

TITLE	Licensing Act 2003 – Example Conditions
FOR CONSIDERATION BY	Licensing and Appeals Committee on 6 September 2010
WARD	None specific
GENERAL MANAGER	Mark Moon – Place and Neighbourhoods

<p>OUTCOME</p> <p>For the Committee to determine whether or not they wish a schedule of example conditions to be prepared for use when determining premises licence applications.</p>
<p>RECOMMENDATION</p> <p>a. To determine whether a schedule of example conditions would assist Hearings Sub-Committees, and if so,</p> <p>b. To request a schedule of example conditions be prepared for use by Hearings Sub-Committees.</p>
<p>SUMMARY OF REPORT</p> <p>A Member has requested that consideration be given to preparing a schedule of example conditions for Hearing Sub-Committees to consider when determining premises licence applications.</p> <p>Any schedule would be advisory only as the members of a Sub-Committee retain complete discretion. The schedule attached to the report shows the schedule in use at Bracknell Forest Borough Council as an example. This schedule is sent to applicants for them to consider nominating conditions as part of their application.</p>

Background

A Member has requested that an example schedule of conditions be adopted for use by Hearings Sub-Committees as is the practice at other authorities, West Oxfordshire was cited as an example.

Members must always retain discretion over the conditions to apply as each case must be considered on its own particular merits, and any schedule of examples could only be used as a guide.

Should the Committee agree that such a schedule would be a useful addition officers will prepare a Wokingham Schedule, drawing on examples from other authorities and from licences which have been granted by Wokingham Sub-Committees. This schedule can be updated and amended as circumstances change without reference to this Committee as it would have no legal standing or set precedent for future cases.

Analysis of Issues

Members may regard a schedule of example conditions to be useful when considering applications. If so this would be a useful addition to our procedures.

Reasons for considering the report in Part 2
Not applicable

List of Background Papers
Example schedule of conditions from other licensing authorities in the region.

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Date 10 August 2010	Version No. 0.1

Bracknell Forest Borough Council

MODEL POOL OF CONDITIONS

Any individual preparing an operating schedule is at liberty to volunteer any measure, such as those described below, as a step he or she intends to take to promote the licensing objectives. If you wish to indicate that you will comply with any of the following, please write the correct code in the corresponding part of your application form, and complete the parts where it says 'please insert'.

Please note, that when incorporated into the licence or certificate as a condition, they become enforceable under law and a breach of such a condition could give rise to prosecution.

The Licensing Authority will only attach conditions that are required by the Licensing Act 2003, conditions that are consistent with the operating schedule and any other conditions imposed as a result of representations being made that are necessary to ensure that the licensee complies with the four Licensing Objectives.

Necessary conditions for the licence or certificate will also depend on local knowledge of the premises. Under no circumstances should the following measures be regarded as standardised conditions to be automatically imposed in all cases. Each application for a licence will be considered on its own merit.

PART A – Conditions Relating to the Prevention of Crime and Disorder

In certain premises where existing legislation does not provide sufficiently for the prevention of crime and disorder, some or all of the following model conditions may be applied. This will be determined by the individual circumstances of the premises and will depend on a range of factors, including the nature and style of the premises, its location, the activities being conducted there, the anticipated clientele of the business concerned, and local knowledge of the premises.

- CD1 Text/radio pagers shall be provided and linked to Thames Valley Police and [insert names of other licensed premises] Such two-way communication will enable :
- (a) licence holders, managers, and designated premises supervisors to immediately report incidents to the police;
 - (b) rapid response by the police to situations of disorder; and
 - (c) the police and/or other licensed premises to give advance warning of potential troublemakers and individuals suspected of criminal behaviour that are in the vicinity of the area.
- CD2 The text/radio pager equipment shall be maintained and kept in working order at all times and shall be operated appropriately in accordance with the manufacturer's instructions.
- CD3 The pager link shall be operated and monitored by the designated premises supervisor (or a named responsible member of staff) at all times the premises are open to the public.
- CD4 All incidents of crime and disorder shall be reported via a text/radio pager link by the designated premises supervisor (or a named responsible member of staff) to an agreed police contact point.
- CD5 Accurate and up-to-date information shall be held pertaining to all door supervisors employed at the premises (whether directly or through an agency) in a log-book which contains, in relation to each door supervisor:
- (a) his/her name, address, and telephone number;
 - (b) his/her registration number;
 - (c) the name, address, and telephone number of the agency (where the door supervisor in question is not employed directly);
 - (d) the dates and times at which he/she commences and finishes work at the premises and his/her signature in respect of both;
 - (e) details of any incident in which the door supervisor is involved, including the calling of the police and any police action taken.
- CD6 The management of the premises shall devise and implement a policy (which is approved by Thames Valley Police) for the provision of SIA registered door supervisors and security teams at the premises.
- CD7 There shall be a minimum of two door supervisors on duty at the premises at all times during opening hours.
- CD8 There shall be a minimum of one door supervisor for every 100 persons or part thereof at functions attended by adults.
- CD9 Where the audience includes minors there shall be either:
- (a) a minimum of two door supervisors for every 100 persons or part thereof; or
 - (b) at least one door supervisor per exit, whichever is the greater.
- CD10 At least one female door supervisor shall be employed and available where appropriate (for example, if female customers are the subject of body searches).
- CD11 An outer body search shall be carried out where there is reasonable suspicion that an individual is in possession of an illegal drug or an offensive weapon.
- CD12 Notices shall be displayed advising the public that an outer body search is a condition of entry and that the Police will be informed if anyone is found in possession of illegal drugs or offensive weapons.

