



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## **Licensing Act 2003**

## **Pool of Conditions**

**February 2005**

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**LICENSING ACT 2003**  
**WEST OXFORDSHIRE DISTRICT COUNCIL**

**POOL OF CONDITIONS**  
FOR USE WITH  
PREMISES LICENSES AND CLUB PREMISES CERTIFICATES

**GENERAL**

This Pool of Conditions has been produced in conjunction with the other Licensing Authorities and Responsible Authorities in Oxfordshire to ensure, as far as possible, that a consistent approach is taken. The document should be used alongside the West Oxfordshire District Council Statement of Licensing Policy and with reference to Guidance issued under section 182 of the Licensing Act 2003 by the Department of Culture, Media and Sport.

**Licensing Objectives**

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

**Conversion of Existing Permissions**

During the period of 6 months beginning with the first appointed day (7th February 2005), applications may be made in respect of all existing alcohol, public entertainment, theatre, cinema, and late night refreshment house licenses to convert these licenses **subject to the conditions and restrictions to which they are currently subject into premises licenses**. The same applies to “registered members clubs” (now “qualifying clubs” in the 2003 Act) who may apply to convert their registration certificates (granted under the Licensing Act 1964) and other licenses (for example, a cinema licenses) into club premises certificates and premises licenses. This will allow the authorisations of the current licenses and certificates to continue under the new licensing regime.

It is established practice for the effect and scope of a justices’ license to be limited in some cases by an undertaking given by the holder when it was granted. These undertakings are non-binding personal assurances and have no legal force. Accordingly, undertakings and assurances **will not be transferred to converted premises licenses as new conditions**.

**Variation of Existing Permissions**

A person, which includes a business, that makes an application for the conversion of an existing license may also apply for a variation of the newly converted premises license. This is essentially an application to vary any terms, conditions and restrictions that have

been carried over. The applicant would set out in an Operating Schedule for example, the proposed new hours, expand any entertainment arrangements, or remove conditions which had previously been attached to the existing licence. Responsible Authorities and Interested Parties would only be able to address the variations applied for and not the new licence or certificate derived from the conversion of the existing authorisation; i.e. the converted hours, terms and conditions which are not subject to variation.

### **Licence Conditions**

Conditions will only be imposed if necessary to promote the licensing objectives and may be adapted to suit the particular case under consideration. Additional conditions will not be imposed where existing legislation and regulation already effectively promote these objectives.

Conditions will normally be applied to those matters identified as a result of a risk assessment carried out by the applicant and the submission of an Operating Schedule to address these issues. In addition, conditions may also be applied following the consideration of representations from Responsible Authorities, and / or Interested Parties.

Each application will be determined on its own merits and under no circumstances is any condition in the Pool of Conditions to be regarded as a standard condition to be automatically imposed in all cases.

The Pool of Conditions are designed to provide a range of possible conditions drawn from experience relating to differing situations and to offer guidance.

Any decision to add a condition to a licence will depend upon a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises, the anticipated clientele of the business involved and the local knowledge of the premises.

### **Operating Schedules**

Any applicant, in preparing the required 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.

When incorporated into the licence or certificate as a condition, those measures become enforceable under the law and a breach of such a condition could give rise to prosecution. In order to minimise problems and the necessity for hearings, it would be sensible for applicants to consult with the Responsible Authorities when Operating Schedules are being prepared. This would allow for proper liaison before representations prove necessary.

## Legal Requirements

It is unnecessary to impose conditions that mirror legal requirements under other legislation. However, it may be appropriate in particular circumstances to impose conditions that supplement or complement legal requirements, for example by imposing a requirement that facilitates legal compliance.

Consequently, compliance with licensing conditions does not of itself signify compliance with other legal requirements and vice versa.

**It should be noted in particular that it is unlawful under the 2003 Act:**

- **knowingly to sell or supply or attempt to sell or supply alcohol to a person who is drunk**
- **knowingly to allow disorderly conduct on licensed premises**
- **for the holder of a premises licence or a designated premises supervisor knowingly to keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported**
- **to allow the presence of children under 16 who are not accompanied by an adult between midnight and 5am at any premises licensed for the sale of alcohol for consumption on the premises, and at any time in premises used exclusively or primarily for the sale and consumption of alcohol**

**Conditions enforcing these arrangements are therefore unnecessary.**

## MANDATORY CONDITIONS

It is a requirement of the 2003 Act that certain mandatory conditions must be included on premises licenses where the licence authorises the sale of alcohol, authorises the exhibition of films or where there is a condition requiring the use of security staff.

**Section 19 Licensing Act 2003, Mandatory conditions where licence authorises the sale of alcohol**

M1	No supply of alcohol may be made under the premises licence; (a) at a time when there is no designated premises supervisor in respect of the premises licence, or (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
M2	Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**Section 20 Licensing Act 2003, Mandatory condition: exhibition of films**

M3	<p>Where a programme includes a film in the 12A, 15 or 18 category no person appearing to be under the age of 12 (and unaccompanied in that case), 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 –</p> <p><b>PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.</b></p> <p>Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.</p> <p>This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.</p>
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**Section 21 Licensing Act 2003, Mandatory condition: door supervision**

M4	<p>A minimum of [number] door supervisors, all individually registered with the Security Industry Authority, shall be on the premises at all times the premises are operating pursuant to the licence.</p>
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**CONDITIONS RELATING TO CRIME AND DISORDER****General**

Advice should be sought from the police prior to application. The police may wish to apply conditions from the Pool of Conditions to a license issued to a premise and that the wording may be varied from that published in the general Pool of Conditions to fit the individual requirements of that premise.

Applicants may wish to include conditions in their Operating Schedule to satisfy each of the four licensing objectives. Applicants should include conditions, which are appropriate to the size of the premises and relevant to the location of the premises and type of licensable activity carried out. Applicants should expand on how they will implement each of the conditions.

