

Management Conditions

Examples of (Licensing Act 2003) Management Conditions

Set out below are examples of conditions that may be considered by the Licensing panels when determining applications where representations have been received. These can also be used as a reference tool by applicants when compiling license operating schedules.

The below examples are not an exclusive or exhaustive list of conditions and each application will be considered on its own merits. The examples do not restrict any applicant, responsible authority, or other person from proposing any alternative conditions, nor would they restrict a licensing sub-committee from imposing any reasonable condition on a license it considers necessary for the promotion of the licensing objectives.

(Where (X) is found in the conditions below this will be a number to be decided at the discretion of the Licensing Sub Committee)

General conditions that could be applied to all types of premises

CCTV

1. CCTV to be installed to the satisfaction of the Police. This will be judged in relation to the advice available in the Home Office Scientific Development Branch (HOSDB) document "CCTV Operational Requirement Manual 28/09" with special emphasis on the provision of "identification quality" images of people entering or leaving the premises through any doorway.
2. The system must provide general views of the interior of the premises and exterior areas where relevant.
3. The system must record and store images for 31 days and must record between 6 to 12 frames per second. It must be able instantly to download recorded images onto a readable format (CD or DVD) at the time of request.

I.e. to prevent any need to seize the hard drive thus rendering the system inoperative.
4. If the CCTV equipment is inoperative, or is otherwise not installed and working to the satisfaction of the Police and Licensing Authority, the premises must not be used for licensable activities unless with prior agreement from the Police.

5. Operation of the CCTV equipment to be checked at least every seven days by the management and a written log recording this must be kept and made available for inspection. If inoperative this is to be reported to the Police and the Licensing Authority without delay.

6. CCTV images must be made available for playback in store to Police or Council Licensing Officers at any time the store is open.

7. CCTV images along with a software player to enable viewing must be provided to the Police or Council Licensing Officers within 24 hours of request.

8. Notices must be displayed at the entrance to the premises and in prominent

positions throughout the premises advising that CCTV is in operation.

9. The CCTV system must record all entrances and exits to the premises at all times. It must also record the outside of the premises, capturing images of delivery persons and vehicles and where possible, the camera should be situated to capture vehicle registration numbers of any delivery vehicle.

Cash Handling

10. A monitored central station alarm must be installed by either a NACOSS or SSAIB affiliated installer and must achieve the following:

- the monitored security system must be equipped with a signal terminating at a recognised Alarm Receiving Centre (ARC) and must comply with the current version of the EN 50131-1 standard and be eligible for a police response as defined by the ACPO Policy on Police Response to Security Systems, Level 1 status.
- this must incorporate fixed personal panic attack buttons for the use of staff behind the counter and/or remote panic buttons for staff when they are away from the counter area

13. A safe must be provided which:

- restricts access for at least three minutes, to deter criminals from accessing the surplus or reserve value during any robbery.
- have a drop facility with anti-fish mechanism.
- must be either bolted to a solid wall and/or solid floor or buried in a solid wall and/or solid floor

14. Signage must be displayed in the customer area, highlighting that access to cash and valuable items is controlled by time delay. Alternatively, where

staff does not have access to the safe, a sign must state this fact. It is recommended that a time delay, visual countdown display is used, so that a robber/burglar can see that a time delay is in operation.

15. The till must be secured to the counter and either be positioned so that customers cannot reach over and grab money from the cash tray or be fitted with a till guard to prevent easy access.

16. Tills must be regularly skimmed off to reduce the impact should a robbery occur.

Staffing Levels

17. There must be a minimum of *(X) members of staff on the premises from (X) until the premises close for safety purposes and to prevent crime.

18. There must be minimum of (X) members of staff on the premises at all times whilst the premises remain open for the sale of alcohol.

Deliveries

19. No deliveries to the premises shall be arranged between (X) and (X)

Signage

20. A notice displaying the opening hours, and the hours and type of licensing activity which may take place, must be clearly displayed and visible to anyone outside the premises. This may be incorporated in the summary of the license, which must be displayed, or take the form of a separate item.