- CD13 The management of the premises shall devise and implement a policy (which is approved by Thames Valley Police) relating to the prevention of illegal weapons. This policy shall include: search, detection, confiscation, storage and disposal.
- CD14 Persons who are known to have been convicted of drug and drug-related offences which are not spent shall be excluded from the premises.
- CD15 No glass bottles containing beverages of any kind, whether open or sealed, shall be given to customers for consumption on the premises, whether at the bar or by staff service away from the bar.
- NOTE : Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder.
- CD16 Drinking vessels shall be made of toughened glass or plastic and shall be designed not to have a sharp edge when broken.
- CD17 The management of the premises shall devise and implement a policy (approved by Thames Valley Police) for the use and provision of glass containers, either bottles or drinking vessels, to prevent their use as weapons.
- CD18 Bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.
- CD19 No customers carrying open or sealed containers of alcohol shall be admitted to the premises at any time that the premises are open to the public.
- NOTE : The Licensing Authority will take into consideration the location and style of the premises in assessing whether a condition on the use of plastic or toughened glass is necessary. The use of plastic or paper drinks containers and toughened glass may be relevant as measure to promote public safety.
- CD20 Customers shall be prevented from taking any alcoholic drinks, or other drinks, from the premises in open containers (e.g. glasses and opened bottles).
- CD21 The consumption of alcoholic drinks shall be restricted to [please insert areas] between the following times [please insert times].
- CD22 The capacity of [please insert areas] shall be restricted to [please insert numbers].
- CD23 The ratio of tables and chairs to customers shall be [please insert].
- CD24 A valid proof of age card or UK passport shall be required to be produced by any person appearing to those selling or supplying alcohol, to be under 18 (or 16 in the case of the consumption of beer, wine and cider in the company of adults during a table meal) and who is attempting to buy alcohol.
- CD25 The management of the premises shall devise and implement a policy (which is approved by Thames Valley Police) to monitor and control the access and exit of young persons possibly underage from the premises.
- CD26 The licensee shall display in a prominent position a copy of their policy on checking proof of age.
- CD27 No person under the age of 18 years shall be admitted to the premises while licensable activity is taking place.
- CD28 No person under the age of 18 years shall be admitted to the premises between the hours of [please insert] on [please specify days of the week].
- CD29 Notices shall be prominently displayed and maintained, advising customers of the prevalence of any crime that may target them.

NOTE : e.g. notices warning customers about the need to be aware of pickpockets or bag snatchers and to guard their property.

- CD30 A notice shall be displayed at the premises giving contact details for customers to report anything suspicious.
- CD31 The licensee shall take measures to promote 'sensible drinking' (including measures to encourage the purchase of safe drinks).
- CD32 The licensee shall ensure that adequate measures are taken to prevent the use and supply of illegal drugs.
- CD33 The licensee shall ensure that adequate search procedures are in place to prevent the bringing of illegal drugs or weapons onto the premises.
- CD34 The licensee shall ensure that clear information is displayed in a prominent position for staff and patrons on drug awareness, including the spiking of drinks with drugs.
- CD35 The licensee shall ensure that staff are trained in drug awareness and that procedures are agreed with the police for searches and the surrender and seizure of drugs and weapons.
- CD36 The management shall have in place and implement a policy, approved by Thames Valley Police, relating to the prevention of the use of illegal drugs. The policy shall include: search, detection, confiscation, storage and disposal.
- CD37 An induction and training programme for staff who will implement the provisions of the drug policy shall be introduced to ensure proper implementation.
- CD38 A senior member of the management team must obtain the National Certificate in Drugs Awareness, or equivalent qualification.
- CD39 The management of these premises must have and implement a policy, approved by Thames Valley Police, for the provision of staff at the premises, to cover such aspects as staff : customer ratio, experience and qualifications.
- CD40 A CCTV system shall be installed, maintained and operated correctly to the satisfaction of the Thames Valley Police Crime Prevention Officer. The tapes from the system shall be retained for a period of 31 days. A sign advising customers that they are on CCTV shall be positioned in a prominent position. [NB this is to achieve compliance with the Human Rights legislation].
- CD41 A comprehensive CCTV system be installed that ensures all areas of the licensed premises are monitored, including all entry and exit points, and which enables frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. A sign advising customers that they are on CCTV shall be positioned in a prominent position. [NB this is to achieve compliance with the Human Rights legislation].
- CD42 CCTV with time and date recording facility shall be installed and maintained at the club in accordance with the advice of a Thames Valley Police Crime Prevention Officer. Recording media shall be retained for at least 90 days and shall be readily available for inspection by the Police or authorised person. An inspection to ensure compliance will be carried out by the Crime Prevention Officer within 2 months of the date this licence is granted. A sign advising customers that they are on CCTV shall be positioned in a prominent position. [NB this is to achieve compliance with the Human Rights legislation].
- CD43 There shall be a suitable facility for the recording and storage of images collated from CCTV, and a capability of CCTV to work effectively in low levels of light.