**I General Pool of Conditions which should be considered by all premises.**

CD1	<p>All staff shall be suitably trained for their job function in the operating standards for the premise. The training shall be under constant review. All Personal License Holders supervising the sale of alcohol shall hold a nationally recognised licensing qualification.</p>
CD2	<p>A policy must be delivered to all staff covering the need to be aware of the signs and consequences of drinks spiking. .[BO1]</p>
CD3	<p>The premises shall have a written Children's Policy. Which will outline the times and areas of the premises children may use</p>



	the times and areas of the premises children may use.
CD4	The premises shall undertake a survey to be carried out by the Police Crime Reduction Officer and act accordingly with the recommendations of the survey to install, where practicable, crime prevention or reduction devices. <sup>[BO2]</sup>
CD5	All staff shall be suitably trained in the operating procedures for refusing service to any person who is drunk or is under age or appears to be under age.
CD6	A Daily Premises Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the person in a position of responsibility for the premise. The <b>Premise Daily Register</b> shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident relating to the call and any actions taken to deal with the call. The Daily Premises Register will be readily available for inspection by either the police or authorised officer throughout the trading hours of the premises.
CD7	All licensable activities shall stop at the terminal hour and the premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensable activity.
CD8	You shall become actively involved in your local Pubwatch scheme and a representative of the premise shall attend Pubwatch meetings.  Note: In areas where there is no Pubwatch schemes Designated Premises Supervisors should give consideration to establishing such a scheme
CD9	As a premise that has applied for additional hours to cover special occasions or sporting events which occur outside the normal trading hours and the number of these occasions are limited, the police require to have received written notification no less than ten working days before the occasion of the intended operating hours. This shall be in a set format detailing; <ul style="list-style-type: none"> <li>• The nature of the event and brief details of how the event will be run if not covered by the general <b>Operating Schedule</b>.</li> <li>• The date, the commencement and conclusion time of the event.</li> <li>• Expected numbers attending.</li> <li>• The name of the premises and the name of the Designated Premises Supervisor for the duration of the event.</li> </ul> The number of occasions used and the total number of occasions

	permitted at the premise each year, e.g. occasion 7 of 15 permitted.
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### Bottle bans

Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. Subject to a risk assessment a condition may be imposed to prevent sales of drinks in glass bottles for consumption on the premises.

CD10	Except for the sale of a bottle of wine for consumption with a meal in a designated area of the premises, no bottles containing beverages of any kind, whether open or sealed, shall be given to customers on the premises whether at the bar or by staff service away from the bar.
CD11	No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.

### Plastic containers and toughened glass

Glasses containing drinks may be used as weapons during incidents of disorder and in untoughened form, can cause very serious injuries. Therefore, in appropriate cases consideration will be given to conditions requiring either the use of plastic containers or toughened glass, which inflicts less severe injuries. Location and style of the venue and the activities carried on there will be particularly important in assessing whether the imposition of such a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may apply to indoor sports events such as boxing matches. Similarly, the use of such plastic containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise, may be a necessary condition.

It should be noted that the use of plastic or paper drinks containers and toughened glass may also be relevant as measures necessary to promote public safety.

CD12	Drinks shall be served in plastic or paper containers. Premises may wish to restrict this condition to specified areas of the premises or for specific events or occasions.
CD13	Drinks shall be served in containers made from toughened glass. Premises may wish to restrict this condition to specified areas of the premises or for specific events or occasions.

### Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs could be taken from those premises for consumption elsewhere. Where premises are licensed for the sale of alcohol for consumption off the premises that would be entirely lawful. However, consideration will be given to a condition preventing the taking of alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles) to prevent these

containers being used as offensive weapons after individuals have left the premises. Such a measure may also be relevant to promote public safety.

CD14	Bottle bins shall be provided at the exit doors and staff shall show due diligence in preventing bottles and glasses being taken from the premises.
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### Restrictions on Drinking Areas

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from a bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing of sports grounds during particular sports events. Such conditions may not only specify these areas, but also indicate the circumstances and times of such a restriction. Such a measure may also be relevant to promote public safety.

CD15	No outside area shall be used for consumption of alcohol or provision of regulated entertainment unless specified on the licence and detailed in the Operating Schedule. Any outside areas that are intended to be used will only be used where the area is clearly marked or defined and that the premise has lawful use of the area.
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### Capacity Limits

Although most commonly made a condition of a licence on public safety grounds, consideration will also be given to conditions which set capacity limits for licensed premises or clubs where it may be necessary to prevent overcrowding which can lead to disorder and violence. Where such a condition is considered necessary, consideration will also be given as to whether door supervisors will be needed to ensure that numbers are appropriately controlled and monitored.

Such considerations will be particularly relevant at High Volume Vertical Drinking Establishments (HVVDs) which are premises with exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol, and have little or no seating for patrons. At such premises it may also be appropriate to consider the ratio of chairs and tables to customers.

CD16	There shall be an agreed maximum capacity. This figure shall include all staff and entertainers. The capacity shall be set for each part of the premises where appropriate. The figure shall detail seating capacity and vertical capacity. Where there is a change of use of the premises throughout the trading day the figure should show the change of capacity and the times where relevant.
CD17	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed [number] ([number] low density use).

CD18	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed [number], subject to the following maximum occupancies: [Ground Floor]            [number] persons [Basement]                [number] persons
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### Proof of Age Cards

It is unlawful for children under 18 to attempt to buy alcohol just as it is unlawful to sell or supply alcohol to them (unless they are 16/17 yrs of age, the alcohol is beer, wine or cider and consumption is at a table meal). To prevent such crimes, it may be necessary to require a policy to be applied at certain licensed premises requiring the production of "proof of age" before such sales are made. This will not be limited to recognised "proof of age" cards, but allow for the production of other proof, such as photo-driving licences, student cards and passports. The Licensing Authority supports the PASS accreditation system and where necessary conditions may refer directly to PASS accreditation. Such a measure may also be relevant to promote protection of children from harm.