21. A summary of the premises license must be displayed at each public entrance to the premises.

Training

22. Appropriate staff training must be satisfactorily completed and recorded. Training records shall be made available for inspection upon reasonable request by a relevant officer of a responsible authority.

Immigration

23. The license holder must carry out the relevant right to work checks for any prospective employees before commencing employment. This should include anyone wishing to carry out trial shifts.

24. The license holder must retain copies of documents as a result of conducting checks relating to the right to work. These must be stored securely by the at the premises, or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials.

The license holder, or any person appearing to represent the license holder, must be able to produce without delay documents relating to the right to work at the request of an immigration officer.

25. The license holder must ensure that the premises offer facilities to pay by card, in addition to the cash option.

Conditions appropriate for different types of premises

Off Licences

Responsible Alcohol Retailing

26. There must be no stock or sale of high strength beer, lager or cider (above 5.5% ABV).

27. All beer, lager or cider must be clearly price marked.

28. There must be no single cans of beer, lager, cider, ale or spirit mixtures sold at the premises.

29. There must be no sales of spirits in miniature sizes.

30. Appropriate signage must be displayed on the premises stating that alcohol will not be sold to persons who are inebriated and/or who might be regarded as street drinkers.

31. An age verification scheme, such as Challenge (21/25), must be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a photo driving license, passport PASS accredited proof of age card or military ID card. Staff shall be trained in the adopted age verification scheme.

32. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol and shall be made available for inspection by the police and Council officers on request. The refusals book to be bound and paginated and contain details of time and date, description of the attempting purchaser, reasons why the sale was refused and the name/signature of the sales person refusing the sale.

33. All alcohol drinks shall be clearly marked or labelled with the name of the premises.

Storage

34. Alcohol must be securely stored behind lockable shutters when the premises are open but outside of licensed hours.
35. Alcohol stored in the premises must be securely stored behind lockable shutters or a suitable stock room. The aisles and floor areas are to be kept clear and alcohol must be stored on or in shelving and cabinets.
36. No alcohol, beer, wine etc. is to be stored or displayed on the floor of the shop retail area, but must be displayed or stored on suitable shelving or display racking.

Training

37. All staff must receive recognised alcohol retail training within 3 months of the license being granted.
38. Arrange Quarterly training on site by an independent trainer in the appropriate language to ensure that the licensee fully understands the full context of the training provided. For the avoidance of doubt, training shall be provided for all staff whether full- or part-time Training records will be kept and made available for inspection by the police and licensing authority.
39. All staff must receive training in conflict management within (X) of the license being granted

Signage – Disorder

40. Signage must be displayed requesting patrons leave the premises quietly and must not loiter or consume alcohol outside the premises.

Purchasing Stock

41. The Premises Licence Holder and Designated Premises Licence Holder must ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
42. The Premises Licence Holder and Designated Premises Supervisor must ensure persons responsible for purchasing alcohol do not take part in any

stock swaps or lend or borrow any alcohol goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.

43. Prominent signs shall be displayed at all entrances to the premises stating the premises will not buy goods from any caller to the premises. The signs shall be displayed regardless of whether public access is permitted at that entrance.

44. The Premises Licence Holder shall ensure all receipts for alcohol goods purchased include the following details:

- seller's name and address
- seller's company details, if applicable
- seller's VAT details, if applicable
- vehicle registration detail, if applicable

45. Legible copies of the documents referred to in Condition (38) above shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.

46 . Copies of the documents referred to in Condition (38) above shall be retained on the premises for period of not less than twelve months.

47. An ultra violet light shall be purchased and used at the store to check the authenticity of all stock purchased which bears a customs stamp.

48. Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

49. No untrained staff shall be permitted to purchase alcohol without written authorisation from the Premises Licence Holder.

Pubs Bars and Nightclubs

Outside Space

50. No outside space must be used for any activity after (X) hours except for maximum of (X) smokers in the designated smoking area. The smokers area must be monitored by management or door staff where employed.

51. Use of the garden by customers will be restricted to smokers only after (X), with no drinks permitted in the garden after that time

52. The doors and windows facing the garden will be closed from 22:30hrs except for access and egress.

53. The smoking area must be monitored by CCTV.
54. There must be no entry or re-entry to the premise after (X) hours except for maximum of (X) smokers in the designated smoking area.
55. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, must not be permitted to take drinks or glass containers with them.
56. Staff must regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises or residents.