- CD44 The management of the premises shall have and implement a policy, approved by Thames Valley Police, for reporting incidents of crime and disorder.
- CD45 The management of the premises shall have and implement a dispersal policy, approved by Thames Valley Police, for controlling the closing of the premises and the departure of customers at the conclusion of the licensed activities.
- CD46 The sale and supply of alcohol shall cease (insert) minutes prior to the closure of the premises and a winding down period shall be implemented. E.g. quieter music, during or before this (insert) minute period.
- CD47 The management shall subscribe to the provision of a dedicated licensed taxi cab service for customers leaving the premises e.g. a free phone connected to a local authority registered taxi firm.
- CD48 The licensee shall be an active partner in the Local Pubwatch scheme.
- CD49 The licensee shall be an active partner in radio link / licensees association scheme for the area in which it is situated.
- CD50 Thames Valley Police are to be consulted prior to any drinks promotion being held at the premises.
- CD51 The Licensing Officer for Berkshire West BCU at Thames Valley Police is to be consulted prior to any drinks promotion being held.
- CD52 The management of these premises shall have and implement a policy, approved by Thames Valley Police, for the promotion of crime reduction initiatives.
- CD53 Events, musical concerts, live or recorded performances being held on licensed premises shall not be advertised in any public place without the written permission of the Licensing Authority and the owner of the premises where such advertisements are to be displayed.
- CD54 Whilst during trading hours, a nominated individual with appropriate training and experience can be identified as being responsible for each particular bar area, the person will preferably be a Personal Licence Holder.

PART B – Conditions Relating to Public Safety

In certain premises, where existing legislation does not provide sufficiently for the safety of the public, some or all of the following model conditions may be applied. This will be determined by the individual circumstances of the premises and will depend on a range of factors, including the nature and style of the premises, its location, the activities being conducted there, the anticipated clientele of the business concerned, and local knowledge of the premises.

Capacity

- PS1 Performances involving danger or risk to the public shall not be given.
- PS2 Dancing shall be restricted to the areas approved by the Licensing Authority for that purpose.
- PS3 The number of persons admitted to the premises on any one occasion shall not exceed the maximum occupant capacity as specified by the Fire Authority and overcrowding in any part of the premises which would interfere with the safety or comfort of the public shall not be permitted.
- PS4 A suitable method of determining the number of persons on the premises at any one time shall be employed to ensure that the maximum permitted number is not exceeded.
- PS5 The licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and shall inform any authorised person on request.
- PS6 A notice shall be displayed prominently at the entrance to the premises so as to be visible and easily understood, indicating the maximum number of persons permitted on the premises at any one time. Where the Licensing Authority has specified maximum numbers for particular parts of the premises shall be displayed at the entrances to these parts, indicating the maximum number of persons that may be present there at any one time.
- PS7 No alterations (including temporary alterations) shall be made to the premises, without the consent of the Licensing Authority. This condition shall not require notice to be given in respect of routine maintenance works. Where works necessitate the premises being closed for a period of time, the premises shall not reopen for the purpose of the licence without the consent of the Licensing Authority.

NOTE: Any consent under this rule does not relieve the licensee of any need to seek a variation in the terms of the licence.

- PS8 Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition in question. The applicant will need to propose in a new operating schedule, which reflects the proposed alteration to the premises, how he or she intends to take alternative steps to promote the public safety objective.

Means of Escape

- PS9 The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the approved arrangements.
- PS10 In restaurants and other premises where chairs and tables are provided, clear gangways shall be provided in accordance with the approved arrangements.
- PS11 No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority.
- PS12 All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- PS13 Any approved removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in an approved position.

- PS14 Doors at such exits are regularly checked to ensure they function satisfactorily.
- PS15 All fire resisting doors to ducts, service shafts and cupboards shall be kept locked and shut.
- PS16 The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- PS17 All internal gangways shall be kept unobstructed.
- PS18 Safety checks are carried out before the admission of the public.

Safety Curtain (where provided)

- PS19 Only hangings, curtains, upholstery and temporary decorations complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary to the satisfaction of the Licensing Authority.
- PS20 Hangings, curtains, and temporary decorations are maintained in a flame- retardant condition.
- PS21 Any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1, and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.
- PS22 Curtains, hangings, and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.
- PS23 Curtains, where permitted across doors, shall be hung in two halves on a free running rail to enable them to be parted easily. Such curtains shall have a clearance of at least 25mm between the bottom of the curtain and the floor.

Scenery and Properties

- PS24 At least 7 days' notice shall be given to the Licensing Authority of any proposal to use scenery or properties and such scenery or properties shall only be used with the consent of the Licensing Authority.
- PS25 Scenery and properties shall only be stored in approved areas and where permitted to be stored on the stage shall be limited to the approved amounts.
- PS26 The doors to any scenery store shall be kept closed during performances.
- PS27 The scenery and properties used on an open stage shall be restricted to that of the actual production. No other storage shall be permitted in the stage area.

Fire Duties

- PS28 At premises licensed for stage presentations and at other premises where the Licensing Authority so requires, at least one member of staff shall be adequately trained by a recognised authority in fire-prevention and extinction. Such person shall act as duty fire officer and shall not be engaged in other duties which conflict with this primary duty and shall be readily identifiable and distinguishable from other members of staff. Additional trained staff shall be employed if for any reason the Licensing Authority considers it necessary.

NOTE: The type of premises to which this condition is likely to apply includes theatres, exhibition halls and where the entertainment involves special risks.

