting the four licensing objectives in England and Wales:

1. prevention of crime and disorder
2. public safety
3. prevention of public nuisance
4. protection of children from harm

..and the five licensing objectives in Scotland:

1. preventing crime and disorder
2. securing public safety
3. preventing public nuisance
4. protecting and improving public health
5. protecting 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. To ensure that it reflects best practice, the code, developed in April 2004 and last updated in May 2022, is regularly reviewed as a result of our experience in dealing with local authorities, police forces and various other statutory bodies.

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

Our approach has always been to work closely with statutory authorities and local residents to ensure the licensing objectives' active promotion. We appreciate that the success of the licensing régime depends on the continuation of strong partnerships among the licensed trade, responsible authorities and local communities.

1 Prevention of crime and disorder

1.1 Food

- 1.1.1 The provision of good-quality food at reasonable prices is at the core of our business. A breakfast menu is available in our premises from opening until 11.30am, with the full menu until 11pm (where permitted), seven days a week.
- 1.1.2 Food has become an increasingly important element of our operation, in particular since the introduction of the smoking ban. Our experience is that a smoke-free pub provides a much more conducive atmosphere in which to eat, especially for families with children. Food and soft drinks account for over 45% of the total sales across all pubs. Taking account of 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 opens at 8am, with some even earlier to cater for customers who want to join us for breakfast. We pioneered the availability of breakfasts across all of our pubs. Weekly, we sell over 700,000 breakfast items and over one million hot drinks, including Lavazza coffee, tea and hot chocolate.
- 1.1.4 Curry Club® and Steak Club® are available in all pubs. These promotions are typical of our approach to responsible drinks retailing, where we link drinks promotions with the sale of affordable food. In addition, most of our main meals on the menu now include a drink. Customers are offered a drink included with their meal and can choose any drink within the selected range. Those choosing a non-alcoholic drink are charged a lower price.
- 1.1.5 We always use high-quality ingredients and increasingly offer regional dishes and UK-sourced products. For example, we use free-range eggs with the British Lion quality mark from the United Kingdom, cod and haddock from Marine Stewardship Council-approved fishing grounds, 100% British and Irish beef, 100% British and Irish pork sausages, 100% British chips, 100% Rainforest Alliance-certified coffee and tea and 100% Fairtrade sugar sticks.
- 1.1.6 Our award-winning children's menu is available in all pubs. Several of the children's meals use only organic ingredients. There are no preservatives, added sugar, artificial colours or flavours in any of children's menu's meals. All meals come with fresh fruit, as well as milk, orange juice drink or water as the drink options. We provide nutritional information about the meals offered on the children's menu to help parents to make informed choices about what their children are eating.

1.2 Responsible drinks retailing

- 1.2.1 Wetherspoon takes extremely seriously the issue of responsible drinks retailing. We understand that we are in the business of selling alcohol, yet strive to operate in such a way that we create a safe and welcoming atmosphere which encourages people to behave well and consume alcohol in a responsible fashion. We work closely with the statutory authorities to ensure that any local initiatives designed to achieve these goals are fully supported by our pubs. We look for new ways to ensure that the facilities and promotions offered in our pubs do not encourage the excessive consumption of alcohol, along with its associated health harms and antisocial behaviour.

- 1.2.2 The provision of food for a high percentage of 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 alcohol's absorption into the blood stream. We encourage adults to drink in moderation and to enjoy alcoholic beverages in a sensible manner by monitoring drinks ordered and being served to customers.
- 1.2.3 We do not engage in irresponsible drinks promotions. We do not offer all-inclusive promotions, where customers can drink unlimited amounts for a set fee. Also, we do not offer promotions enticing customers with free alcoholic drinks, such as buy-one-get-one-free promotions. The majority of drinks promotions forms part of our food promotions.
- 1.2.4 We sell a wide range of soft drinks, fruit juices, tea and coffee. Where drinks form part of a promotion, we always offer a range of drinks including ones of different alcoholic strengths, soft drinks, tea and coffee. The mandatory condition requiring the provision of small measures is fully complied with. We ensure that low-alcohol and non-alcoholic beverages, reasonably priced, are prominently advertised on our 'table talker' menus and app.
- 1.2.5 We concentrate on the provision of cask-conditioned beers and sell more than any other pub company. There are 242 Wetherspoon pubs listed in CAMRA's publication The Good Beer Guide 2021 [2020: 248 pubs] - a larger proportion, we believe, than any other substantial pub company. Throughout the year, we run national and regional ale festivals showcasing local microbrewers, as well as larger provincial brewers. There are 867 pubs (99%) accredited by Cask Marque for the quality and consistency of the real ales which they serve. Real ale typically attracts a broader, often older, cross-section of customers. This broad customer base creates a pub atmosphere which 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 500,000 copies, with an estimated readership of over 2 million (four readers per copy). Wetherspoon News is distributed nationally in all pubs, hotels, the company's head office and via the Wetherspoon app and website. It is provided free of charge to customers. The magazine is an invaluable method of communicating responsible retailing messages to our customers. We also devote a proportion of this publication to recognising and highlighting those staff who have worked hard to promote responsible retailing and sensible drinking messages in their pubs. In addition, we encourage charities such as the Drinkaware Trust and National Pubwatch to contribute articles and information.
- 1.2.7 We recognise the importance of informing customers about the alcoholic strength of products and unit measurements. All drinks menus and marketing information display the ABV content for all draught ales, lagers, spirits and bottled beers and ciders. Since October 2014, drinks menus also display the unit alcohol content per drink, making us the first major pub company to provide this information.
- 1.2.8 We adopt a socially responsible approach to marketing. We ensure that low-alcohol and/or non-alcoholic beverages are prominently advertised alongside alcoholic alternatives.