CD19	The premises shall adopt a policy of requiring the production of "proof of age" before sales of alcohol are made. All operators and staff have both a duty and responsibility to ensure that only those who are of age are provided with intoxicants.
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### Crime prevention notices

Notwithstanding reluctance from the trade it may be necessary at some premises for notices to be displayed to warn customers of the prevalence of crime which may target them. For example, warning about pickpockets or bag snatchers or warnings about leaving bags unattended because of concerns about terrorism.

CD20	The premises shall support local crime prevention initiatives and clearly display crime prevention notices or advice which supports current crime and disorder patterns.
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### Signage

To deter those who might seek admission in breach of conditions subject to which a licence or certificate is granted, it may be considered appropriate to require signage to be displayed setting out such conditions.

CD21	Prominent, clear notices shall be displayed outside every public entrance stating the actual operating hours of the premises.
CD22	Prominent, clear notices shall be displayed outside every public entrance stating any admission restrictions.

### Drinks promotions

Conditions to control the price of alcoholic drinks will not be imposed except in exceptional circumstances to address irresponsible drinks promotions at particular

premises where it can be shown that there is causal link between such promotions and crime and disorder in the vicinity of the premises. Premises when operating drinks promotions on particular days of the week or at particular times of the trading day shall include in the Operating Schedule written details of the extra measures in place to comply with each of the four licensing objectives whilst running the drinks promotion.

CD23	The premises shall adopt a policy covering the management of drinks promotions. The policy shall detail the procedure for dealing with departing patrons throughout the trading hours as well as at the conclusion of the promotion, the procedure for dealing with large noisy groups of customers and the policy for refusing to serve persons who are drunk.
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### **Erotic Dancing etc.**

Erotic Dancing is defined as any type of dancing that arouses or intends to arouse sexual desire or sexual pleasure and specifically includes "striptease, lap dancing, table-side dancing, pole dancing" and similar entertainment.

The nature of this type of activity is such that the following considerations may have a particular significance. All references to striptease shall be deemed to include all forms of striptease or nudity, including the wearing of 'see through' clothing and sexual simulation.

CD24	The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity or the sexual stimulation of patrons.  This Condition does not apply to any entertainment that is an integral part of a licensed performance of a play.
CD25	The approved activities shall take place only in the areas designated by the Licensing Authority and the approved access to the dressing room(s) shall be maintained whilst striptease entertainment is taking place and immediately thereafter
CD26	Striptease [tableside and pole dancing] shall be permitted at the premises between the hours of [hh.mm] and [hh.mm] on [day(s)].
CD27	No displays shall be permitted, outside or in the vicinity of the premises, of any descriptions, photographs or other images that indicates that pole-dancing and table-side dancing takes place on the premises.
CD28	No audience participation shall be permitted
CD29	Whilst striptease [pole-dancing or table-side dancing] are taking place no person under the age of 18 shall be on the licensed premises and a clear notice shall be displayed at the entrance to the premises in a prominent position so it can be easily read by persons entering the premises in the following terms:  <b>“NO PERSON UNDER 18 WILL BE ADMITTED”</b>

CD30	Performers shall be aged not less than 18.
CD31	Arrangements shall be put in place to restrict access to the dressing room at all times when the pole-dancing and/or table-side dancing is taking place, and until such time as all performers have vacated it all
CD32	There shall be no physical contact between customers and the dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of a performance.
CD33	There shall be no physical contact between dancers whilst performing.
CD34	CCTV shall be installed to cover all areas where dancing will take place in addition to the front entrance. All cameras shall be continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 28 <sup>[BO3]</sup> day with the date and time stamping. Tape recordings shall be made available to an Authorised Officer of the Licensing Authority or a police officer together with facilities for viewing. The recordings for the proceeding two events shall be made available immediately on request, and recordings outside this period shall be made available on 24 hours notice.
CD35	Whilst dancing takes place not less than [ <i>number</i> ] registered door supervisors shall be on duty on the premises.
CD36	The performance of dancers within the premises shall not be visible from the street outside at any time.
CD37	Whilst dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers. Notices to this effect shall be clearly displayed at each table and at the entrance to the premises.
CD38	The dancers shall at all times wear an opaque G-string or similar piece of clothing covering the appropriate part of the body.
CD39	Performers shall have direct access to a dressing room without passing through or in close proximity to the audience at all times during the performance.

CD40	The premises shall support local crime prevention initiatives and clearly display crime prevention notices or advice that supports current crime and disorder patterns. To install, where practicable, crime prevention or reduction devices.
CD41	As a premise which has been identified as having a high level of recorded crime as designated by either the Community Safety Partnership or the police in proportion to the premises, the premises shall submit themselves to a Crime Reduction Survey to be carried out by a Crime Reduction Officer and act accordingly with the recommendations of the

	survey. Should the premise continue to have a high level of crimes recorded in proportion to the premises the police would seek a review of the licence.
CD42	The premises shall have a written crime prevention policy aimed to reduce crime within the premises. There should be no area that cannot be easily supervised.
CD43	The Premise shall adopt a policy to promote responsible drinking and shall detail the criteria of any such policy.

## CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Conditions may not just consider a requirement to have CCTV on the premises, but also the precise sitting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time.