- PS29 All parts of the premises shall be inspected by an appropriately trained member of staff at the end of every separate performance in order to ensure no fire exits are blocked and to identify any possible fire risk. The licensee shall ensure that a logbook is kept to record the holding of staff fire drills and the carrying out of checks. The licensee or duty manager shall initial the

logbook weekly and the book shall be open to inspection at any reasonable time by authorised officers.

Staff Training

PS30 Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role and documented records of such training/instruction shall be kept.

Outbreaks of fire

PS31 Notices dealing with actions to be taken in the event of a fire or other emergency, including how the fire brigade are summoned, are prominently displayed and protected from damage and deterioration.

PS32 The fire brigade must be called at once to any outbreak of fire, however slight, and the details recorded in a fire logbook.

PS33 The local Fire Control Centre are notified as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

PS34 Access routes for emergency vehicles are kept clear and free from obstruction.

First Aid

PS35 An adequate and appropriate supply of first aid equipment and materials is available on the premises.

PS36 At least one suitably trained first aider who is responsible for first aid shall be on duty when the public are present. If more than one suitably trained first-aider is present, their respective responsibilities are clearly defined.

Emergency Lighting

PS37 All electrical wiring, fittings and appliances shall be constructed and maintained in a safe and satisfactory condition to the satisfaction of the Licensing Authority.

PS38 In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation during all times when they are present.

PS39 A system of emergency lighting, independent of the normal lighting of the premises shall be provided and shall illuminate all escape routes. The system shall operate automatically on failure of the normal lighting or be on at all times, and shall be maintained in efficient working order and tested at specified intervals to the satisfaction of the Licensing Authority and Fire Authority, with details of tests recorded in the fire logbook.

PS40 Emergency lighting batteries are fully charged before the admission of the public, members or guests.

PS41 In the event of the failure of normal lighting where the emergency lighting battery has a capacity of one hour, arrangements shall be in place to ensure that the public, members or guests leave the premises within 20 minutes, unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours, the appropriate period by the end of which the public should have left the premises is one hour.

PS42 Corridors, passageways and stairways shall be evenly illuminated to a level not less than that required by the current British Standard Code of Practice.

- PS43 A minimum of three electrical hand-lamps shall be available at the premises at all times for use by appointed staff and the head-lamps shall be properly maintained at all times and ready for use in an emergency.
- PS44 Temporary electrical wiring and distribution systems shall not be provided without notification to the licensing authority at least ten days before commencement of the work.
- PS45 Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable, BS 7909.
- PS46 Temporary electrical installations shall only be installed by a competent person or, where they have not been installed by a competent person, temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put to use.

Ventilation

- PS47 The premises shall be effectively ventilated. Where the ventilation system is designed to maintain positive air pressure within part of the premises, that pressure shall be maintained whenever the public, member or guests are present in that part of the premises.
- PS48 Ventilation ductings are kept clean, and air filters are periodically cleaned and replaced to maintain a satisfactory air supply.
- PS49 Premises should not be altered in such a way as to make it impossible to comply with an existing licence condition without first seeking a variation of the premises licence proposing the deletion of the condition relating to public safety in question. The applicant will need to propose in a new operating schedule, which reflects the proposed alteration to the premises, how he or she intends to take alternative steps to promote the public safety objective. The application for variation will enable the responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

Special Risks

- PS50 Any entertainment which involves special risks (e.g. firearms, skating to music) may only be given with the Licensing Authority's consent. At least 7 days notice shall be given to the Licensing Authority and, save in exceptional circumstances, exact details of the proposal including date and time of any proposed rehearsal.
- PS51 No laser beams, pyrotechnics, firearms, motor vehicles, real flame, strobe lights, explosives, flammable or smoke-producing agents, toxic or hazardous substances and any similar entertainment involving special effects or special risks shall be used on the premises without prior notification to the Licensing Authority at least ten days in advance. Special effects shall only be used where the desired effect cannot be achieved by mechanical means.

NOTE : Further guidance can be found in Annex E of the DCMS Guidance issued under section 182 of the Licensing Act 2003.

- PS52 Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the Licensing Authority and subject to the provisions set out below:
 - (a) Firearms and replica firearms, including blank ammunition, shall be stored in a secure area to the satisfaction of the Licensing Authority and the police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. must also be accounted for.
 - (b) Storage areas and containers used shall be indicated by the explosive/inflammable symbol on the door or lid.
- PS53 Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers or staff.

PS54 Signs shall be prominently displayed at the entrance to the premises where appropriate to advise members of the public that special effects will be used during the performance and what those special effects will be.

Pop Concerts

PS55 Entertainment commonly known as a pop concert shall not be given without the Licensing Authority's consent. At least one month's notice shall be given in the event of any intention to use the premises for a pop concert. Where possible this should be three months. The application shall give the names of the groups or artists booked to appear (if known) together with an indication of the age and profile of the audience the entertainment is expected to attract.

Animals, etc.

PS56 A minimum of 14 days' notice in writing shall be given to the Licensing Authority of any intention to use any live animal, bird or fish in a performance on the premises.

Attendants

PS57 The number of attendants on each floor or tier in a closely seated auditorium shall be as set out in the table below :

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1-101	1
101-250	2
251-500	3
501-750	4
751-1000	5
And one additional attendant for each additional 250 persons (or part thereof)	

PS58 Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.

