

A guide to keeping a drug free environment



It is the duty of all licensed premises to create a safe and secure environment for their customers.

It is therefore vital that all licensed premises remain vigilant when it comes to illegal drugs.

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Foreword

The use of illicit drugs is often associated with the night-time economy. Unfortunately even the most responsible and well- run licensed premises are not immune from issues surrounding drugs.

The guidance has been produced with the support of the British Beer and Pub Association and with valuable input from the Home Office. It contains useful information on the laws around drugs and licensed premises, as well as methods to assist licensees in identifying drug use and addressing any related problems.

As a licensee, it is important that you and your staff are trained on the subject of illicit drugs so that you are able to anticipate, identify and address any problems. Whilst the vast majority of premises are successful in creating a safe and responsible environment for their customers, the laws around illicit drugs in licensed premises are clear and the consequences for failing to tackle any problems could be serious for your licence, your reputation and for you as an individual.

A proactive approach to tackling illicit drugs and a strong relationship with the police and local authorities is the best way forward. Choosing to follow this guidance will further ensure that licensees and staff continue to provide an excellent service.





Knowing the law

Whilst no premises can ensure complete avoidance of drug users and dealers, it is the responsibility of the licence holder to ensure that they are rigorous in attempting to deter drug use and supply.

The Misuse of Drugs Act 1971 is the main legislation:

- It is an offence for a licensee to knowingly permit or suffer premises to be used for drug related purposes including supply, offering for supply or consumption of a controlled drug.

We all have a moral obligation to report crimes to the police and in today's current climate, drugs are a major social problem. Not only is it illegal to consume classified drugs, but it can be lethal. There have been numerous drugs related deaths recently so in reporting illegal activity to the police, not only are you fulfilling your moral obligation but you are in effect, helping to save lives and doing your bit in 'Keeping People Safe'.

When considering whether to report such activity to the police you may feel vulnerable, but there are ways to make such reports without bringing yourself under notice. Using the confidential telephone number 0800 555 111 or by contacting your local police on 101.

Taking a proactive approach to illegal drugs activity will protect you and your business for the future. You will continue to attract the right customer and at the same time, send the right message to those who would consider using your premises for anything other than what it's designed for.

Where a Justice of the Peace is satisfied that there are reasonable grounds for suspecting that an offence is being, has been or is about to be committed, he may issue a warrant authorising a police constable within 14 days from the time of issue to enter, by force if necessary, and search any place. Under this warrant a constable may seize or remove any liquor or containers or any other thing if he has reasonable cause to believe that they are evidence, and may arrest and search any persons at the place if he has reasonable cause to believe that they are committing or have committed an offence.

It should be noted that where premises are used or suspected of being used for the supply or consumption of drugs there can be an objection to the fitness of the licensee to hold a liquor licence in circumstances where there is evidence that the premises are used for the supply or consumption of drugs. This may be the case even where there are no prosecutions or convictions from alleged incidents. It will be a matter for the Courts to determine fitness on the facts of each case.

Where there is evidence of drug supply or consumption at licensed premises the licensee may also face an objection to his Entertainments Licence on the grounds of public health and safety under The Local Government (Miscellaneous Provisions) (N.I.) Order 1985.

It should be noted that a constable may, at any reasonable time, enter and inspect:-

- premises that are the subject of an application for the grant or renewal of a licence to ascertain the suitability of those premises; or
- any licensed premises to ascertain whether any contravention of the Licensing Order has been or is being committed or whether any conditions under the Licensing Order are being complied with (Article 71)

He may also enter adjoining or nearby premises controlled by the licensee for the same purpose. Failure to admit, or delay in admitting a police officer onto licensed premises is an offence (Article 71).

Not only is it illegal but the prevalent and unchallenged use of drugs on a premises can damage reputation, deter potential customers and encourage further organised criminal activity. As mentioned above, drug use or supply on a licensed premises which leads to a conviction is likely to induce a review of the premises licence with the possibility of licence revocation or, in the most serious cases, a criminal prosecution against the licence holder.

If you are suspicious that your premises is being used by drug dealers or is being used by those who consume drugs on the premises, it is important to seek advice and assistance from local police. Early reporting of these suspicions will not be viewed as detrimental to your licence by the police or licensing authorities.

