

Drugs and pubs: A guide to keeping a drug free pub



It is the duty of all licensed premises to create a safe and secure environment for their customers and to take steps to promote all four of the licensing objectives:

- **Prevention of crime and disorder**
- **Public safety**
- **Prevention of public nuisance**
- **Protection of children from harm**

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



Drugs and pubs

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. I am, therefore, pleased to introduce the BBPA's updated guidance on drugs and pubs to ensure that licensees and their staff can be fully informed and equipped to tackle drug-related issues.

The guidance has been produced with valuable input from the Home Office and National Pubwatch. 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. It also contains specific advice on the recent Psychoactive Substances Act and on door searches, along with detailed information on commonly used drugs.

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 in our nation's pubs.

Brigid Simmonds OBE
Chief Executive, BBPA



Knowing the law

Drugs are often associated with use in the night-time economy. Whilst no premises can ensure complete avoidance of drug users and dealers, it is the responsibility of the licence holder and Designated Premises Supervisor (DPS) to ensure that they are rigorous in attempting to deter drug use and supply. Failure to do so could result in a review of the licence under Section 51 of the Licensing Act 2003, upon which various sanctions, such as stringent conditions or removal of licensable activity, could be imposed on the licence.

If the police are satisfied that there is serious crime or serious disorder associated with the premises, then they could apply for a summary review under Sec 53A of the Licensing Act 2003 whereby interim steps or immediate suspension of the licence could be imposed.

Furthermore, under the Misuse of Drugs Act 1971, heavy penalties can be imposed on those who permit drug-related activities on their premises including producing or supplying a controlled drug and smoking cannabis. This could also lead to forfeiture of a personal licence.

Finally, the Anti-Social Behaviour Act 2014 – creates powers to enable the police to close, for a period of up to six months, premises (including licensed premises) where there is evidence of the sale, use or production of class A drugs, and where there is also related serious nuisance or disorder.

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. The Psychoactive Substances Act 2016 makes it an offence to produce, supply, offer to supply, possess with intent to supply, possess on custodial premises, import or export psychoactive substances; that is, any substance intended for human consumption that is capable of producing a psychoactive effect.

If an enforcement officer believes that such activities are likely to be carried out on a particular premises, the premises can be issued with a closure notice and, subsequently, a closure order if they fail to comply. If you, as an individual, are found to have breached an order without taking reasonable steps to counter the offence, you could face imprisonment or a fine.

It is best, therefore, to include psychoactive substances within a zero-tolerance drugs policy.

Further guidance for retailers on the Psychoactive Substances Act 2016 has been issued by the Home Office and can be found at:

www.gov.uk/government/collections/psychoactive-substances-bill-2015



Preventing drug use on your premises

- Enforce a robust drugs policy. Whilst it 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.

An excellent way to maintain a safe environment and to illustrate a proactive approach to drug deterrence is to become an active member of your local Pubwatch. Pubwatches are locally run initiatives, facilitated by National Pubwatch, and look to create safe and responsible drinking environments through the sharing of intelligence and information between premises on individuals who are known to threaten such safe and responsible environments. Membership will aid premises in identifying individuals who are linked to drug use or supply and ensure that staff are able to prevent such individuals from entering the premises.





Door searches

If it is viable, you should consider implementing a search policy at the door of your premises. Door supervisors have no statutory legal rights to search individuals and any search must be conducted with the individual's consent. You are, however, able to refuse entry to your premises if the individual does not consent to being searched.

Where an individual is found to be in possession of a controlled substance, a door supervisor can either seize the item and allow entry, seize the item and refuse entry, or seize the item and request that the individual remains present whilst the police are contacted. The police will often indicate which option they prefer, asking door staff to make a distinction between an amount of drugs for personal use and an amount of drugs intended for sale. The licence holder's drug policy should make clear what is expected of door staff in this respect.

When controlled substance are seized, the door staff should place the drugs in an evidence bag, seal the bag and record the incident in the appropriate manner as indicated by the police. Self-sealing evidence bags can be requested from the police in case any illegal drugs are seized. A colleague should always be present to witness this process to protect the integrity of staff against any potential allegations.

Consider installing a "drug safe" – this is a small, wall mounted safe with a letterbox style opening allowing for safe storage of drugs, only the police will have access to the safe. It prevents allegations of recycling by staff/doorstaff and demonstrates a responsible approach to drugs misuse. Have it mounted near to the entrance where searches are being carried out.

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 cont.

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 cont.

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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