PS59 Any attendant shall be readily identifiable in a public place.

Seating

PS60 Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.

PS61 Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.

PS62 In no circumstances shall anyone be permitted to:
 (a) sit in the gangway;
 (b) stand or sit in front of the any exit; or
 (c) stand or sit on any staircase including any landings.

PS63 Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or consumed by a closely-seated audience except in plastic/paper containers.

PS64 Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

PS65 All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person who will decide when a further inspection would be necessary and a certificate concerning the condition of the ceilings forwarded to the Licensing Authority following each inspection.

- PS66 Where a safety curtain is provided, it should be arranged so as to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.
- PS67 The premises shall not be used for a closely-seated audience except in accordance with plans previously submitted to and approved by the Licensing Authority, a copy of which shall be kept available at the premises and shall be shown to any authorised person upon request.
- PS68 Where any part of the premises is used for a closely-seated audience exceeding 250 people there shall be an unobstructed seat way or space of at least 305mm (12 ins) measured between perpendiculars between the back of one seat and the foremost portion of the seat arm or frame immediately behind.
- PS69 Where the potential audience exceeds 250, all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four, or more than twelve.
- PS70 If tiered seating is provided, the back of the highest level and the ends of the rows shall be provided with an effective safety barrier to the satisfaction of the Licensing Authority.
- PS71 No article shall be attached to the back of any seat which would reduce clear width of seat-ways or cause a tripping hazard or obstruction.
- PS72 A copy of the approved seating plan(s) shall be kept available at the premises and shall be shown to authorised officers on request.
- PS73 A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

Disabled persons

- PS74 The licensee shall ensure that whenever disabled persons are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency.

Premises used for film exhibition

- PS75 Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below :

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1-250	2
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of an audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

- PS76 Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below :

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of other staff on the premises who are available to assist in the event of an emergency
1-500	2	1
501-1000	3	2
101-1500	4	4
1501-more	5 plus one for every 500 (or part thereof) persons over 2000 on the premises	5 plus one for every 500 (or part thereof) persons over 2000 on the premises

- PS77 Staff shall not be considered as being available to assist in the event of an emergency if they are:
- (a) the holder of the premises licence or the manager on duty at the premises; or
 - (b) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his or her response in an emergency situation; or
 - (c) a member of staff whose usual location when on duty is more than 60 metres from the location to which he or she is required to go on being alerted to an emergency situation.
- PS78 Attendants shall as far as reasonably practicable be evenly spread throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- PS79 The staff alerting system shall be maintained in good working order.
- PS80 No flammable films shall be allowed on the premises without the prior notification of the Licensing Authority and Fire Authority.
- PS81 The level of lighting in the auditorium should be as great as possible, consistent with the effective presentation of the film.
- PS82 The level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

Dressing Rooms, Retiring and Staff Rooms

- PS83 (a) The number of performers and members of the orchestra shall not exceed the number for which, in the opinion of the Licensing Authority, the dressing rooms, staff rooms and retiring-room accommodation is adequate.
- (b) Temporary dressing rooms shall not be provided except with the consent of the Licensing Authority.
 - (c) Temporary dressing rooms shall not be provided except with the consent of the Licensing Authority.

Toilet Facilities and Drinking Water

- PS84 (a) Free toilet facilities in proper working order shall be available as specified by the Licensing Authority.
- (b) Where required by the Licensing Authority, free drinking water shall be made available, to the satisfaction of the Licensing Authority. Drinking water taps shall be clearly marked as such.

Cleanliness of Premises

- PS85 All parts of the premises shall be kept in a clean condition to the satisfaction of the Licensing Authority.

Refuse Storage

- PS86 A sufficient number of suitable receptacles for refuse storage shall be provided to the satisfaction of the Licensing Authority. These receptacles shall be maintained in a clean condition.

Stage Ventilators and Drenchers

- PS87 Stage ventilators, drenchers and their release points shall be maintained unobstructed and in good working order. The moving parts of any smoke ventilators over the stage shall be tested periodically.

Management Lighting

- PS88 (a) In the absence of adequate daylight in any area used by the public the management lighting in such areas shall be fully in operation whilst the public are on the premises.

- (b) If essential to the entertainment and agreed by the Licensing Authority, lighting in the entertainment area (except for fire safety signs) may be reduced or extinguished provided : (i)
The lighting is controlled from a position with a clear view of the audience.
- (ii) An operator stands by such controls whilst the lighting is reduced or extinguished and who shall restore the management lighting in the event of any emergency.
- (c) Fire safety signs shall be fully illuminated at all material times.
- (d) Subject to (b) above there shall be adequate illumination to enable persons on the premises to see their way out.

NOTE: Licensees are advised to limit any periods during which lighting levels are reduced to the minimum possible, consistent with the needs of the entertainment.

Temporary Electrical Installations

- PS89 (a) Temporary electrical installations shall not be provided without prior notification being given to the Licensing Authority.
- (b) Temporary electrical installations shall comply with recommendations of British Standard 7671 (The I.E.E Wiring Regulations) or where applicable British Standard 7909: (Code of Practice for Temporary Distribution Systems for AC Electrical Supplies for Entertainment Lighting, Technical Services and Related Purposes).
- (c) Temporary electrical installations shall be inspected and certified by a competent person before they are put into use. A copy of the certificate shall be sent to the Licensing Authority.
- (d) Such temporary electrical installations shall only be acceptable for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and inspection report being submitted to the Licensing Authority at the end of each 3-month period.