1.3 Price structure

- 1.3.1 Wetherspoon offers competitive prices across the full range of products and not just alcoholic drinks. This approach has always been an attractive part of our offer from the customer's point of view. In our view, customer behaviour is influenced primarily by strong management, highly trained staff and a robust approach to responsible drinks retailing, rather than by the pricing of alcoholic products. We do keep under review, however, the pricing structure of our alcoholic and non-alcoholic products – ensuring that we are encouraging sensible drinking... at all times.
- 1.3.2 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.
- 1.3.3 In Scotland, all promotions are in accordance with the mandatory conditions of the Licensing (Scotland) Act 2005.

1.4 Highly trained staff

- 1.4.1 The company has a very strong culture of thorough induction training and ongoing refresher training, including e-learning and other interactive methods. Training is provided for all employees, regardless of their role, age or hours of work. It is widely recognised that the level and quality of staff training are a significant factor in controlling customers' behaviour on licensed premises. Our employees are extensively trained on their obligations under licensing law, particularly the legal requirement not to serve drunks and the restrictions of the sale and consumption of alcohol to, and by, persons aged under 18 years.
- 1.4.2 Our training systems have been consistently praised by employees and by the industry, including the receipt of numerous awards.
- 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 carried out primarily on site by management personnel, coupled with online training modules.
- 1.4.4 An essential element in having well-trained staff is our ability to retain our employees. Turnover of pub managers is less than half the industry average. Moreover, the majority of all management employees began with Wetherspoon as an hourly paid employee 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 five years.
- 1.4.5 The quality of our training, recruitment and employment practices has been recognised by Wetherspoon being awarded (in 2020) Top Employer in the United Kingdom – now for 17 consecutive years.

1.5 Management structure

- 1.5.1 The pub management structure is designed to encourage responsible customer behaviour. Each pub has, on average, eight managers, with most of these holding personal licence qualifications or working towards them. There is always at least one manager, usually at least two, on duty in every pub throughout trading hours; at peak times, there will be designated managers supervising the bar and 'walking the floor'.

- 1.5.2 Pub managers are supported by an area manager who reports, in turn, to a regional or general manager. The operations director maintains regular contact with management at all levels. This management structure ensures that any employees who have a question or require further support can ask for assistance immediately from their management team. Area managers look after an average of 12 pubs each – this is lower, on average, when compared with area managers in competitors' pub companies.

1.6 Preventing drunkenness and disorderly behaviour

- 1.6.1 Several steps have been taken to ensure that the facilities and promotions offered in pubs do not encourage the excessive consumption of alcohol. All employees are provided with thorough induction training and refresher training on the 'Don't Do Drunk' policy. This policy is designed to ensure that alcohol is not served to anyone who is, or appears to be, drunk or to anyone trying to purchase alcohol on their behalf. Employees are trained to assess continually the state of sobriety of any customer purchasing alcoholic drinks or consuming alcohol on the premises. As part of this training, employees are advised that, if they feel uncomfortable dealing with a situation, they must notify the pub manager and ask for assistance. Management teams are trained to support the decision of any employee not to serve a customer who appears to be drunk or disorderly.

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 provided by enforcement authorities, customers and company representatives. Adherence to the 'Don't Do Drunk' policy is closely monitored through regular visits to pubs at any time during trading hours by area managers, head-office managers and independent 'mystery' visitors.

- 1.6.2 All employees are trained to notify the pub manager immediately if any customer becomes insulting, threatening or aggressive. If such disorderly behaviour does occur on our premises, the pub management team will take immediate action to diffuse the situation. If the individual refuses to leave the premises then, if necessary, the police will be called to assist in the ejection. Customers may also be barred to prevent further incidents occurring, in accordance with the company barring policy. A barring is recorded in the barring log/folder and stored securely in the locked office.
- 1.6.3 Details of disorderly/banned customers are circulated to other licensed venues via Pubwatch (or similar local partnership scheme). We will always support 'Banned from One – Banned from All', or similar initiatives, which seek to ensure a consistent approach by licensed premises in a town, or city, to refuse entry to anyone included on Pubwatch's 'banned list'.

1.7 Zero tolerance to drug use

- 1.7.1 Wetherspoon operates a zero-tolerance policy towards drug use and will take whatever measures are necessary to ensure this policy's active promotion. In particular, we co-operate with the police to ensure, if a risk has been identified, that appropriate action is taken and that, where discovered, illegal substances are confiscated, securely stored and handed to the police, in accordance with the police protocol.
- 1.7.2 Where a search policy is in place, customers are advised that this is a voluntary procedure and that they have the right to decline this condition of entry. If customers decline, and our door staff or employees remain concerned that they are in possession of illegal substances, the customers will be refused entry.

- 1.7.3 Employees are expected to be vigilant to prevent drug use from occurring, with training provided on how to deal with such issues, should they arise. Additional site-specific training, offered and arranged by the local police, will always be accommodated.
- 1.7.4 Toilet checks are completed by employees at least once an hour during trading hours – and more frequently during peak trading hours. These checks assess and rectify any cleanliness issues and also help to ensure that no illegal activities take place in these areas.

