

From: [Licensing](#)
To: lukewilliamhaynes@gmail.com; [Luke](#)
Cc: [Evelyn Haynes](#); [Sansom, Jeremy](#); [Shaun Yemm-James](#); [Julie Bettridge](#)
Subject: Olde Black Bear, Tewkesbury - follow up visit 17.08.23
Date: 18 August 2023 11:50:00
Attachments: [image001.png](#)
[Challenge under 25 poster.pdf](#)

Dear Luke,

Thank you for meeting with me yesterday to go over the outstanding conditions from the meeting held on 10 August 2023.

I was pleased to see that:

- Incident book/noise log book and refusals register are all in place and the duty managers have been trained on the use of these
- You state that all premises licence conditions are being adhered to and you have started to record any actions in your log books
- Staff training records were seen on your online training system, and this covers underage sales/refusals

You still need to ensure that **Challenge 25 posters** are displayed. I have attached the template for you again. Please ensure that this is implemented as quickly as possible as this is a breach of the Mandatory Conditions under the Licensing Act 2003. I confirmed that no further enforcement action would be taken as you have just received a written warning. Although I do not intend to revisit, any Police or Licensing Officer visiting in future will look for these.

As suggested by Jeremy, audio coverage on CCTV, especially the outside area, would be beneficial so you may want to explore this.

Just to confirm the lead Officer names for different areas:

- Licensing – me
- Nuisance – Shaun Yemm-James shaun.yemm-james@tewkesbury.gov.uk
- Health and Safety – Julie Bettridge Julie.bettridge@tewkesbury.gov.uk

Please let me know if you have any questions.

Kind regards

Michelle

Michelle Bignell
Licensing Team Leader
Tewkesbury Borough Council
tewkesbury.gov.uk



From: Licensing

Sent: Thursday, August 10, 2023 4:19 PM

To: 'lukewilliamhaynes@gmail.com' <lukewilliamhaynes@gmail.com>; 'Luke' <luke@freehouse.co.uk>

Cc: 'Evelyn Haynes' <evelynjhaynes@outlook.com>; 'Sansom, Jeremy' <Jeremy.Sansom@gloucestershire.police.uk>; EH Enquiries <EH.Enquiries@tewkesbury.gov.uk>

Subject: RE: Olde Black Bear, Tewkesbury

Dear Luke,

Thank you for meeting with myself and PC Jeremy Sansom today to go over outstanding licence conditions.

Following on from our last meeting; these were the outstanding conditions. Please see notes in red for progress to date:

9. All instances of crime and disorder will be reported to the Police and will be kept in an incident log book. Please ensure that the use of this is covered in the staff training **incident log book has been purchased but not yet in place**
12. Additional patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises. **You reported that this is being done. For evidence, please record in daily log**
13. Notices will be displayed asking customers to respect neighbours when leaving the premises. **Notice displayed at smoking shelter; please replicate at both internal doors**
19. Access to the Designated Smoking Area shall be monitored to ensure no food or drink is taken into the area after 23:00. **You reported that this is being done. For evidence, please record in daily log**
20. The Designated Smoking Area shall be regularly patrolled during opening hours to monitor noise levels from patrons. **You reported that this is being done. For evidence, please record in daily log**
21. Signage shall be erected to direct patrons to the Designated Smoking Area, to advise on restrictions on food and alcohol after 23:00 and to request patrons to have consideration for local residents. All signage to be agreed with the Licensing Officer at Tewkesbury Borough Council. The protection of children from harm. **Notice displayed**
22. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force. The only forms of identification that will be accepted at the premises are a passport, UK photocard driving licences, military ID & cards bearing the 'PASS' hologram. Posters must also be displayed **Challenge 25 is in place and staff are currently being**

trained. Please ensure that notices are displayed. I have attached the template passed on from Jeremy

23. The Premises Licence Holder shall operate and maintain an up-to-date 'Register of Refusals' of Sale of Alcohol / Incident Book indicating the date, time and reason(s) for refusal / incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date. The DPS will sign and date the book each time it is checked. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police. Register of refusals/incident log book has been purchased but not yet in place – please familiarise yourself with this condition that you must check and sign this monthly

24. The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request. Currently underway – please ensure that records are kept

30. On any evening when the premises are open after midnight, for a period of 30 minutes following the end of the supply of alcohol or until all customers have dispersed from the immediate vicinity, the Designated Premises Supervisor or a member of staff will be positioned immediately outside the premises to monitor the dispersal of customers. You reported that this is being done. For evidence, please record in daily log

32. The designated premises supervisor will ensure the effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises to ensure that noise from such activities is effectively inaudible inside neighbouring premises after 23:00 hours. You reported that this is being done. For evidence, please record in daily log

We also discussed the recent noise complaints and allegations of breach of premises licence conditions. To safeguard yourself, it would be recommended to record:

- All proactive steps that you are taking and to ensure that you record them
- Contact the Environmental Health team to obtain advice on sound levels. They can be contacted at eh.enquiries@teWKesbury.gov.uk The team will be in touch to arrange a visit regarding health and safety/noise, but I would recommend contacting them first
- Look into whether your CCTV system records audio – this would provide additional evidence to support you

As there are still some outstanding conditions, I will visit the premises next Thursday (17th August) at 11am to ensure that everything is in place. Please ensure that all the above is in place and ready to be inspected.