Thames Valley Police will provide individuals conducting risk assessments when preparing operating schedules with advice on the use of CCTV to prevent crime.<sup>[BO5]</sup>

CD44	A CCTV system shall be installed or the existing system maintained which is fit for the purpose. The system will incorporate a camera covering all the entrance doors capable of providing an image which is regarded as 'identification standard.' This must be able to provide images showing a clear head and shoulder image of every person entering the premises. This may require more than one camera on the entrance doors and an increase in the lighting at the entrance may need to be considered to give the clearest possible image.
CD45	To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, where practicable, persons entering premises should be asked to remove headwear.
CD46	The CCTV system shall incorporate a recording facility which shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. <sup>[BO6]</sup> A system shall be in place to maintain the integrity of the recorded image and a complete audit trail maintained. The system will comply with the <b>Data Protection Act 1998</b> and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording systems, to maintain the quality of the recorded image the cassette tape shall be used on no more than 12 <sup>[BO8]</sup> occasions.
CD47	At the time of installation or upgrading of any CCTV system it shall comply with the current and relevant Thames Valley Police guidelines for Standard Minimum Closed Circuit Television Requirements.
CD48	The CCTV system must be registered with the Office of the Information Commissioner <a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a>

	Commissioner, <a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a> .
CD49	The positions of all CCTV cameras shall be clearly shown on the deposited plans and any alteration to the system should only be carried out after consultation with the police and Responsible authorities.

### Substance Misuse

West Oxfordshire District Council is committed to addressing the problem of the misuse of drugs and supports the "Safer Clubbing" strategy which can be viewed at [www.drugs.gov.uk](http://www.drugs.gov.uk).

The role of owners, managers, event promoters, designated premises supervisors, and staff is to ensure that all aspects of their premises are designed and run in ways which maximise the safety of customers, performers and staff.

CD50	The premises shall have a written Drugs Policy, this shall detail the strategies to minimise the use and supply of illegal drugs within the premise and shall form part of the <b>Operating Schedule</b> . The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises.
CD51	A senior member of the management team at the premise shall hold a National Certificate of Drugs Awareness qualification, run by the BII or similar accredited body.
CD52	There shall be a structured training policy delivered to all staff for dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.
CD53	The premise shall have a written Drugs Policy. Any premise, which uses door staff to search patrons as a condition of entry, should formulate the Drugs Policy in consultation with the police. <sup>[BO10]</sup> This shall deal with an agreed procedure for the handling and retention of any article seized. Where premises consider a drugs safe to deposit finds, there will be a clear policy for the handling and packaging of seized items. For premise with a suitable 'Drug Safe' the items secured within the safe would not be considered as being in possession. For premises that do not have a 'Drug Safe', all seized items shall be delivered to a police station by a responsible member of staff at the conclusion of the days trading.
CD54	When providing regulated entertainment there shall be at all times that the entertainment is taking place, a qualified first aid person, trained to a nationally recognised standard, on the premises and easily identifiable. There shall be an adequate and appropriate supply of first aid equipment readily available at the premises.

### Door supervisors

Conditions relating to the provision of door supervisors and security teams may be valuable in:



- preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder;
- keeping out excluded individuals (subject to court bans or imposed by the licence holder, and or Pubwatch);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of the premises prone to such queuing.

Where door supervisors conducting security activities are to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with the number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises, and whether at least one female supervisor should be available (for example, if female customers are to be the subject of body searches). Door supervisors also have a role to play in ensuring public safety.

CD55	Unless comprehensively covered in the operating schedule a valid reason why door supervision would not be required, Registered Door Supervisors shall be required at premises from (hh.mm) to (hh.mm) on (day) to (day)
CD56	There shall be an agreed ratio of door staff to number of persons present. This figure may vary at specific times of the day or days of the week or in relation to the type of licensable activity or event being run. The agreed ratio shall also take into account the general layout of the premises and any areas which are considered to be closely seated areas. The ratio should be agreed following consultation with both the Responsible Authorities and the Licensing Authority. Premises which have a policy that includes the searching of persons shall have at all times door supervisors of both sexes on duty.
CD57	All door staff working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear High Visibility jackets. All door staff shall be easily identifiable and wear identification at all times whilst working.

CD58	<p>All door staff shall have clear instruction and understanding of their responsibilities. Door Staff responsibilities shall include;</p> <ul style="list-style-type: none"> <li>• The operation of an effective door-control policy which prevents overcrowding.</li> <li>• To supervise the queue to ensure that it is managed in a way that avoids rowdy or unpleasant behaviour.</li> <li>• All Door Staff engaged in searching persons (as a condition of entry) shall be fully aware of their powers and the Drugs Policy for the premises. All premises which have a policy that includes the searching of persons shall have at all times door supervisors of both sexes on duty.</li> <li>• To ensure that noise from the premises and its outside area, including queues, are kept to a minimum.</li> <li>• To assist in the quiet dispersal of patrons throughout the trading hours and especially at the terminal hour.</li> <li>• To actively prevent patrons from leaving their premises with open containers and bottles.</li> <li>• To provide evidence by written statement to police in a criminal investigation.</li> </ul>
CD59	<p>All Door Staff shall enter their full details in the <b>Premise Daily Register</b> at the commencement of work. This shall record their full name, home address and contact telephone number, the door staff registration number, the time they commenced and concluded working. If the member of Door Staff was supplied by an agency, details of that agency will also be recorded which shall include the name of the agency, the registered business address and a contact telephone number. The Door Staff Registration Number is the number issued by The Security Industry Authority (<b>SIA</b>). The <b>Premise Daily Register</b> will record all incidents in relation to the use of any force by staff or door staff in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and the details of all the staff or door staff involved.</p>

### Text/Radio pagers

Text and radio pagers connecting premises licence holders, designated premises supervisors, managers of premises and clubs to the local police can provide for rapid response by the police to situations of disorder which may be endangering the customers and staff on the premises.