1.8 CCTV

- 1.8.1 CCTV has proven an active deterrent for antisocial behaviour and is provided throughout the premises. All pubs and hotels are fitted with digital equipment, with camera locations selected, whenever possible, in conjunction with the local police crime prevention officer. CCTV is also installed in the communal areas of some toilets and hotels, for the prevention of crime and disorder.
- 1.8.2 Pub management is trained in the use of the CCTV system, so that, immediately following an incident, a trained staff member is available to replay footage, download material and make available, on request, to the statutory authorities.
- 1.8.3 All CCTV footage will be retained for a period of at least 31 days and is compliant with the Data Protection Act 2018/GDPR.
- 1.8.4 Pub management and other supervisory staff (including door staff) wear body cameras ('body cams') and carry radios, while working in customer areas. A body camera is worn at all times and manually switched on by the staff member wearing it. Body cameras record audio and visual images and are connected to the pub's main CCTV system.

1.9 Door staff

- 1.9.1 Most of our premises operate successfully without the need for door supervisors. We risk assess continually the need to provide door supervision and are willing to follow any reasonable police recommendations to engage door supervisors, where 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, whose 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. Door staff are expected to:
- meet the same standards of service and behaviour as employees.
 - give customers confidence in their ability, and in the company, to create a safe environment.
 - behave in an appropriate manner in any situation in which customers are rude, aggressive, violent.
 - know how, when deemed necessary, to use proportionate force in controlling a situation.
 - be registered and in possession of a valid SIA badge.

1.10 Toughened glassware and polycarbonates

- 1.10.1 Wetherspoon is committed to working with the police and other authorities to improve industry standards for customer safety in licensed premises and, in particular, reduce the risk of glass-related injuries.
- 1.10.2 We aim to eradicate glass-related incidents 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, glassware used is toughened glass. This glass, if broken, tends to break into very small pieces, thereby reducing the possibility of being used as a weapon. Employees are trained to ensure, when customers leave our premises, that they do not take glassware or bottles with them. They are also tasked to ensure that empty drinking vessels are cleared away promptly to reduce the risk of breakages and theft. Most importantly, in most pubs, food is available from 8am, or even 7am, to 11pm. As a result, the pubs attract a broader range of age groups and types of clientele – a significant factor in reducing the potential for alcohol-related violence and antisocial behaviour, which can result in injury.
- 1.10.3 We will consider, on a premises-by-premises basis, whether polycarbonates should be introduced. When problems have been identified with a particular pub, or location, we accept that this approach may assist in addressing those problems. Similarly, there may be specific occasions when a temporary use of polycarbonates is appropriate, eg on match days in premises situated close to major sporting grounds. The use of polycarbonates is a very delicate balancing exercise between our desire to work with the authorities to reduce the risk of glass-related injury and the need to promote customer and staff safety, while, at the same time, accommodating and respecting customers' expectations.

1.11 Pubwatch and Best Bar None (BBN)

- 1.11.1 Wetherspoon is a member of the National Pubwatch organisation and a senior company representative on the National Pubwatch committee, the only national pub company to be such. We also support National Pubwatch financially via an annual contribution and one-off funding for particular projects, such as the annual awards ceremony to celebrate the success and contribution of National Pubwatch throughout the year in the community.
- 1.11.2 National Pubwatch is an entirely voluntary organisation, set up to support local pubwatch schemes and encourage the creation of new schemes. The organisation aims to achieve safe, secure and responsible social drinking environments in all licensed premises throughout the United Kingdom and to help to reduce alcohol-related crime.
- 1.11.3 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. Support can include 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.
- 1.11.4 We 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, providing radio contact with other licensed operators and with the town centre's CCTV operators.

- 1.11.5 We provide national support for the BBN award scheme. This UK-wide scheme, backed by the Home Office, was piloted in Manchester in 2003 and has since been adopted by over 100 other towns and cities. BBN 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's pubs have won BBN numerous awards throughout the United Kingdom.
- 1.11.6 We also actively back other partnership-based initiatives to promote safe, vibrant and welcoming economies, such as Business Improvement Districts (BIDs) and Purple Flag schemes.

1.12 Drinkaware

- 1.12.1 Wetherspoon was a founding supporter of the Drinkaware Trust ('the Trust'). We support its strategic aim, namely, to change the United Kingdom's drinking culture in order to help to reduce alcohol misuse and alcohol-related harms, and communicate its sensible drinking messages within pubs and online. We also provide a significant annual subscription to fund the Trust.
- 1.12.2 We promote the Trust by including a reference to its website [www.drinkaware.co.uk] on alcohol-related point-of-sale and marketing materials. A link to its website, recognised as the leading public source of information on sensible drinking behaviour, is provided on the company's website. The link also features routinely in the header of the 'responsible drinking' section of Wetherspoon News. The Trust is offered free advertising in Wetherspoon News to support its campaigns.

1.13 Zero tolerance of harassment, sexual harassment and racial harassment

- 1.13.1 Wetherspoon operates a zero-tolerance approach to any form of harassment in the workplace, including from customers. Antisexual harassment awareness training is mandatory for all directors, senior management, head office staff, area managers and pub managers.
- 1.13.2 The following measures are implemented:
- customer 'zero tolerance' poster displayed front of house in all pubs and hotel receptions.
 - 'Ask Angela' and 'Safe Spaces' schemes are promoted in all pubs/hotels.
 - barring policy and barring log, used in all pubs/hotels.
 - antiharassment and antisexual harassment risk assessment is in place in all pubs.
 - vulnerability training is completed by all pub management.
 - child sexual exploitation (CSE) training is completed by all staff in hotels and in pubs adjoining hotels.

