

## *LICENSING CHECKLIST*

Common practical problems have come to light during licensing inspections in Westminster. Make sure you aren't tripped up by following our checklist:

- **Is your licence summary displayed:** a summary of the licence must be displayed at the premises. In Westminster, the Licensing Inspectors are also suggesting that where the Rules of Management for places of entertainment previously applied, two copies of the Premises Licence Summary need to be displayed, one outside the premises and one inside.
- **Is your licence on the premises and readily available:** a full copy of the licence should be available for inspection on the premises. In the case of former PEL holders, Inspectors are also suggesting that a copy of the Rules of Management should also be available for inspection with the licence. Make sure your staff know where the full licence is.
- **Do your staff know the conditions of the licence:** it is not uncommon for the DPS or manager to be quizzed on the detail of the licence and the main conditions which apply to it. Make sure they are familiar with the detail
- **Is your licence up to date:** you are obliged to notify the Council if the premises licence holder or DPS changes, moves house or changes their name. Often it is easy to forget the admin so make sure that the details are still current and correct. It is not a requirement for the DPS to be present at the premises at all times although a clear letter of delegation should be displayed with the premises licence summary. However, as soon as a DPS leaves, a variation must be submitted immediately, failing which, the sale of alcohol is unlawful. Those that hold a club premises certificate are exempt from having a DPS.
- **Have you changed your layout:** it seems there is no exception - if you make a change to your layout which would affect the plan submitted with your application, then you need to apply to vary it. Previously minor changes such as an increase in drinking area and changing the means of escape only required consent. Under the new regime, any change to the plans now requires approval.
- **Drinking up time:** Westminster insists that drinking up time is a restriction carried over from the old legislation. We do not believe this to be the case and a Memorandum issued by the Department of Culture, Media and Sport supports this. This may be challenged during inspections.
- **Do you have an up to date fire risk assessment:** this is a new requirement for all premises since October last year and it is being frequently brought up by licensing inspectors.

Finally, some Councils including Westminster have announced that they will shortly be issuing their Licensing Inspectors with "drug wipes" to detect drugs on toilets and other areas within licensed premises. If they find a positive test (for cocaine or amphetamines for example) they have been instructed to report the matter to the police. Clubs and bars are advised to develop operational procedures to guard against drug dealing and taking on the premises including keeping an incident register and adopting a proactive search policy.

*Advice compiled from briefings from Davenport Lyons – WLA Associate Member*