Such pagers provide two-way communication, both enabling licence holders, managers, designated premises supervisors and clubs to report incidents to the police, and enabling the police to warn those operating a large number of other premises of potential

troublemakers or individuals suspected of criminal behaviour who are in a particular area. Pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

CD60	<p>The premises shall join a radio communication scheme, if one is available in the area. The radio scheme provides two-way communication. Premises which adopt the radio scheme shall comply with the following protocol;</p> <ul style="list-style-type: none"> <li>• The Radio shall be monitored by a responsible member of staff at all times the premises are open to the public for any licensable activity.</li> <li>• The radio shall be kept in good working order at all times.</li> <li>• All incidents of crime or disorder are reported as soon as possible to make other users aware.</li> <li>• The general conditions from the system provided are followed at all times.</li> </ul>
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**Pool of Conditions which should be considered in addition to the general Pool of Conditions by all premises that trade primarily as theatres, cinemas or other closely seated venues.**

CD61	As a premise, or part of a premise, which is used as a theatre, concert hall or other similar place for closely seated audiences, no alcohol shall be provided for consumption in the seated area unless specifically covered within the licence.
CD62	All drinks to be consumed in the closely seated areas shall be supplied in a plastic or paper container.
CD63	The use of any outside area for consumption of alcohol shall only be permitted where the area is clearly marked or defined and that the premise has lawful use of that area. These areas may be subject of restricted hours for licensable activities.
CD64	The use of any outside area for consumption of alcohol shall only be permitted where the area is clearly marked or defined and that the premise has lawful use of that area. The supply of alcohol to outside areas, where appropriate, shall be supplied in plastic or paper containers.

**Pool of Conditions which should be considered in addition to the general Pool of Conditions by all premises which trade for sales of alcohol to be consumed off the premise.**

CD65	The hours of trading shall be (hh.mm) to (hh.mm) on (day) to (day) agreed by the Licensing Panel.
CD66	The premises shall adopt policy of requiring the production of "proof of age" before sales of alcohol are made. All operators and staff have both a duty and responsibility to ensure that only those who are of age are provided with intoxicants.
CD67	Prominent warnings shall be displayed about the supply of alcohol to minors and the relevant offences.

**Pool of Conditions which should be considered, in addition to the general Pool of Conditions, by all applications for licensable activities at a Designated Sports Ground.**

Premises, which are Designated Sports Grounds, are covered by other legislation and the issue of a Ground Safety Certificate. Designated Sports Grounds which are covered by other legislation and have any restrictions or conditions attached should summarise all relevant restrictions in the Operating Schedule.

CD68	Prominent warnings shall be displayed about the supply of alcohol to minors and the relevant offences.
CD69	All alcohol served in the public concourse bars shall be supplied in plastic containers.
CD70	All alcohol served in the public concourse bars shall be supplied in plastic containers.
CD71	A Personal Licence Holder shall be present at the Designated Sports Ground throughout the hours that any of the public concourse bars are open and selling alcohol.

**CONDITIONS RELATING TO PUBLIC SAFETY (Including Fire Safety)**

**General**

Advice should be sought from the relevant Responsible Authority's prior to application. The Responsible Authority may wish to apply conditions from the Pool of Conditions to a license issued to a premise and that the wording may be varied from that published in the general Pool of Conditions to fit the individual requirements of that premise.

Applicants may wish to include conditions in their Operating Schedule to satisfy each of the four licensing objectives. Applicants should include conditions, which are appropriate to the size of the premises and relevant to the location of the premises and type of licensable activity carried out. Applicants should expand on how they will implement each of the conditions.

Special issues may arise in connection with outdoor and large scale events.

Those who prepare Operating Schedules are advised that account will be taken of published standards and guidance that relate to safety at public events and venues.

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests and where relevant matters have been identified in Operating Schedules, or as a result of representations being made, consideration will also be given to applying conditions.

### Disabled people

PS1	<p>The Designated Premises Supervisor/Duty Manager shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of these arrangements.</p> <p>Note: Licensees are advised to obtain details of and seek to address any special needs when approached by organisers of parties of disabled people.</p>
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### Escape routes

PS2	<p>All escape routes and exits including external exits shall be maintained unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.</p>
PS3	<p>All exit doors shall be available and easily open able without the use of a key, card, code or similar means. Only approved fastenings shall be used.</p> <p>Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily</p>
PS4	<p>Any removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved position(s).</p>
PS5	<p>If required, exit doors shall be secured in the fully open position when the public are present.</p>
PS6	<p>All fire doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.</p>
PS7	<p>Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.</p>
PS8	<p>The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.</p>

### Safety checks

PS9	The Designated Premises Supervisor / Duty Manager shall ensure that all necessary safety checks have been carried out before the admission of the public. Details of the checks shall be entered in the Fire log-book; this may be by use of a separate check list. .[BO11]
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### **Curtains, hangings, decorations and upholstery**

PS10	Hangings, curtains, and temporary decorations shall be maintained flame-retardant.
PS11	Curtains, hangings and draperies other than small window curtains will normally be required to be of non-combustible, inherently non-flammable or durably flame-proofed fabric. Effective guards to prevent contact with curtains, drapes and other combustible materials shall be fitted to all lamps, lanterns, lighting appliances and other apparatus in close proximity to the stages, which are liable to become heated.
PS12	Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

### **Accommodation limits**

PS13	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed [number], subject to the following maximum occupancies: [Ground Floor]            [number] persons [Basement]                [number] persons [First Floor]              [number] persons [Other floors]             [number] persons
PS14	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed [number]
PS15	The Designated Premises Supervisor/Duty Manager shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any Authorised Officer immediately on request.
PS16	The premises shall be provided with adequate facilities to monitor and control the number of people present.