2 Public safety

2.1 High-quality design

- 2.1.1 Wetherspoon works closely with planning officers, listed building specialists and, where appropriate, English Heritage and Scottish Heritage to ensure that each new pub is designed and built to the highest specification. We aim to provide comfortable and efficient dining facilities and accessible customer areas suitable for all types of customer.
- 2.1.2 Customer areas are designed aesthetically, with surfaces carefully chosen to ensure safety. Most of our premises are spacious, allowing us to provide ample seating space which, in turn, prevents overcrowding and creates a safer and more welcoming atmosphere. All floor-coverings are assessed for suitability and are slip resistant, to minimise slips and trips. The sanitary accommodation comprises ceramic tiles and either quarry tile flooring or non-slip flooring, similar to that of the kitchen and behind the bar. Again, when choosing flooring, consideration is given to maximising slip resistance.
- 2.1.3 We operate the 'Ask for Angela' initiative in all of our pubs/hotels, whereby customers who feel unsafe, vulnerable or threatened can approach a staff member and ask to speak to Angela. Staff are trained to look after the individual(s) and assist, where possible. This may include calling a taxi, contacting friends/family, offering a safe place away from an individual(s) and/or calling the police. As a company, we continue to monitor incidents of this nature because of the importance of safety.

2.2 Fully accessible facilities

- 2.2.1 We aim to make all new developments as accessible to all as is possible, within the constraints of the building. Every pub and hotel has been risk assessed in accordance with the Equality Act 2010, with measures implemented as necessary.
- 2.2.1 Wetherspoon is highly respected by consumer and enforcement bodies interested in the provision of services and facilities for those with disabilities. Significant emphasis is placed on designing premises which will provide easy access to toilet facilities and also, where required, lifts for customers with disabilities.
- 2.2.2 All new buildings meet the requirements of Part M of the Building Regulations 2016.

2.3 Electrical and gas safety

- 2.3.1 All electrical systems are installed in accordance with Part P Building Regulations and are under the supervision of an electrical services consultant. The company follows good electrical practice guidance and ensures that all equipment is maintained in a safe condition, in accordance with the Electricity at Work Regulations 1989.
- 2.3.2 All gas appliances are installed by Gas Safe-registered engineers and maintained, thereafter, within a planned maintenance scheme.
- 2.3.3 Electrical safety procedures form part of our overall health and safety management system.

2.4 Health and safety

- 2.4.1 All pub management staff and associates are trained in 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 of every pub. Detailed procedures, in respect of safe working practices, are contained in the health and safety policy, available to all employees.
- 2.4.3 Regular audits, often unannounced, of all pubs are carried out by senior managers and the audit department.
- 2.4.4 An extensive accident- and incident-reporting and -monitoring system is in place, with all accidents and incidents reported to the audit department. Records of the types of accident are collated using computer software. Accidents are investigated, where necessary, with RIDDOR reporting undertaken.
- 2.4.5 The company has a wide range of standard operating procedures (SOPs), acting as a how-to guide for employees, to ensure that our policies and procedures are easily understood and implemented. Several written SOPs are also supported by video SOPs, demonstrating the practical task at hand. These can be searched for and viewed on the employee app or accessed directly by scanning a QR code adjacent to the relevant equipment.
- 2.4.6 We work closely with our primary authority partner (PAP), Reading Borough Council, across all relevant areas, to ensure that best practice is implemented and maintained.
- 2.4.7 We are the highest-scoring pub company in the Food Standards Agency-maintained food hygiene Scores on the Doors scheme. As of February 2022, 98.47% of our pubs had the maximum five-star rating, with the average rating across all pubs in England and Wales being 4.98. In Scotland, which operates a 'pass/fail' system, all 65 pubs have achieved a 'pass' rating.

2.5 Fire safety

- 2.5.1 All of Wetherspoon's premises in England and Wales comply with the terms of the Regulatory Reform (Fire Safety) Order 2005 and the Fire (Scotland) Act 2005 in Scotland. We engage independent consultants to conduct regular fire risk assessments, focusing on the safety of all relevant people in situations of fire. We identify and define the nature and extent of both the fire precautions which must be implemented to protect against fire and the inherent risks remaining, taking steps to remove or reduce those risks, where appropriate.
- 2.5.2 All employees are trained in basic fire safety, with regular refresher training undertaken. Daily, weekly and monthly logs of fire safety checks are kept, with all fire protection/precaution systems regularly maintained.

3 Prevention of public nuisance

3.1 Dispersal policy

- 3.1.1 A poorly managed pub can be a potential source of nuisance, antisocial behaviour and crime which may create concern for the immediate neighbourhood, its residents and the authorities. Wetherspoon places great importance on ensuring that our premises do not have a negative impact. We accept that our responsibilities do not end at our front door and that, by operating a well-managed pub throughout the time for which we trade, we can help to deliver a quieter, safer environment in the immediate vicinity of our premises.
- 3.1.2 We implement a dispersal policy through which we manage customers leaving the premises. The policy allows us to reduce any pressure on the authorities at the end of trading, ease customers' passage home and minimise the likelihood of local residents being disturbed. The vast majority of our pubs does not play music, so there is a natural and gradual dispersal throughout the evening. The key factors of the dispersal policy are:
- Where music is played, music levels are reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers. Our experience is that customers tend to leave more quietly because, immediately before leaving the premises, they have not been having to raise their voice against a background of loud music.
 - Wherever possible, lighting levels 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, staff encourage customers actively not to congregate outside the venue, directing customers to the nearest taxi ranks or other transportation away from the area and ensuring the removal of all bottles and glasses from departing customers.
 - Managers will speak to any groups which congregate after closing time in the vicinity of the premises, asking them to move on.
 - A minimum of 30 minutes' drinking-up time at the end of the evening is incorporated in the premises licence as an aid to the gradual dispersal of all customers from the premises.
 - There is a strong management and staff presence in the customer area and at all exit points during the dispersal period.
 - Signage is routinely placed at exits, asking customers to respect the rights of our neighbours to the quiet enjoyment of their homes.
 - Where deemed appropriate, we can provide customers with site-specific information about getting home safely. Where customers require individual assistance in obtaining safe transport from our premises, we do whatever is reasonably possible to help, eg providing details of bus routes or contacting taxi/private hire operators on their behalf.