Identifying drug use

Cooperation with emergency services is vital when it comes to dealing with drug users. If you suspect that someone is under the influence of illegal drugs in the interests of safety you should notify your members of staff immediately. You may then refuse them service and ask them to vacate the premises immediately. If the individual refuses to comply or becomes aggressive, you should contact the police immediately for assistance.

Identifying someone on drugs –

- Unexplained changes in personality or attitude that are inconsistent with alcohol use
- Extreme hyperactivity or lethargy
- Fearful or paranoid without logical reason
- Tremors, slurred speech, giggling or lack of coordination (be aware of those with a genuine disability)
- Bloodshot eyes or pupils much larger or smaller than usual
- Hallucinations
- Suspicious behaviours including frequent trips to the toilet, garden etc.

General signs of drug use in your premises –

- Torn up beer mats/ cigarette packets/bits of cardboard left on tables or in ashtrays
- Roaches (home-made filter tips from cannabis cigarettes)
- Empty packets made of folded paper, card or foil
- Needles, syringes, swabs, spoons, candles, pieces of burned tinfoil, filters removed from cigarettes, lemon juice or citric acid sachets

- Traces of powder on flat hard surfaces
- Strong, sickly sweet, smoky smells, or an ammonia-like smell
- Blood or blood stained items
- Payment with tightly rolled banknotes or notes that have been tightly rolled
- Traces of blood or powder on banknotes
- Solvent paraphernalia e.g. aerosol cans, lighter refills

If you suspect that someone is suffering from the effects of drug use, and is showing signs of distress or unconsciousness, you should move them to the recovery position and contact the emergency services. Ensure that the area around the individual is clear and free of dangerous objects whilst awaiting assistance.

Identifying someone suffering from drug abuse –

- Problems with vital signs including: temperature; heart rate; respiratory rate
- Nausea and vomiting as well as abdominal pain and diarrhoea including that which contains blood
- Confusion, semi-consciousness and coma
- Chest pain and extremely rapid or slow breathing

Psychoactive substances –

Psychoactive substances (so-called “legal highs”) have become a growing concern and you should remain vigilant in identifying the use or distribution of these on your premises.

Preventing drug use on your premises

- Enforce a robust drugs policy. Whilst it is not a legal requirement, it will demonstrate that you are proactive in deterring illegal activity on your premises. When producing a policy, consider issues that are relevant to your particular premises and ensure that staff are trained to enforce and uphold the policy.
- Ensure your staff are trained and know how to identify signs of drug use or supply.
- Do not 'bury your head in the sand' - ignoring the issue will only compound it as you will develop a reputation as a venue where drug abuse is tolerated.
- Maintain vigilance at all times and continue to supervise the entire premises.
- Maintain high standards of cleanliness to deter drug users and dealers. A commitment to high standards of service will highlight that you are unlikely to tolerate illegal activity.
- Establish strong relationships with your licensing officers and police in order to preserve a channel of communication and advice. Some police forces are running workshops and seminars on this subject.
- Get to know your customers.
- If it is applicable, an effective team of door staff will assist in both removing drugs before they enter a premises and deterring drug users from attempting to enter the premises at all.
- CCTV can be used and provides an effective deterrent to keep track of those in a premises, including in secluded areas.
- Record any drugs finds or seizures - it will help to demonstrate due diligence in that you are proactively dealing with this issue.
- Have a locally agreed arrangement with the police as to how and when seized drugs will be collected for destruction. If you haven't got a drugs safe – have a secure place where they can be stored. Ensure all movement of drugs is documented so that an audit trail is maintained.
- Remember, turning a blind eye is tantamount to permitting the activity.

You will be in a better position to defend yourself and your licence if you can prove that you have taken proactive steps to tackle any issues relating to drugs on your premises.



Door searches

If staff have reasonable grounds to suspect someone is in possession of drugs, take that person to a discreet area and contact the police as soon as possible. Members of the public have a power of arrest if they witness a crime being committed or if an offence has been committed, they can arrest a person they reasonably suspect of being guilty of it. But this should be viewed as a last resort. Always contact the police in the first instance and seek advice.

Business owners should consider the displaying of posters, informing persons that drugs activity will not be tolerated on these premises.

There are two defences to being in possession of a controlled drug or knowing or suspecting a substance to be a controlled drug:

- (1) The accused takes possession to prevent another from committing an offence. This person should take all reasonable steps to destroy it or deliver it to a person lawfully entitled to take custody of it (police).
- (2) The accused takes possession for the purposes of delivering it to a person lawfully entitled to take custody of it.