### **Fire action notices**

PS17	Notices detailing the actions to be taken in the event of fire or other emergencies, including how the Fire Service can be contacted, shall be prominently displayed and shall be protected from damage or deterioration.
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### **Outbreaks of fire**

PS18	The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however slight, and the details recorded in the Fire log-book.
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**Loss of water**

PS19	The telephone number of the local Fire Control Centre shall be readily available at the premises. The Designated Premises Supervisor/Duty Manager shall notify the local Fire Control Centre as soon as possible if he/she is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.
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**Access for emergency vehicles**

PS20	Access for emergency vehicles shall be kept clear and free from obstruction.
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**First aid**

PS21	An adequate and appropriate supply of first aid equipment and materials shall be available on the premises.
PS22	At least one suitably trained first-aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.
PS23	Notices detailing the availability of first aid shall be prominently displayed and shall be protected from damage or deterioration

**Lighting**

PS24	<p>Management lighting</p> <p>(a) In the absence of adequate daylight the management lighting in any area accessible to the public shall be fully in operation whilst the public are present.</p> <p>(b) Except as permitted under (d) below there shall be adequate illumination to enable people to see their way out of the premises.</p> <p>(c) Fire safety signs shall be adequately illuminated except as permitted under (d) below.</p> <p>(d) If essential to the entertainment and subject to consent, the management lighting in the entertainment area may be reduced or extinguished provided:</p> <p>(i) the lighting be controlled from a position with a clear view of the entertainment area; and</p> <p>(ii) an operator remain by the controls whilst the lighting is</p>
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	<p>reduced or extinguished; and</p> <p>(iii) the operator restore the management lighting at once in the event of any emergency; and</p> <p>(iv) the escape route signs remain adequately illuminated.</p>
PS25	<p>Emergency lighting</p> <p>(a) The emergency lighting installation shall not be altered in any way except with consent.</p> <p>(b) The emergency lighting battery shall be fully charged before the admission of the public.</p> <p>(c) In the event of failure of the normal lighting:</p> <p>(i) if the emergency lighting battery has a one hour capacity the public shall leave the premises within 20 minutes unless within that time the normal lighting has been restored and the battery is being re-charged; or</p> <p>(ii) if the emergency lighting battery has a 3 hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the battery is being re-charged.</p> <p>(d) The public shall not be re-admitted to the premises until the normal lighting has been fully restored and the battery fully recharged except</p> <p>(i) where the emergency lighting battery has a one hour capacity and if the failure of the normal lighting was fully rectified within 20 minutes of failure and the battery is being re-charged; or</p> <p>(ii) where the emergency lighting battery has a 3 hour capacity and if the failure of the normal lighting was fully rectified within one hour of failure and the battery is being re-charged.</p>

### Temporary electrical installations

PS26	<p>(a) Temporary electrical wiring and distribution systems shall not be provided without notification being given to the Licensing Authority at least 10 days before the commencement of the work.</p> <p>Note: This Condition does not normally apply to electrical equipment on a stage provided with permanently installed distribution facilities.</p> <p>(b) Temporary electrical wiring and distribution systems shall comply with recommendations of BS 7671 or where applicable BS 7909.</p> <p>(c) Temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are</p>
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	<p>put into use. A copy of the certificate shall be sent to the Licensing Authority as soon as possible.</p> <p>(d) Temporary electrical wiring and distribution systems shall be provided only 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.</p>
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### Indoor Sports Entertainments

PS27	At least 10 days' notice in writing shall be given to the Licensing Authority of any proposal to use the premises for any sports entertainment.
PS28	The Licensing Authority shall approve the arrangements for the premises including all seating and standing areas for spectators, which shall minimise any risk to spectators, participants or staff.
PS29	Reasonable and practicable steps shall be taken to minimise any risk to spectators, participants or staff from any equipment used in the entertainment.
PS30	If required, an appropriately qualified medical practitioner(s) shall be present throughout the sports entertainment.
PS31	A registered medical practitioner or a registered paramedic shall be present at any sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
PS32	Dressing room accommodation and washing facilities for participants shall be provided to the satisfaction of the Licensing Authority.
PS33	The ring shall be sited, constructed and supported to the satisfaction of the Licensing Authority. Any material used to form a skirt around the ring shall be flame-retarded to the satisfaction of the Licensing Authority.
PS34	At wrestling or other entertainments of a similar nature members of the public shall not occupy any seat within 2.5m of the ring.
PS35	<p>Staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times. The Licensing Authority shall approve the number of such staff.</p> <p>Note: The Licensing Authority will normally accept the number of such staff as recommended in Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Commission and Sport England.</p>

### Alterations to the Premises

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. The applicant will need to propose in a new operating schedule how he or she intends to take alternative steps to promote the public safety objective.

### Special Effects

Special effects include dry ice machines and cryogenic fog, smoke machines and fog generators, pyrotechnics, including fireworks, real flame, firearms, motor vehicles, strobe lighting, lasers, explosives and highly flammable substances.

PS36	The use of special effects is not permitted without the consent of the Licensing Authority. The Licensing Authority shall be given at least 10 days' notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.
PS37	No explosives or highly flammable substances shall be brought onto the premises except with consent of the Licensing Authority.

## ADDITIONAL CONDITIONS RELATING TO PUBLIC SAFETY FOR THEATRES, CINEMAS, CONCERT HALLS AND SIMILAR PLACES

### Premises used for Closely Seated Audiences

PS38	The premises shall not be used for a closely-seated audience, except in accordance with the approved seating plan(s), a copy of which shall be kept available at the premises and shall be shown to any Authorised Officer on request.
PS39	All seats shall be appropriately fixed and installed.
PS40	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 Officer on request.
PS41	Unless the Licensing Authority requires or approves otherwise the number of attendants on each floor or tier in a closely-seated auditorium shall be as set out on the table below.