3.2 Liaison with neighbours

- 3.2.1 We attach the utmost importance to the careful investigation and prompt resolution of any complaint made in relation to the day-to-day running of any of our pubs, including the implementation of a 'good neighbour policy'. Some premises, both before opening (during development) and when trading, have residents living above/adjacent to them. We have always emphasised the importance of building close relationships with our neighbours, including residents and local businesses. Pub managers are expected, quickly and effectively, to resolve any complaints from the local community. If they cannot be resolved, these are referred for resolution to the area or general manager.

- 3.2.2 We are always willing to convene meetings with residents. These provide a useful forum for residents to raise any concerns which they may have about our operation and provide our local management teams with an opportunity to become a better neighbour. In areas where residents are nearby, a designated mobile phone number may be provided for them to contact the pub directly in the event of any issues.

3.3 Music and dancing

- 3.3.1 The vast majority of our premises does not have permission to provide regulated entertainment, operating without music of any kind, including background music. Where music is provided, in Lloyds bars, this is from high-quality sound systems, controlled by a central computer or selected DJs, to maintain control over the music's style/volume. Where deemed necessary, sound-limiters will be installed. The sound system allows music to be zoned in each premises, meaning that the music level can be varied in accordance with the use of each area. This ensures that particularly sensitive parts of the premises can be kept quieter. Music levels are reduced towards the end of the evening to assist in the quiet and orderly dispersal of customers.
- 3.3.2 Designated dance floors are generally provided where customer dancing is allowed. To ensure the safety of customers and employees, it is company policy that drinks are not permitted in these areas.
- 3.3.3 All premises are developed to ensure good sound attenuation.

3.4 Standards-monitoring visits (CQSMA)

- 3.4.1 Wetherspoon sets very high operational standards which are maintained through constant supervision and monitoring, using a system of visits to all premises to assess 'cleanliness, quality, service, maintenance and atmosphere' (CQSMA).
- 3.4.2 All senior head-office and operational employees, including directors, are required to undertake 15–60 'mystery visits' to Wetherspoon's pubs and hotels every month. They are required to assess the premises against numerous criteria, from the toilets' cleanliness to the staff's friendliness. In addition, on at least two occasions every month, every single premises is visited and assessed by an independent external company.
- 3.4.3 Every pub/hotel will receive at least five CQSMA visits each month, but many will receive more than this. Any pub assessed as being below standard, in any way, is highlighted and revisited. Monthly bonuses based on the CQSMA results achieved are paid to all employees in the pubs/hotels. Senior head-office and operational managers also work in pubs at certain periods throughout the year.
- 3.4.4 CQSMA-monitoring visits assist in maintaining high standards, yet also allow pubs experiencing operational difficulties to be identified, so that improvements can be made.
- 3.4.5 The CQMSA scheme is the cornerstone of our business with employees, at all levels, trained and incentivised to deliver the highest standards.

3.5 Pavement cafés and outside areas

- 3.5.1 Whatever the scope, size or location of pavement cafés and outside areas, we endeavour to create carefully managed areas which are both sympathetic to the premises and its surrounding environment and, more important, designed to have minimal impact on the public.

- 3.5.2 While each area is developed specifically for the environment which it occupies, we operate all of our outside areas in accordance with the following principles: provision of sufficient furniture to discourage vertical drinking; allocation of staff to ensure that areas are kept clean; empty glassware and bottles regularly removed; a clear pedestrian route (in the case of pavement cafés) always maintained for those walking past the premises.
- 3.5.3 Those outside areas used specifically by smokers are closely managed to prevent any noise or litter nuisance. Areas are equipped with adequate cigarette-disposal bins – these are checked regularly, with any smoking materials discarded on the ground removed. Outside areas are managed to ensure that customers' behaviour does not adversely affect our neighbours or the general public. Outside areas are the pub's equivalent of a shop window – so it is commercially important to us that they create a good impression of our premises.
- 3.5.4 Where possible, external areas are designed so that they can be accessed only from inside the pub, with multiple entry and exit points avoided.
- 3.5.5 We cannot legally prevent customers from smoking on the pavement in front of our premises; however, where alternative smoking areas are available, we will actively encourage their use, either by personal request from a staff member or via signage.

3.6 Preventing odour escaping

- 3.6.1 All premises have independently connected mechanical ventilation systems incorporating fans and ducting which terminate, where applicable, above the level of the eaves.
- 3.6.2 All kitchen extract ventilation passes through grease-eliminating baffles at a rate which reduces the risk of odour nuisance. Kitchen extracts are usually located away from neighbouring properties. Where deemed necessary and subject to site survey, odour-control equipment is installed.
- 3.6.3 As part of planned property maintenance works (PPMs), ventilation systems are regularly checked and cleaned by third-party contractors to prevent issues. This enables us to ensure that all parts are in good working order and that replacement parts ordered/fitted as necessary. Each pub/hotel will have regular PPMs assigned – these are monitored by our dedicated maintenance helpdesk. PPMs and call-outs are raised via Wisdom (our online property maintenance system).

