

Premises Licence Policy and Procedures



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Licensable Activities

The University has a general duty to ensure that health, safety and welfare of all employees. The University also has a duty to conduct its' business so as to ensure that persons other than employees, such as visitors etc are not exposed to risks to their health, safety and welfare. In order to ensure that people attending an event, whether they be staff, students or visitors, are safe and that the University is complying with its' legal obligations the following must be adhered to at all times.

Duty Managers Responsibilities

The definition of "duty manager" is defined as a responsible member of staff(s) identified from within the School or Service Department holding or hosting the event that will be present throughout the period that the event is held

The duty manager shall be in charge of and be on the premises during the whole of the time that members of the public are on the premises and will not engage in any duties, which will prevent him/her from exercising general supervision of the premises.

The duty manager should ensure that a risk assessment of the event has taken place and any necessary control measures have been put in place, this includes having appropriate numbers of staff on duty for the event. For further information on conducting risk assessments please refer to the Health and Safety Division's advice (see Safety Risk Assessment). A copy of the risk assessment should also be attached with the Licence Questionnaire.

Areas to consider in assessing the risks:

- Fire and Emergency evacuation procedures;
 - Evacuation of people with mobility impairments;
 - Provision of Fire Marshals;
 - First aid provision;
 - Electrical safety;
 - Maximum occupancy levels;
 - Car parking arrangements;
 - Noise levels;
 - Explosive and flammable substances;
 - Special effects;
 - Security arrangements.
 - Prevailing weather conditions
- (This is not an exhaustive list and the risk assessment process should determine other risks)*

Fire and Emergency Safety

The University as an employer of staff working at premises where licensable activities are taking place is, in terms of fire safety, the 'Responsible Person' as defined in the Regulatory Reform (Fire Safety) Order 2005. The University therefore owes duties to relevant persons such as employees, and other persons lawfully on the premises.

In certain circumstances however, the Duty Manager or the Premises Supervisor (DPS) will find themselves subject to certain legal duties. The Duty Manager or DPS must therefore ensure that: -

Prior to the commencement of the event they:

- Check that routes to all fire exits and the exits themselves are clear and that the exits can be easily and immediately opened;
- Check that the external lights are on where applicable;
- Check that all emergency routes and exits are indicated by signs;
- Check that the emergency lighting (in the event of failure of the normal lighting) is working;
- Ensure that there is sufficient staff on duty for the event. This will be determined by the risk assessment for the event;
- Ensure that event staff have been trained in evacuation procedures, including evacuating those with mobility impairments e.g. wheelchair users;
- Ensure that staff are aware of how to raise the emergency alarm (break glass call points) and/or are aware of what the alarms sounds like;
- Ensure event staff know which areas they are responsible for in an emergency, this may include toilets, changing rooms, back stage areas etc;
- Ensure that event staff are aware of the location of exits, gangways, stairs and doors;
- Ensure that event staff remain in the venue throughout the event;
- Ensure event staff are identifiable – e.g. wearing armbands etc;
- Ensure that event staff are aware of the location of the Assembly Point;
- Ensure that emergency evacuation arrangements are notified to the audience/guests/delegates prior to the start of the event.

During an emergency evacuation:

- Ensure that all staff are visible e.g. armbands etc;
- Ensure that all staff/students/visitors within the area leave the building when the alarm is raised;
- Ensure that all those present make their way to the designated assembly point;
- Ensure that the Fire Co-ordinator is made aware of anyone missing;
- Ensure that everyone remains at the assembly point until the all clear is given by the Co-ordinator.

After an emergency evacuation:

- Discuss with colleagues what went well/not so well;
- Discuss any relevant issues with the Co-ordinator; and
- Inform colleagues of any changes to the procedures that impact on your area.

Procedure

Managing and holding an event on Campus

The University has a general duty to:

- Ensure the health, safety and welfare of its' employees
- Conduct its' business so that persons other than employees, for example, students and visitors are not exposed to risks to their health and safety
- Comply with its' legal obligations in all respects including people attending an event and that the activities undertaken are appropriate and licensed accordingly.

The Licensing Act has established a single integrated scheme for licensing premises, which are used for

- the supply of alcohol,
- the provision of regulated entertainment
- the provision of late night refreshment

Licensable activities may only be carried on under, and in accordance with, a premises licence, temporary event notice or club premises certificate. If it is intended to carry on any of the licensable activities and unless the activity is covered by one of the exemptions in the Act, one of these three authorisations is needed.

It is an offence to carry on any licensable activity without the relevant authorisation. A person guilty of the offence of carrying on, attempting to carry on or knowingly allowing to be carried on an unauthorised licensable activity is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000 or to both.

The Act also has an important role in

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

These objectives comprise the basis on which the licensing authority determines what is in the overall public interest when carrying out its functions. The University has to comply with these objectives.