NOTE: The Licensing Authority will normally require temporary installations to be removed at the end of the approved period OR during the approved period the installations to be installed in a permanent manner.

Ventilation

- PS90 The premises shall be effectively ventilated at all material times. In theatres and similar auditoria where the ventilation system is designed to maintain a positive air pressure balance in the auditorium, the ventilation system shall be operated so as to maintain the pressure balance at all material times.

Cleansing of Flues, Ventilation, Ducting and Shafts

- PS91 (a) The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
- (b) Ventilation ducting and shafts generally shall be maintained in a clean condition.
- (c) Ventilation air filters shall be cleaned or changed for new filters periodically as may be necessary to maintain a satisfactory flow of air supply.
- (d) All interior surfaces of extract ventilation ducting, serving kitchens and serveries, shall be thoroughly cleaned at least annually.
- (e) Grease filters in extract ventilation hoods in kitchens and serveries shall be regularly cleaned e.g. weekly.

Compressed Gases and Liquids

- PS92 Cylinders for the storage of compressed air, oxygen, or other gases or liquids under pressure shall not be used except with the consent of the Licensing Authority. At least 14 days' notice in writing shall be given to the Licensing Authority of any proposal to use such apparatus.

NOTE: This rule does not apply to gas cylinders fitted in connection with the dispensing of beverages.

Certificates

- PS93 The certificates listed below shall be submitted to the Licensing Authority every twelve months:
- (a) any emergency lighting battery or system

- (b) any electrical installation
- (c) any boiler or calorifier
- (d) any ceiling (when required by the Licensing Authority)
- (e) any fire alarm system
- (f) any lift or hoist
- (g) any mechanical installation as specified by the Licensing Authority
- (h) any safety curtain
- (i) any permanently installed laser
- (j) any fire appliances
- (k) any permanently installed strobe lighting
- (l) any permanently installed smoke machine.

PART C – Conditions Relating to the Prevention of Public Nuisance

In certain premises where existing legislation does not provide sufficiently for the prevention of public nuisance, some or all of the following model conditions may be applied. This will be determined by the individual circumstances of the premises and will depend on a range of factors including the nature and style of the premises, its location, the activities being conducted there, the anticipated clientele of the business concerned, and local knowledge of the premises.

Hours

- PN1 The permitted opening hours shall be.....
- PN2 *The premises shall be closed to the public between.....hours and.....hours.*
- PN3 Amplified music or other entertainment noise from within the premises shall not be audible at any residential premises between the hours of.....and (regulated entertainment) or (consumption of alcohol) shall not be permitted in the following areas - - between the times ofhours and.....hours.

Noise and Vibration

- PN4 No music of any kind shall be provided on the ground floor of the premises.
- PN5 Noise and vibration shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.
- PN6 The doors at the front of the premises shall remain closed except for the immediate access and egress of customers and staff.
- PN7 Whenever the premises are in use under this licence, the external doors and windows shall not be fixed open after 11pm on any day of the week.
- PN8 Whenever the premises are in use under this licence, the external doors and windows shall remain closed except for immediate access and egress of staff and customers.
- PN9 A visual alarm shall be fitted (to all external windows / fire doors) [please delete as appropriate] to sound when (they / it) are / is opened without authorisation. His alarm shall be placed so as to allow staff to be made aware of misuse in order that they may take suitable action.
- PN10 A noise limiter shall be fitted to the musical amplification system in agreement and to the satisfaction of an authorised officer of the Environmental Health responsible authority. The noise limiter shall be set and maintained at a level to be decided upon by the said officer. The operational panel shall then be secured and the noise limiter shall not be altered without the prior agreement of an authorised officer of the Environmental Health responsible authority.
- PN11 Non-carbonated drinking water shall be freely available to patrons.
- PN12 No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised officer of the Environmental Health responsible authority.

Outdoor events

- PN13 The licensee shall have full control over the sound amplification equipment to the main stage. The volume and tone shall be adjusted accordingly to the requirements of the Environmental Health responsible authority.
- PN14 The specification, location and orientation of all permanently fixed speakers shall be agreed with the Environmental Health responsible authority.
- PN15 Noise emanating from the premises as a result of regulated entertainment shall not exceed (insert noise limit(s)) as measured at (specify measurement location).

NOTE : this applies to outdoor events only.

- PN16 Prominent, clear and legible notices are to be displayed and maintained at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- PN17 All reasonable steps shall be taken to ensure that people entering or leaving the premises do so in an orderly manner and do not in any way cause annoyance to residents and people passing by the premises.
- PN18 The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas shall be either prohibited altogether, or prohibited except following prior notification to the Licensing Authority at least ten days in advance. The decision for their use shall be held by the Licensing Authority.
- PN19 The placing of refuse into receptacles such as bottles shall only take place between the hours of 8.00am and 7.00pm, on Mondays to Saturdays only.
- PN20 Entertainment shall be held internally only and no music or speakers shall be provided to external areas of the premises.
- PN21 No music or speech shall be relayed via external speakers without the prior approval of the Environmental Health responsible authority.

Noxious Smells

- PN22 The premises shall be properly ventilated and noxious smells shall not be permitted to emanate from the premises so as to cause a nuisance to nearby properties.