3.7 Refuse collections and deliveries

- 3.7.1 Provision for refuse is made according to premises' limitations. Sometimes, external storage facilities are not available, so an internal store is created. Refuse collection is conducted at frequent intervals via either the local authority contract services or private refuse collection companies.
- 3.7.2 We are conscious of the noise which late-night glass/refuse disposal into external bins can cause; where there are residential properties nearby, to ensure no disturbance, we will voluntarily limit the times of day at which this can take place.
- 3.7.3 We control our distribution network, allowing us to minimise the number of separate deliveries to our premises and dictate the time of those deliveries to minimise any potential noise and/or traffic.
- 3.7.4 Delivery and waste contractors are advised about complying with any planning and/or licensing restrictions. Any issues are raised directly with them, via the pub or head office, to ensure compliance.

4 Protection of children from harm

4.1 Family-friendly environment

- 4.1.1 The limited amount of entertainment provided in most pubs, together with the product range available and an emphasis on drinks such as traditional ales, means that a broad range of age groups is attracted to our pubs. We encourage families to dine with us which, along with our award-winning children's menu, further increases the age and range of customers.
- 4.1.2 Unaccompanied young persons aged 16 and 17 years are welcome in most of our premises, where they may order and consume food and non-alcoholic drinks. We do not permit them to consume alcohol (including non- or low-alcoholic alternatives).
- 4.1.3 Children aged under 16 years are permitted in our premises only if accompanied by a responsible adult. If adults purchasing alcoholic drinks are visiting the pub with children and young people, we operate a 'house rule' which requires them to purchase a meal for each group member.

4.2 Age verification policy

- 4.2.1 In all of our premises, as a minimum, we implement the Challenge 21 age verification policy. Certain premises operate a Challenge 25 age verification policy, either as a premises licence condition or at the request of the authorities. Under this policy, all of our employees are trained to ask any customers who appear to be under the age of 21 years (or 25 years) to provide valid proof of age that they are 18 years or older. We apply this policy to the sale of alcohol and the use of gaming machines.
- 4.2.2 Employees are also trained to be vigilant in ensuring that customers buying drinks at the bar (and/or via the app) are not buying them for underage individuals. Customers ordering an alcoholic drink via the app are required to confirm that they are 18 years or older and advised that refunds will not be provided if, on request, they fail to provide valid ID. This safeguard acts as a deterrent to prevent underage drinking.
- 4.2.3 When employees begin working for Wetherspoon, they receive induction training on our relevant age verification policy – and then regular refresher training via online learning modules. All training records are monitored centrally at head office. Records are reviewed regularly by pub management teams and audit department members to ensure that training is being completed satisfactorily.
- 4.2.4 If any shortcomings are identified, employees are required to undergo further training, until the policy is understood satisfactorily and applied.
- 4.2.5 Age verification policies are promoted within the premises using signs at entrances and back-of-house posters. Every customer who is refused the sale of alcohol, the use of a gaming machine or asked to leave the premises is logged via the 'Refusal' or 'Refused Service' button on the EPOS till system. A separate log is also kept by door staff, if working at the pub.

- 4.2.6 Wetherspoon has adopted the Home Office guidance/industry standards and recognises only the following identification as valid forms of age verification:
- valid passport (any nationality)
 - valid photographic driving licence
 - any 'PASS'-accredited age identification card
 - UK Military ID
 - valid photographic European ID
 - Ireland Age Card (Republic of Ireland only)
 - NI Electoral Identity Card (Northern Ireland only)
- 4.2.7 The company has an exclusive arrangement with CitizenCard (the United Kingdom's leading proof-of-age and ID card), under which any customer who does not possess any proof-of-age has the opportunity to purchase a CitizenCard at half the normal retail price. Pubs also use the CitizenCard app to verify the ID provided.

4.3 Gambling

- 4.3.1 Wetherspoon upholds the principles of the Gambling Act 2005. Employees are trained to adopt a Challenge 21 (or Challenge 25) policy towards the use of licensed premises' gaming machines and to take proactive measures throughout trading hours to prevent children and young people from accessing these machines.

4.4 Compliance with age verification policies

- 4.4.1 We regularly monitor compliance with our age verification policies by engaging with a third-party company to send individuals (aged over 18 years) to visit pubs/hotels unannounced to attempt to purchase alcohol and/or play on the gaming machines. We select pubs at random every month to be visited. On average, 600 visits per year are completed. After the visits, these individuals report to head office to confirm whether their ID was checked. A report is circulated to the company to raise awareness of failed/passed visits, for action to be taken to prevent further failures/to praise passes.

J D Wetherspoon plc

Wetherspoon House, Central Park
Reeds Crescent, Watford, WD24 4QL

01923 477777
jdwetherspoon.com

Emma Dudgeon

From: Nigel Connor <XXXXXXXXXXXX>
Sent: 04 November 2022 12:59
To: Stacey Walsham
Cc: Licensing; Barbara Morrice; Emma Dudgeon; Paulette Samuels
Subject: RE: New Premises Licence Application - 18-24 The Square, Kenilworth

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Dear Ms.Walsham

Many thanks for coming back to me on the above.

I have reviewed the proposed conditions in light of the supporting documentation we have submitted in support of the yet to be determined planning application as it will be helpful for all concerned if the conditions are consistent should the applications be granted.

1. The beer garden only to be used between the hours of 08:00 and 21:00 each day

This is consistent with the hours of use indicated in the Spectrum Planning Noise Impact Assessment. However we do want to provide for an area for smokers after 2100 within the premises as opposed to them using the street where monitoring is more difficult.

Can I suggest therefore the following revised condition which picks up your suggested conditions 2) and condition 3) below?