SIA Registered Door Supervisors

57. A minimum of (X) SIA registered door staff must be employed on the premises from (X) hours any time the premises remains open past X hours and until close.
58. The license holder must ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
59. All persons entering or re-entering the premises must be searched by an SIA trained member of staff and monitored by the premises CCTV system. At least one male and one female supervisor must be provided for this purpose.
60. All customers must be searched using metal detectors wand(s) on entry and re-entry. This includes any customer who has left the building to smoke or for any other reason.
61. Any drugs or weapons confiscated from customers must be stored in a locked and secure container and the police must be notified as soon as soon as reasonably practical. Customers found in possession of drugs and weapons must be refused entry or removed from the premises.
62. All staff engaged outside the entrance to the premises, or supervising or controlling queues, must wear high visibility yellow jackets or vests.
63. The designated queuing area must be enclosed within appropriate barriers to ensure that the footway is kept clear.
64. An ID scanning system to the reasonable satisfaction of the Police shall be installed and maintained on the premises. The system will be capable of sharing information about banned customers with other venues; identify the

hologram of another ID and read both passports and ID cards; and be able to identify fake or forged ID documents to a reasonable standard. All person that enter the premises, including staff, patrons, DJ's, and associated staff will be scanned and have their details stored on the system. The details shall be stored and made available for a period of no less than 31 days on request by the police or the licensing authority. The premises shall prominently display signage at the entrance informing customers of the above as a condition of entry.

Glass

65. Toughened glass must be used and must continue to be used during any additional hours.

66. No glass / glass bottles must be taken from the premises. The bar areas must be regularly cleared of empty bottles and glasses.

67. No open vessels to be taken outside the curtilage of the premises at any time.

Noise Control

68. A sound limiting device, approved by the Council's noise team, must be installed to control the output from any amplification system. The bass level as well as the overall sound level must be set separately to a level that is not audible above the existing background noise at any neighbouring façade or within sensitive premises in the same or in attached buildings.

69. Only the premises license holder and designated premises supervisor must have access to the sound limiting device.

70. An entrance lobby must be provided to all external entrance doors that lead to/ from internal areas where music/ entertainment activities take place, to prevent excessive levels of noise escaping when people enter or leave the premises.

71. Suitable double/ secondary glazing and other appropriate sound insulation measures must be installed to prevent escape of noise from music/ entertainment activities and loud voices.

72. All windows and doors must be closed during any regulated entertainment on the premises, except when patrons are entering and leaving the premises, and alternative means of ventilation must be provided as necessary.

73. Regulated entertainment or televisions must not be provided in the beer garden or external areas of the premises.

74. Barbecues must not be provided in external areas of the premises to prevent nuisance from smoke and cooking odours to neighbouring occupiers.

75. Arrangements must be in place to ensure that patrons disperse quickly and quietly on leaving the premises to prevent noise nuisance from loud voices, car doors banging shut, car stereo sounds, etc. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.

76. A dispersal policy will be drawn up and implemented to ensure, as far as practicable, that customers leave quickly and quietly and do not congregate around the front of the premises on departure.

77. All staff must be trained in the implementation of the dispersal policy.

78. Customers must be supervised when leaving the premises and asked to leave quietly.

79. A telephone number will be provided to residents in the vicinity upon request to allow for complaints to be made to the duty manager if they are experiencing disturbance.

80. A complaints log will be maintained at the premises which will detail any complaints made. It will include details of the person making the complaint, the person dealing with it and any action taken to remedy it.

81. When regulated entertainment takes place, the duty manager will undertake an assessment of noise in the immediate vicinity to ensure that it is inaudible at the boundary of the nearest residential property.

82. Refuse Collection/Recycling and deliveries must be restricted to the hours of (X) to (X).

Litter Control

83. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.

84. Refuse bags for recycling/collection shall only be left out between the hours of [X] and [Y].

Protection of Children

85. An age verification scheme, such as Challenge (21/25), must be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a photo driving license, passport PASS accredited proof of age card or military ID card. Staff shall be trained in the adopted age verification scheme.