The above defences will allow licensed premises staff to seize what they believe to be controlled substances but they should make efforts to contact police as soon as practicable to place it in their safe custody.

Dealing with those in possession of drugs

A premises should always look to tackle drug-related issues, no matter how small. Whilst staff should be trained to handle such situations, a degree of judgement should be exercised in deciding whether to handle the problem yourself or call the police. Do not put your staff or customers in unnecessary risk. If you feel that a situation is unsafe, call the police to ask for advice or assistance. A good relationship, with a well- established line of communication between the police and your premises, will aid in dealing with such issues in a timely and proper manner.

If you choose to approach an individual in possession of, or inhibited by, illegal drugs, stay calm and avoid any confrontation that may provoke aggression. Politely state your policy on drugs and ask the individual to vacate the premises. Stick to facts and never include moral judgements. Here it is best to de-personalise the situation by emphasising your legal obligations and stating that you could lose your licence or face prosecution for allowing the use of drugs on your premises. Ring the police immediately if you start to feel unsafe.





Cannabis



Cocaine



Ketamine

Information on commonly used drugs

Drug and associated names	Form	Ingested	Signs of use
Cannabis (Marijuana, Dope, Weed, Pot, Grass)	Resin or herbal (green/brown lumps)	Smoked in hand-rolled cigarettes, commonly referred to as joints, spliffs and reefers. Resin can also be eaten.	<ul style="list-style-type: none"> • Dilated pupils, bloodshot eyes • Strong smell of burned leaves • Torn beer mats or foam upholstery used to make filters or roaches • Sleepy, lethargic • Lack of coordination • Increased heart rate • Increased craving for food
Cocaine (Coke, Charlie, Snow, C)	White powder	Sniffed and, in rare instances, injected	<ul style="list-style-type: none"> • Euphoria and unusually talkative/overconfident • Constant sniffing • Dilated pupils • Nose bleeds • Fast heart rate • White powder around nostrils • Payment in tightly rolled bank notes
Ketamine (K, Special K, Jet)	Small white crystals	Sniffed, swallowed and, in rare cases, injected	<ul style="list-style-type: none"> • Slow movements • Losing power to control limbs • Hallucinations • Confusion • Detachment from reality – brain not registering any senses



Ecstasy/MDMA



LSD



Amphetamines

Information on commonly used drugs

Drug and associated names	Form	Ingested	Signs of use
Ecstasy/MDMA (E, Pills, Molly, MD)	Pill and white powder	Sniffed, swallowed	<ul style="list-style-type: none">• Euphoria and hyperactivity• Moving jaw, known as gurning• Dehydration• Sweating• Demand for non-alcoholic drinks whilst appearing under the influence of a substance
LSD (Acid, Tab, Blotter, Cid)	Paper squares with various designs, gelatine, and microdots. Less commonly in tablet form	Swallowed	<ul style="list-style-type: none">• Hallucinations• Unpredictable behaviour• Incoherence• Dilated pupils• Emotional distress
Amphetamines (Bennie, Speed, Uppers, Whiz, Ampes)	Tablets, capsules or powder	Swallowed	<ul style="list-style-type: none">• Euphoria• Increased body temperature or blood pressure• Dry mouth• Fast breathing• Dilated pupils• Increased energy and alertness



Crack



Heroin

Information on commonly used drugs

Drug and associated names	Form	Ingested	Signs of use
Crack (Rocks, Crumbs, Dice, Candy)	Yellowish rocky lumps	Smoked in pipes or heated on foil	<ul style="list-style-type: none">• Instant elation that wears off rapidly• Aggressive behaviour• Scorched foil• Burns on fingers• Dilated pupils• Uncharacteristic irresponsibility• False sense of power/confidence
Heroin (Junk, Smack, Brown Sugar, Gear, H)	Off-white or brownish powder	Injected or heated and inhaled	<ul style="list-style-type: none">• Sleepy euphoria• Slow breathing• Needle marks on body• Syringes, needles, blood-stained cotton wool, scorched tinfoil or spoons• Dry mouth• Flushed skin• Deterioration of self-control and unconsciousness

Controlled drugs list:

<https://www.gov.uk/government/publications/controlled-drugs-list-2>



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