There shall be no use of the external terrace area of the premises between the hours of 2100 to 0800 daily for the consumption of food or drink. The premises licence holder will provide a dedicated smoking area for use by customers from 2100 to the close of the premises. Customers using that area after 2100 will not be permitted to take drinks with them.

The premises licence holder (or his/her nominees) shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are sufficiently monitored by staff to ensure that there is no public nuisance or obstruction of the public highway.

2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

See above

3. The premises licence holder (or his/her nominees) shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is no public nuisance or obstruction of the public highway.

See above

4. No speakers for amplification of voice or music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.

Agreed.

5. All external doors and windows shall be kept closed between 21:00 and 08:00 hours daily, except for the immediate access and egress of persons or in the event of an emergency.

We would be happy to accept a restriction but would suggest 2300 not 2100

6. Prominent, clear, and legible notices shall be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.

Agreed

7. Clear and legible notices shall be prominently displayed in any external seating areas requesting patrons to respect the needs of local residents and to use the area quietly.

Agreed

8. The licence holder (or his/her nominees) shall ensure that exits are manned at closing time to ensure that patrons leave the area quickly and as quietly as possible.

The premises will risk assess the requirement for door supervisors as per the conditions agreed with Warwickshire Police. Outside the nights when they would likely be on duty (Friday and Saturday), then there will be no direct supervision of the doors as ordinary members of staff would need to be SIA trained and badged to fulfil such a role. Members of staff will of course monitor customers internally when they leave and it would be the normal practice that if any were observed to be too noisy to quieten down. The same would go for any customers congregating outside.

I would suggest the following alternative condition

The licence holder (or his/her nominees) shall ensure that any customers leaving the premises that are identified by staff as making noise likely to cause disturbance are asked to be quiet and to leave the immediate area as quickly as possible.

I confirm that the conditions from the Police have been formally agreed and included in the agenda papers.

I look forward to hearing from you.

Nigel Connor
Legal Director and Company Secretary
JD Wetherspoon PLC
XXXXXXXXXX

9. No waste or recyclable materials, including bottles, shall be moved, removed from, or placed in outside areas between 21:00 hours and 08:00 hours on the following day.

We are happy to agree to restriction in principle but would again suggest it applies from 2300 to 0800.

From: Stacey Walsham <XXXXXXXXXX>
Sent: 03 November 2022 12:26
To: Nigel Connor <XXXXXXXXXX>
Cc: Licensing <licensing@warwickdc.gov.uk>; Barbara Morrice <XXXXXXXXXX>; Emma Dudgeon <XXXXXXXXXX>; Paulette Samuels <XXXXXXXXXX>
Subject: [EXT] RE: New Premises Licence Application - 18-24 The Square, Kenilworth

EXT EMAIL: Think before you click.

Good afternoon,

Thank you for your email and after consideration, looking at the below and the planning application for the premises I would propose the below conditions to be added to the premises licence:

Proposed licence conditions

1. The beer garden only to be used between the hours of 08:00 and 21:00 each day
2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
3. The premises licence holder (or his/her nominees) shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff to ensure that there is no public nuisance or obstruction of the public highway.
4. No speakers for amplification of voice or music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
5. All external doors and windows shall be kept closed between 21:00 and 08:00 hours daily, except for the immediate access and egress of persons or in the event of an emergency.
6. Prominent, clear, and legible notices shall be displayed at all exits requesting that customers respect the needs of local residents and to leave the premises and area quietly.
7. Clear and legible notices shall be prominently displayed in any external seating areas requesting patrons to respect the needs of local residents and to use the area quietly.
8. The licence holder (or his/her nominees) shall ensure that exits are manned at closing time to ensure that patrons leave the area quickly and as quietly as possible.
9. No waste or recyclable materials, including bottles, shall be moved, removed from, or placed in outside areas between 21:00 hours and 08:00 hours on the following day.

Confirmed Conditions agreed with the police

10. All front of house staff to be trained in the prevention of underage sales. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers to a level commensurate with their duties. Training completion records shall be retained for a period of 12 months and shall be available for inspection on request by an authorised officer of the Licensing Authority or an officer of the Police.
11. A Challenge 25 scheme shall be adopted and implemented which will require that any customer that appears under the age of 25 is requested to provide acceptable photographic proof of age establishing they are 18 or over before the sale of alcohol to them. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include, but not be limited to, PASS approved proof of age card, photo-card driving licence and passport. Challenge 25 point of sale material shall be displayed within the premises. Refusals under the scheme shall be recorded and records maintained for a period of 12 months and made available to the Police or an authorised officer of the Licensing Authority on request.
12. An incident recording system must be maintained at the premises, records from which shall be preserved for 12 months and made immediately available on request to the Police or an authorised officer of the Licensing Authority, which must record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any incidents of disorder
 - e) seizures of drugs or offensive weapons

- f) any faults in the CCTV system or searching equipment or scanning
 - g) equipment
 - h) any visit by a relevant authority or emergency service.
13. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS shall have access. All controlled drugs (or items suspected to be or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Warwickshire Police for appropriate disposal.
14. The premises to use door staff as appropriate and at necessary times based on regular operational risk assessments and all door staff employed to be on duty no later than 21:00. The premises supervisor will continue to liaise with Police in respect of door staff requirements and consider their views in the formulation of any risk assessment.
15. The premises licence holder shall ensure that CCTV is installed and maintained to the satisfaction of the Police and Licensing Authority. Images from the CCTV system shall be preserved for a minimum 31-day period. There shall be sufficient members of trained staff available during the hours of operation of the premises to be able to download evidence at the request of the Police or an Authorised Officer of the Council.
16. In the event of a system malfunction, the Licence holder or a nominated person must as soon as practically possible notify the Licensing Authority and Warwickshire Police Licensing Department. Details of such malfunction must be recorded in the premises incident book.