	Number of members of public present on a floor or tier	Minimum number of attendants required to be present on that floor or tier
	1 – 100	One
	101 – 250	Two
	251 – 500	Three
	501 – 750	Four
	751 – 1000	Five
	and one additional attendant for each additional 250 persons (or part thereof).	
PS42	Any attendant shall be readily identifiable to the public.	
PS43	Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of any emergency or entail their absence from that floor, tier, or auditorium where they are on duty.	
PS44	No article shall be attached to the back of any seat which would reduce the clear width of seatways or cause a tripping hazard or obstruction.	
PS45	Sitting on floors shall not be permitted except with consent.	
PS46	Waiting and standing shall not be permitted except in designated areas.	
PS47	In no circumstances shall anyone be permitted to – (i) sit in any gangway; or (ii) stand or sit in front of any exit; or (iii) stand or sit on any staircase including any landings.	
PS48	Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.	
PS49	Except with consent, no drinks shall be sold to or be consumed by a closely-seated audience except in approved plastic or paper containers.	
PS50	All scenery shall be maintained flame-retarded to the Licensing Authority's satisfaction.  Note: Where non-durably flame-retarded fabrics have been approved, these shall be tested for flame-retardancy at intervals as required and be re-treated as necessary.	
PS51	Where a safety curtain is provided, it shall be arranged so as protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.	

**Premises used for Film Exhibitions**

PS52	Where the premises are not equipped with a staff alerting system the number of attendants present shall be as set out in the table below.		
	Number of members of the public present on the premises	Minimum number of attendants required to be on duty	
	1 to 250	Two	
and one additional attendant for each additional 250 members of the public present (or part thereof)			
	Where there are more than 150 members of the public present in any auditorium or on any floor or tier	At least one attendant shall be present in any auditorium or on any floor or tier	
PS53	Where the premises are equipped with a staff alerting system the number of attendants present shall be as set out in the table below.		
	Number of members of the public 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 to 500	Two	One
	501 to 1000	Three	Two
	1001 to 1500	Four	Four
	1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises
PS54	Attendants shall as far as is reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the public have access.		

PS55	Staff shall not be considered as being available to assist in the event of an emergency if they are:  (i) the License Holder or Duty Manager; or  (ii) a member of staff whose normal duties or responsibilities are likely significantly to affect or delay his response in an emergency situation; or  (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
PS56	The staff alerting system shall be maintained in working order.
PS57	The level of management lighting in the auditorium shall be as great as possible consistent with the effective presentation of the films.  Note: The level of illumination maintained in the auditorium during the showing of films will be regarded as satisfactory if it complies with the standards specified in BS CP 1007: Maintained Lighting for Cinemas.
PS58	No flammable films shall be upon the premises without consent.

## CONDITIONS RELATING TO THE PREVENTION OF PUBLIC NUISANCE

### General

Advice should be sought from the relevant Responsible Authority's prior to application. The Responsible Authority may wish to apply conditions from the Pool of Conditions to a license issued to a premise and that the wording may be varied from that published in the general Pool of Conditions to fit the individual requirements of that premise.

Applicants may wish to include conditions in their Operating Schedule to satisfy each of the four licensing objectives. Applicants should include conditions, which are appropriate to the size of the premises and relevant to the location of the premises and type of licensable activity carried out. Applicants should expand on how they will implement each of the conditions.

### Noise and Vibration

In certain premises a noise impact assessment of the licensable activities at the premises should be carried out to the satisfaction of the Licensing Authority. Proposed steps to prevent noise must, if necessary, also be submitted for inclusion within the operating schedule.

PN1	The Designated Premises Supervisor/Duty Manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.
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PN2	The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.												
PN3	Noise from the premises shall not result in exceedences of the following noise levels expressed as [ <i>x minute Leq</i> ] at [ <i>stated location</i> ]; <table border="1" data-bbox="402 430 1279 758"> <thead> <tr> <th>Frequency Range</th> <th>From a hours to b hours</th> <th>From y hours to z hours</th> </tr> </thead> <tbody> <tr> <td>[<i>Whole range</i>]</td> <td><i>x dBA</i></td> <td><i>y dBA</i></td> </tr> <tr> <td>[<i>63Hz octave band</i>]</td> <td><i>x dB</i></td> <td><i>y dB</i></td> </tr> <tr> <td>[<i>125 Hz octave band</i>]</td> <td><i>x dB</i></td> <td><i>y dB</i></td> </tr> </tbody> </table>	Frequency Range	From a hours to b hours	From y hours to z hours	[ <i>Whole range</i> ]	<i>x dBA</i>	<i>y dBA</i>	[ <i>63Hz octave band</i> ]	<i>x dB</i>	<i>y dB</i>	[ <i>125 Hz octave band</i> ]	<i>x dB</i>	<i>y dB</i>
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[ <i>125 Hz octave band</i> ]	<i>x dB</i>	<i>y dB</i>											
PN4	Noise emanating from the premises as a result of regulated entertainment shall not exceed [ <i>x dBA</i> ] as measured 1 metre from any residential dwelling.												
PN5	A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music or speech at the premises.												
PN6	The noise limiter(s) shall be set so as to maintain the maximum level as follows at all times when regulated entertainment takes place: [Location] <i>x dB(A)</i> [Location] <i>y dB(A)</i>												
PN7	No [Regulated Entertainment] shall take place until a scheme of soundproofing the [relevant parts] of the premises has been submitted to and approved by the Licensing Authority. The work must be completed to the licensing authorities satisfaction prior to any [Regulated Entertainment] taking place.												
PN8	The [ <i>doors / windows</i> ] at [ <i>specify</i> ] shall be fitted with [ <i>double /secondary</i> ] glazing in order to improve the sound attenuation of the premises.												
PN9	A [ <i>sound trap lobby / acoustic door / automatic door closer</i> ] shall be installed to [ <i>describe the location</i> ].												
PN10	[ <i>Openings / specify</i> ] in the external fabric of the premises must be acoustically sealed to the satisfaction of the Licensing Authority.												
PN11	All [external doors / windows] must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.												
PN12	An alarm shall be fitted to [all external windows / fire doors] which <del>alerts staff when [they / it] are opened without authorisation</del>												