With regards to crime and disorder, Jeremy was keen to positively feedback that there have been no incidents of crime and disorder.

Please let me know if you have any questions.

See you next Thursday.

Regards

Michelle

Michelle Bignell
Licensing Team Leader
Tewkesbury Borough Council
tewkesbury.gov.uk



From: Licensing
Sent: Monday, July 24, 2023 3:32 PM
To: lukewilliamhaynes@gmail.com; Luke <luke@freehouse.co.uk>
Cc: Evelyn Haynes <evelynjhaynes@outlook.com>; Sansom, Jeremy <Jeremy.Sansom@gloucestershire.police.uk>; licensing@gloucestershire.pnn.police.uk; EH Enquiries <EH.Enquiries@tewkesbury.gov.uk>
Subject: Olde Black Bear, Tewkesbury

Dear Luke,

Thanks for your time today and for showing me around the premises. Just for the benefit of my colleagues, I was pleased to see:

- Part B of the premises licence on display
- Minimum weights and measures available and advertised
- Drinking water available
- CCTV in operation, recorded and available upon request. Yourself (DPS), Evelyn Haynes and the bar managers are also trained on use of the system
- SIA door supervisors are employed from KBL and on duty every Saturday night. There will be 3 working over Tewkesbury Live
- Staff ensure that all patrons disseminate from the vicinity of the premises after closing
- No under 18's currently serve alcohol. Advice was provided around ensuring that if this did happen that all sales would be authorised by a personal licence holder

Although you actively manage events outside and ensure that these end before the 11pm cut off, we discussed ensuring that regular sound checks are carried out around the perimeter of the premises and that these are recorded in the incident log along with any actions taken. We also discussed the use of the smoking area, and that more management is required to ensure that all licence conditions are adhered to.

The conditions that are still required to be implemented (numbers taken from the premises

licence):

9. All instances of crime and disorder will be reported to the Police and will be kept in an incident log book. **Please ensure that the use of this is covered in the staff training**
12. Additional patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered within the premises.
13. Notices will be displayed asking customers to respect neighbours when leaving the premises.
19. Access to the Designated Smoking Area shall be monitored to ensure no food or drink is taken into the area after 23:00.
20. The Designated Smoking Area shall be regularly patrolled during opening hours to monitor noise levels from patrons.
21. Signage shall be erected to direct patrons to the Designated Smoking Area, to advise on restrictions on food and alcohol after 23:00 and to request patrons to have consideration for local residents. All signage to be agreed with the Licensing Officer at Tewkesbury Borough Council. The protection of children from harm.
22. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force. The only forms of identification that will be accepted at the premises are a passport, UK photocard driving licences, military ID & cards bearing the 'PASS' hologram. **Posters must also be displayed**
23. The Premises Licence Holder shall operate and maintain an up-to-date 'Register of Refusals' of Sale of Alcohol / Incident Book indicating the date, time and reason(s) for refusal / incident that has taken place. The DPS shall check the book once a month ensuring that it is up to date. The DPS will sign and date the book each time it is checked. The book shall be made available for inspection upon the request of a duly authorised officer of the Licensing Authority or Police.
24. The Designated Premises Supervisor (DPS) shall ensure that all Staff concerned in the sale of alcohol are trained in their responsibilities under the Licensing Act 2003, particularly concerning drunk sales, underage sales and proxy sales. Training will include challenging every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification, and using the refusal register. Such training (including any refresher training) will be logged and provided not less than every twelve months. The training log shall be made available for inspection by Police and "authorised persons" immediately upon request.
30. On any evening when the premises are open after midnight, for a period of 30 minutes following the end of the supply of alcohol or until all customers have dispersed from the immediate vicinity, the Designated Premises Supervisor or a member of staff will be positioned immediately outside the premises to monitor the dispersal of customers.
32. The designated premises supervisor will ensure the effective overall management of live or recorded entertainment, such as by monitoring noise levels outside the premises to ensure that noise from such activities is effectively inaudible inside neighbouring premises after 23:00 hours.

For any proactive work that you are carrying out, for example monitoring noise levels, refused sale of alcohol, please ensure that these are recorded in the incident log to safeguard yourself.

To clarify condition 27 regarding alcoholic drinks promotions; this would mean that you couldn't have a promotion and then promote again on the same drinks within the same week. Happy to chat this through but you confirmed that you wouldn't be providing drink promotions at the premises anyhow.

I will arrange for a follow up visit in the next few weeks to ensure that everything is in place. In the meantime, if you have any questions, please do not hesitate to contact me.

Kind regards

Michelle

Michelle Bignell
Licensing Team Leader
Tewkesbury Borough Council
tewkesbury.gov.uk