Many thanks

Stacey Walsham

Environmental Protection Technical Officer
Community Protection

Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, CV32 5HZ
www.warwickdc.gov.uk
Mobile: XXXXXX
Direct Number: XXXXXXXX
Ext: XXX

From: Nigel Connor <XXXXXXXX>
Sent: 13 October 2022 12:29
To: Stacey Walsham <XXXXXXXXXX>
Cc: Licensing <licensing@warwickdc.gov.uk>; Barbara Morrice <XXXXXXXXXX> **Subject:** New Premises Licence Application - 18-24 The Square, Kenilworth

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Dear Ms.Walsham

Thank you for our comments in respect of the above application and our apologies for the delay in engaging with you.

Dealing with your concerns in turn , I comment as follows:

*There are flats above the adjoining premises on both sides, across the road and residences to the rear.
With the information that is available on the Licence Application, we foresee potential nuisance to neighbours:-*

In connection with the late night refreshment

- ☐ *noise of kitchen ventilation plant*
- ☐ *noise through the party wall to adjoining premises.*

Note that our kitchens close at 2300 and there will be no food preparation after that time.

The provision of late night refreshment after 2300 will solely be to allow hot drinks which are dispensed from front of house machines and not the kitchen.

I am reluctant to overstep into matters regarding the suitability of the premises themselves for the proposed use rather than their actual operation by Wetherspoon which are perhaps more properly reserved for planning. I understand that a revised application has been lodged which includes an acoustic report which addresses the plant ventilation point in appendix D.

In respect of the party wall issue, I am informed by the premises architects that we intend to provide Sounbloc acoustic plasterboard fixed back to proprietary resilient bars with 100mm acoustic insulation between metal studs fixed back to the affected party wall structure

In connection with of the sale of alcohol

- ☐ *noise arising from customers inside the premises, through the party wall to adjacent flats*

Please see above. We of course do not play music which will reduce the risk of sound transmission.

- ☐ *noise of customers drinking/smoking outside the premises at night*

We have proposed a condition which precludes use of any outside area between 2100 and 0700 which addresses this point to an extent.

The condition does not preclude smokers from using the street area for smoking but we will ensure that they are monitored and if causing disturbance asked to desist. We will provide signage asking customers to be considerate of neighbours whilst outside and whilst leaving the premises and would be happy to condition its requirement if you felt it necessary.

- ☐ *noise of customers entering and leaving the premises late at night.*

To an extent the proposed hours of operation which we believe are those based on the original planning application do limit the risk of late night noise but even within these times we acknowledge the need to ensure that customer disturbance of neighbours is reduced as far as possible.

We have agreed a number of condition with Warwickshire Police as to the effective management of customers on the premises which will encourage good behaviour off them and these are set out below.

1. All front of house staff to be trained in the prevention of underage sales. All such training to be updated as necessary for instance when legislation changes and should include training on how to deal with difficult customers to a level commensurate with their duties. Training completion records shall be retained for a period of 12 months and shall be available for inspection on request by an authorised officer of the Licensing Authority or an officer of the Police.

2. A Challenge 25 scheme shall be adopted and implemented which will require that any customer that appears under the age of 25 is requested to provide acceptable photographic proof of age establishing they are 18 or over before the sale of alcohol to them. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include, but not be limited to, PASS approved proof of age card, photo-card driving licence and passport. Challenge 25 point of sale material shall be displayed within the premises. Refusals under the scheme shall be recorded and records maintained for a period of 12 months and made available to the Police or an authorised officer of the Licensing Authority on request.

3. An incident recording system must be maintained at the premises, records from which shall be preserved for 12 months and made immediately available on request to the Police or an authorised officer of the Licensing Authority, which must record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any visit by a relevant authority or emergency service.

4. There shall be a lockable 'drugs box' at the premises to which no member of staff, except the DPS shall have access. All controlled drugs (or items suspected to be, or containing controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all its contents must be given to Warwickshire Police for appropriate disposal.

5. The premises to use door staff as appropriate and at necessary times on the basis of regular operational risk assessments and all door staff employed to be on duty no later than 21:00. The premises supervisor will continue to liaise with Police in respect of door staff requirements and take into account their views in the formulation of any risk assessment.

6. The premises licence holder shall ensure that CCTV is installed and maintained to the satisfaction of the Police and Licensing Authority. Images from the CCTV system shall be preserved for a minimum 31 day period. There shall be sufficient members of trained staff available during the hours of operation of the premises to be able to download evidence at the request of the Police or an Authorised Officer of the Council.

7. In the event of a system malfunction, the Licence holder or a nominated person must as soon as practically possible notify the Licensing Authority and Warwickshire Police Licensing Department. Details of such malfunction must be recorded in the premises incident book.

We also tend to find that our premises are rarely if ever, anywhere peak occupancy at close of business. They are busier earlier in the evening around 1900 to 2130 for food and thereafter there is a gradual drift away of customers either home or to later opening venues which provide entertainment.

Provision of door staff will be by way of risk assessment but when on duty, they will assist in the dispersal of customers away from the premises.

I attach for your information, a copy of our Code of Conduct for Responsible Retailing which sets out how we promote the licensing objectives which you may find of interest.

I am on leave for the next two days but will be happy to discuss with you further on my return next week.

Yours sincerely

Nigel Connor
Legal Director and Company Secretary
JD Wetherspoon PLC

XXXXXX

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What's on - www.warwickdc.gov.uk/events

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