The responsibility for licensable activities and ensuring that the terms of the Act are adhered to rests with:

- The University as holders of the Premises Licence
- The Designated Premises Supervisors (DPS)

To ensure that any event carried out on University premises minimises any potential health and safety risk to student and staff, and the risk of prosecution from the Police and Licensing Authority, it is of utmost importance that the procedure below is followed at all times and in all circumstances:

- a. The attached questionnaire “Application to hold an event on Campus” must be fully completed. Any sections not completed will result in the questionnaire being returned and or approval not being given.
- b. The completed questionnaire must to be sent to either:
 - The Catering Manager at the relevant Campus if the requirement is for food after 11pm or includes the use of catering areas and the provision of alcohol and or entertainment on those premises.
 - To the appropriate Designated Premises Supervisor as listed on the Event Questionnaire, P4.
 - To the nominated member of the Campus Operations Department where the activity is to take place in an unlicensed area of the University.
- c. The person who receives the questionnaire (as identified in 5b. above) will normally acknowledge receipt of the questionnaire within 3 working days. A minimum of 28 working days is required for the questionnaire to be reviewed and an assessment made.
- d. Assuming that the organiser of the event has demonstrated that adequate control measures are in place (for example risk assessments, security, duty manager), and that it is covered by the existing premises licence, the event can take place. This will be confirmed to the organiser of the event in writing by the person who has received the request as identified in 5b. above.

- e. Where control measures are not considered adequate, either further control measures may be required to be implemented by the organiser, or permission will not be granted for the event to take place on University premises. The reasons why the control measures are considered inadequate will be provided to the organiser in writing.

- f. Where the activities are not covered by the existing premises licence, then a Temporary Event Notice (TEN) will need to be applied for. This must be done at least 10 working days prior to the event taking place and requires payment of £21. This payment is non-refundable once the application has been made or if the TEN is not granted. The appropriate person, as identified in 5b above, will give advice to the event organiser (where applicable) on how to complete the TEN and must check it prior to submission to the appropriate Licensing Authority by the event organiser.

- g. Responsibility for the safety of the event remains with the organiser however, as an added precaution the University may require that a member(s) of University personnel be on site to monitor the event and ensure safety is maintained and that the law is adhered to. This will depend upon the nature and size of the event. Any charge incurred in doing this is to be borne by the event organiser who will be notified of any costs prior to the event. If at any stage during the event the University (or its nominated personnel) considers that safety regulations or legislation is not being adhered to, they reserve the right to stop the event continuing.

- h. A “Duty Manager” must be present during the event. The “Duty Manager Working Procedures” attached, must be adhered to.

Failure to follow these procedures will result in the event/activity not taking place. If the event contains licensable activities that are not covered by either the existing licence or a TEN then the activity cannot take place.

Event Questionnaire

Please note all sections of this questionnaire are required to be fully completed by anyone (School or Department) wishing to hold an event on campus.

<p>Date and time of event when the event is proposed to take place.</p> <p>Please indicate start and finish times where appropriate</p>	
<p>Campus and location (i.e.) room number or area</p>	
<p>Name and type of event:</p>	
<p>School or Department making the request:</p>	
<p>Reasons for the request:</p>	
<p>Contact name, e-mail address and extension number of person making the application:</p>	
<p>Name and extension number of person who will be the designated duty manager for the event:</p>	
<p>Maximum number of people attending the event:</p>	
<p>Are any of the following activities planned:</p> <ul style="list-style-type: none"> • the performance of a play • an exhibition of a film • an indoor sporting event • boxing or wrestling entertainment • a performance of live music • any playing of recorded music • a performance of dance • entertainment of a similar description • live/recorded music or dance 	<p>Answer yes or no to each.</p>

<p>Do you intend to invite members of the public?</p> <p>If yes, please state how this will be done e.g. by external advertising.</p>	
<p>Do you intend to sell tickets or charge an entrance fee with a view to making a profit?</p>	
<p>Do you wish to sell alcohol or provide late night refreshment (hot food/ drink after 11pm) at the event?</p>	
<p>Have you undertaken risk assessments in respect of?</p> <ul style="list-style-type: none"> a. Fire and evacuation procedures b. Evacuation of people with mobility impairment c. Provision of Fire Marshals d. First Aid Provision e. Car parking arrangements f. Noise levels g. Security arrangements <p>Please attach copies of your risk assessments.</p>	
<p>Would the nature of the event warrant completion of a Freedom of Speech form?</p> <p>Please attach copy of any completed FoS form</p> <p>Information on freedom of speech can be found on the University web page under Policies and regulations.</p>	<p>Please give brief details.</p>

Completed for and on behalf of
(School or Department).....

By.....

Date.....

Please send this completed form **28 days prior to the event taking place** to the appropriate Designated Person as listed below:

City Campus

For MA Chancellors Hall – Deputy Catering Operations Manager
For MC Courtyard Kitchen and Glass House – Catering Manager City
For the Sports Hall – IOS Sports Manager - City
For SAD – School Office – School of Art & Design MK Building

For all other areas on the Campus – Estates & Facilities Risk & Safety Compliance Manager–
MX Building

Walsall Campus

For the Boulevard Kitchen – Catering Manager Walsall
For the Sports Hall and outdoor sports facilities – IOS Sports Manager - Walsall
For The Performance Hub – Performance Hub Promoter Faculty of Arts

For all other areas on the Campus – Campus Operations Manager

Telford Campus

For the Common Room and Priorslee Hall – Catering Manager Telford

For all other areas on the Campus – Campus Operations Coordinator

Science Park

For the Lockside Cafe, exhibition area and theatre – Catering Manager Science Park

For all other areas on the site – Site Operations Manager

For office use only

Event approved/not approved (delete which does not apply)

by.....

For the following reasons:

Date.....