Light Pollution

- PN23 Flashing or particularly bright lights which cause a nuisance to nearby properties shall not be permitted.
- PN24 Where flashing lights or particularly bright lights are used, curtains and blinds shall be used to prevent the escape of the light outside the premises boundary.

NOTE : This may not be possible where lighting has been installed to assist with the prevention of crime and disorder.

Responsibility of Licensee

- PN25 No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises, or in the vicinity of the premises.
- PN26 The licensee shall not use or cause or permit the use of unauthorised advertisements (fly posting) to advertise events, exhibitions, publications or recordings, and shall take all reasonable steps to ensure that unauthorised advertising (fly posting) connected with events at the premises does not take place.

NOTE: This does not prohibit the distribution of leaflets to persons within the premises.

- PN27 Between the hours of ... and at the closure of the premises, all external parts of the site shall be monitored for disturbance by an adequate number of staff, to ensure quiet behaviour of customers.

Conduct of Premises

- PN28 No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of the licensee which is unsuitable for general exhibition. If the licensee is notified by the Licensing Authority in writing that it objects under this rule to a

poster, advertisement, photograph, sketch, synopsis or programme, it shall not be displayed, sold or supplied.

PN29 The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

NOTE : Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

PN30 The entrance shall be kept closed except for immediate entrance and exit whilst the premises are in use under the licence;

PN31 A 'closed sign' shall be displayed at the entrance at the terminal hour specified on the licence;

PN32 All tables and chairs and other items on the private forecourt shall be removed by 11.00pm every night.

PN33 Free toilet facilities in proper working order shall be available as specified by the Licensing Authority.

PN34 Free drinking water shall be made available to the satisfaction of the Licensing Authority. Drinking water taps shall be clearly marked as such.

Cleanliness of Premises

PN35 All parts of the premises shall be kept in a clean condition to the satisfaction of the Licensing Authority.

Play equipment

PN36 No inflatable play equipment shall be used without the prior consent of the Environmental Health responsible authority. If agreement is given, conditions of use may apply.

Cleansing

PN37 The licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.

PN38 At the close of business each day the premises are open for the purpose of the licence, shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is swept and litter sweepings collected and stored in accordance with the approved refuse storage arrangements.

PN39 At the close of business each day the premises are open for the purpose of the licence, the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises is thoroughly washed down, unless the air temperature is 4 degrees Centigrade and falling.

PN40 The licensee shall ensure that the highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Licensing Authority.

PN41 The licensee shall ensure that the highway in the vicinity of the premises is swept at regular intervals whilst the premises are open for the purpose of the licence and at the close of business, and litter and sweepings collected and stored in accordance with approved refuse storage arrangements. Vicinity shall include the highway immediately outside the premises and on either side of the premises to a distance of ... meters [as well as the area immediately at the side of the premises on].

PN42 The licensee shall ensure that at the close of business each day the premises are open for business, the highway in the vicinity of the premises is swept and litter and sweepings collected

- and stored in accordance with the approved refuse storage arrangements. Vicinity shall include the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, and on either side of the premises to a distance of ... meters [as well as the area immediately at the side of the premises on].
- PN43 That notices are exhibited in prominent positions on the premises to protect the environment by disposing of their rubbish in the bins provided.
- PN44 The highway in the vicinity of the premises is swept at regular intervals whilst customers are queuing to enter the premises and also at the close of business, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
- PN45 Whenever queuing by customers waiting to enter the premises takes place, that part of the highway shall be swept as often as is necessary to ensure that the area is clean and tidy, and litter and sweepings collected, stored and disposed of in accordance with the approved refuse storage and disposal arrangements.
- PN46 The licensee shall ensure that all waste including materials for recycling, is stored off-street. The amount of storage space to be provided must be sufficient to accommodate 3 days output of waste, details of which shall be submitted to the Licensing Authority for approval within 28 days from the date of the licence.
- PN47 An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the Environmental Health responsible authority and it shall be the responsibility of the licensee to empty and dispose of the collected refuse at a frequency to be agreed with the Environmental Health responsible authority.
- PN48 The licensee shall ensure that all waste is properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- PN49 All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00hours and 07:00hours.
- PN50 The licensee shall put in place measures to ensure that all staff are aware that waste should only be put out at the appropriate time and that this includes both verbal instructions to staff and highly visible notices in appropriate languages at all relevant places within the working areas of the premises.
- PN51 No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, sign, or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any events, facilities, goods or services.
- PN52 Staff must be given training to prevent them causing unnecessary noise when leaving the premises. Prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
- PN53 At the conclusion of all entertainment events a suitably worded announcement shall be made, requesting customers to behave in a quiet manner whilst they are leaving the premises.
- PN54 The Licensee shall undertake all reasonable measures to control noise from the event. In particular he shall : (a) at all times exercise control of the level of amplification from performers and their equipment; and (b) shall stop the entertainment in the event of an emergency and/or at the conclusion of the permitted hours for entertainment.
- PN55 The Licensing Authority shall be notified in writing if the premises expects to exceed the total permitted capacity on any particular day. Reasons for the increase shall be provided along with details of where the extra patrons are to be accommodated and how noise arising from the increased capacity will be mitigated.