86. Staff must not be allowed to be in sole supervision of children, the responsibility of any child will remain the sole responsibility of the accompanying adult. There must be a designated area for children.

87. There must be no children in the bar areas after X hours.

88. When children attend the premises, it is a requirement that they are accompanied by a responsible adult

Records and Training

89. A log must be kept detailing all refused sales of alcohol. The log must include the date and time of the refused sale and the name of the member of staff who refused the sale.

90. The log must be available for inspection at the premises by the police or an authorised officer of the Council at all times whilst the premises are open. An incident log must be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which must record the following:

- all crimes reported to the venue
- all ejections of patrons
- any complaints received
- any incidents of disorder
- all seizures of drugs or offensive weapons
- any faults in the CCTV system or searching equipment or scanning equipment
- any refusal of the sale of alcohol
- any visit by a relevant authority or emergency service

Other

91. The management must actively participate in and support the local pub watch scheme (where active)

Restaurant and Cafes

92. The premise must operate as a typical restaurant where alcohol is mainly sold or served by waiter / waitress service to customers consuming substantial table meals. The consumption of alcohol must be ancillary to their meal.

93. Alcohol must not be served directly to customers at the bar area except where supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of (X) persons dining at the premises.

94. Alcohol must not be sold or supplied within the area shaded (X) on the attached plans, otherwise than to persons taking table meals. The sale or supply of Alcohol shall be ancillary to that meal.

95. Substantial food and non-intoxicating beverages, including drinking water, must be made available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

96. Substantial food must be available until 60 minutes before closing.

97. A minimum of (X %) of the public trading area must be set out with tables and chairs at any given time.

98. The supply of alcohol shall be by waiter or waitress service only.

99. All staff must be fully trained to ensure that persons who are drunk, disorderly, or who appear to be under the age of 18 are not served with alcohol.

Outside Areas

100. Alcoholic drinks or glass containers must not be taken outside by customers at any time.

101. Alcohol must only be served to seated patrons in the outside area, who are served by a waiter or waitress.

102. All outside tables must be vacated by customers and cleared of food and drink by (Insert time) on (insert days of the week)

103. No outside area to be used after (X) to reduce noise nuisance except for a maximum of (X) smokers. The smokers area must be monitored by management or door staff where employed.

104. No more than (X) customers must be allowed to smoke outside the premises at any one time.

105. Suitable receptacles must be provided for smokers to safely and responsibly dispose of cigarettes.

106. Speakers for the amplification of music must not be placed on the outside of the premises, or on the outside of the building forming part of the premises.

107. Staff must regularly supervise the pavement area outside the premises to ensure customers are not blocking pavements or causing nuisance to neighbouring premises or residents.

108. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.

109. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.

110. Waste and/or recyclable materials, including bottles, must not be moved, removed or placed in outside areas between (X) and (X)

Late night hot food takeaways

111. A minimum of (X) SIA registered door staff must be employed on the premises from (X) hours until close.

112. Arrangements must be in place to ensure that patrons disperse quickly and quietly on leaving the premises to prevent noise nuisance from loud voices, car doors banging shut car stereo sounds, etc. Signs encouraging customers to leave quietly must be clearly displayed at each exit from the premises.

113. The premises must operate a dispersal policy and procedures put in place for dealing with incidents of disorder or public nuisance that occur within the vicinity of the premises and all staff must be trained in its implementation.

114. A maximum of (X) customers shall be permitted on the premises at any one time.

115. Throughout the hours that the license operates, the premises shall operate regular patrols in the vicinity of the premises to collect and tidy any litter or refuse in those areas.

116. A minimum of (X) litter bins must be provided (give details of locality) for the use of customers.

117. The pavement area directly outside the premises must be regularly cleaned and rubbish removed and appropriately disposed of.

118. Refuse collection/recycling and deliveries must be restricted to the hours of (X) to (X). Refuse bags for recycling/collection shall only be left out between the hours of [X] and [Y].

119. During the licensable hours there must be at least one member of staff on duty that has received training in the requirements of the Licensing Act 2003 to ensure compliance with license conditions and the promotion of the licensing objectives.