PART D – Conditions Relating to the Protection of Children from Harm

In certain premises where existing legislation does not provide sufficiently for the protection of children from harm, some or all of the following model conditions may be applied. This will depend on the individual circumstances of the premises and will be determined by a range of factors including the nature and style of the premises, its location, the activities being conducted there, the anticipated clientele of the business concerned, and local knowledge of the premises.

Access for Children to Licensed Premises

It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there.

It is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5 am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice.

Age Restrictions – specific

PC1 Children under the age of 18 are not permitted on the premises at any time; or children under the age of 18 are not permitted on the premises between..... hours and..... hours.

PC2 Children under the age of 18 are not permitted on the premises in the following areas -- between.....hours and.....hours and/or during the following licensable activities:
.....

NOTE : Types of event or activity in respect of which no age restrictions may be needed include, for example, family entertainment, and/or non-alcoholic events for young age groups, such as under 18's dances. Similarly, types of event or activity which give rise to a more acute need for restrictions than normal include, for example, during "Happy Hours" or on drinks promotion nights, and/or during adult entertainment events.

PC3 Children under the age of 12 are not permitted on the premises.

Age Restrictions – cinemas

PC4 Films shall be classified in the following way:

- Universal (U) – suitable for audiences aged four years and over.
- Parental Guidance (PG) – some scenes may be unsuitable for young children.
- 12A – passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
- 15 – passed only for viewing by persons aged 15 years and over.
- 18 – passed only for viewing by persons aged 18 years and over.

PC5 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

PC6 Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category, no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms : PERSONS ADMITTED UNDER THE AGE OF (INSERT APPROPRIATE AGE) CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

PC7 Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition shall not apply to members of staff under the relevant age

while on-duty provided that prior written consent of the person's parent or legal guardian has first been obtained.

Age Restrictions – theatres

PC8 Admission of children under 18 shall not be permitted to entertainment incorporating adult entertainment.

Performances Especially for Children

PC9 Entertainment especially presented for children shall not be given without the consent of the Licensing Authority. At least seven days notice shall be given to the Licensing Authority of any intention to provide such entertainment. During the whole time that performances are especially presented to children :

(a) A member of staff shall be stationed in the vicinity of each exit from any level occupied by children provided that on each level the minimum number of staff on duty shall be : Stalls - 1 member of staff per 100 children or part thereof; All other levels - 1 member of staff per 50 children or part thereof.

(b) No child unless accompanied by an adult shall be permitted in the front row of any balcony.

(c) Standing shall not be permitted.

NOTE: Stalls will normally be the lowest level of accommodation and parts (a) to (c) of this rule are intended to minimise the risk of children falling from upper levels.

PC10 A responsible adult member of staff shall be stationed in each area occupied by children, and in the vicinity of each exit, so that on each level occupied by children the minimum number of responsible adult members of staff on duty shall be one for every 50 children or part thereof.

PC11 Where the entertainment is music and dancing, two door supervisors licensed by the Security Industry Authority must be employed for every 100 children.

Children in Performances

PC12 Backstage facilities shall be of a sufficient size to accommodate safely the number of children taking part in any performance. All changing and toilet facilities should be carefully maintained at a standard suitable for children and young people.

PC13 All chaperones and production crew on the show shall receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.

PC14 Special effects may trigger adverse reactions especially with regard to children, such as smoke, dry ice, rapid pulsating or flashing lights, and shall not be used without the consent of the Licensing Authority.

PC15 Children performing shall be kept under adult supervision at all times, including transfer between stage and dressing room and anywhere else on the premises.

PC16 Supervisors at performances especially for children shall be appropriately checked by the Criminal Records Bureau. These shall be enhanced checks.

PC17 Measures shall be put in place to ensure that the children can be accounted for at all times in case of an evacuation or emergency.

PC18 The Licensee shall comply with The Portman Group's Retailer Alert Bulletins, relating to the breaches of the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

Proof of Age Card

PC19 Sight of evidence of age shall be required from any person appearing to those engaged in selling or supplying alcohol to be under the age of 18 and who is attempting to buy alcohol.

Training

- PC20 All staff employed in the sale of alcohol shall be trained (and a record of their training maintained) in respect of :
- (a) The legal obligations with regard to the sale of alcohol
 - (b) Advice/procedure on handling refusals
 - (c) Understand the company's proof of age policy
 - (d) Understand the policy to record all refusals
 - (e) EPOS Systems
 - (f) Till Prompts "is this person over 18"

NOTE : Training shall be reviewed and updated periodically.

Written Policy

- PC21 The management of the premises shall devise and implement a policy (which is approved by Trading Standards) in respect of :
- (a) What ID's are acceptable
 - (b) When ID should be asked for
 - (c) What should be done in the absence of ID

Refusal Log

- PC22 A 'refusal log' shall be implemented, maintained and monitored in respect of persons that have been refused alcohol by staff.

Children Allowed on Premises

- PC23 Children under the age of 16 will only be admitted to the premises if they are supervised and accompanied by an adult whilst on the premises.
- PC24 Notices shall be sited at the entrance to the premise and at bar areas confirming the proof of age policy at the premises, e.g. "No ID No Sale Over 18's/Over 21's".
- PC25 Areas that are not constantly staffed, for example the garden/games rooms, shall be regularly monitored to ensure that no illegal consumption of alcohol takes place.

Cigarette and Gaming Machines

- PC26 Cigarette Vending Machines and Gaming Machines shall be sited so that their use can be monitored by staff.