	alerts staff when [they / it] are opened without authorisation.
PN12	A circuit cut off device shall be fitted to the [door] which automatically switches off the sound system when the doors are opened. This device shall be tested each day prior to entertainment commencing.
PN13	No music or speech shall be relayed via external speakers other than for events with the prior approval of the Licensing Authority.
PN14	Prominent, clear notices shall be displayed at [ <i>all exits / in the beer garden</i> ] requesting customers to respect the needs of local residents and leave the premises and the area quietly.
PN15	The [ <i>garden / patio</i> ] must not be used by customers after the hours of [hh:mm] and [hh:mm].
PN16	Entertainment is to be held internally only and no music or speakers shall be provided to external areas of the premises.
PN17	No inflatable play equipment shall be used without the agreement of the Licensing Authority with respect to its hours of use and other conditions as may be appropriate.
PN18	The [ <i>car park/ garden</i> ] shall be managed to ensure that it is not used for [ <i>ball games /skateboarding/ other potentially noisy recreational activities</i> ]
PN19	Disposal of waste bottles into external receptacles where the noise will be audible to neighbouring properties must not occur between [hh:mm] and [hh:mm].
PN20	Arrangements must be put in place to ensure that waste collection contractors do not collect refuse between [hh:mm] and [hh:mm].
PN21	Staff shall be given adequate training to prevent them causing unnecessary noise when they leave the premises and 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.
PN22	The Designated Premises Supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events.
PN23	No fireworks or other pyrotechnics shall be used other than with the prior consent of the Licensing Authority.
PN24	The Designated Premises Supervisor or a nominated representative shall have full control at all times over the sound amplification equipment to the main stage. The volume shall be adjusted according to the requirements of the Licensing Authority / Responsible Authority.
PN25	The specification, and orientation of all speakers shall be agreed with the Licensing Authority / Responsible Authority.

### Queue Management and Dispersal Procedures

Queue management and dispersal procedures are designed to assist licensed premises in being good neighbours to residents and businesses in the vicinity so as to maintain the legitimate right of neighbours to enjoy their homes and businesses without disturbance.

PN26	All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours.
PN27	The premises shall have a written dispersal procedure designed to make the maximum impact immediately before premises close, and directly thereafter, by exercising pro-active measures, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder.

### Hours

Restrictions on hours will be balanced against the benefits which flow from allowing licensed premises the freedom to develop a vibrant leisure industry that meets customers expectations.

Each licensable activity will be judged on its own merits and one activity may be prohibited at a time when another activity is permitted. Also, different restrictions may apply to different areas of the premises.

PN28	The following licensed activities that have the potential to create public nuisance shall not be permitted unless they are done so in accordance with the controls below:
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### Noxious Smells

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration will be given to conditions that ensure premises are properly vented but noxious smells are prevented from causing a nuisance to nearby properties.

PN29	The premises shall be effectively ventilated.
PN30	All vents and extraction systems shall be constructed and operated so as to prevent noxious smells from causing a nuisance to nearby properties.
PN31	Ventilation ducting and other shafts shall be kept clean.
PN32	Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.
PN33	All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.



PN34	All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.
PN35	Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

### Litter

In certain premises where existing legislation does not provide adequately for the prevention and control of litter, consideration will be given to conditions that ensure effective prevention, collection and removal of litter in the vicinity of the premises.

PN36	An adequate number of waste receptacles for use by patrons shall be provided in positions agreed with the Licensing Authority. The receptacles shall be emptied and the collected refuse disposed of at a frequency to be agreed with the Licensing Authority.
PN37	The Designated Premises Supervisor or a nominated representative shall comply with the Voluntary Code of Practice For The Fast Food Industry (DEFRA 2003) or any document which supersedes this.
PN38	After close of business a rubbish patrol should pick up any flyers or rubbish which has been left in the vicinity by customers including any bottles which may have been taken off the premises.

### Light Pollution

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration will be given to conditions that ensure that flashing or particularly bright lights on or outside licensed premises do not cause a nuisance to nearby properties. The imposition of such conditions will be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain locations.

PN39	Any artificial lighting on the premises must not cause nuisance due to glare unless it is considered necessary by the Police to prevent crime and disorder.
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## CONDITIONS RELATING TO THE PROTECTION OF CHILDREN FROM HARM

### General

Advice should be sought from the relevant Responsible Authority for Child Protection prior to application. The Responsible Authority may wish to apply conditions from the Pool of Conditions to a licence issued to a premise and that the wording may be varied from that published in the general Pool of Conditions to fit the individual requirements of that premise.

Applicants may wish to include conditions in their Operating Schedule to satisfy each of the four licensing objectives. Applicants should include conditions, which are appropriate to the size of the premises and relevant to the location of the premises and type of licensable activity carried out. Applicants should expand on how they will implement each of the conditions.

The imposition of conditions to protect children from harm will depend on a number of factors including the history of the premises, the nature of the activity and the time of the activity.

There is a presumption against permitting any access at all to children under 18 years for any activity or entertainment of a clearly adult or sexual nature, or involving significant gambling.

There is presumption against the presence of unaccompanied children under the age of 12 after 11.00 p.m.

In any other case, subject to the premises licence holder's or club's discretion, the expectation will be for unrestricted access for children subject to the terms of the 2003 Act.

Where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm whilst on the premises.

In certain premises where existing legislation does not provide adequately for the protection of children and where relevant matters have been identified in Operating Schedules, or as a result of representations being made, consideration will be given to applying conditions.

### **Age Restrictions - Cinemas**

The Licensing Authority recognises the following film classifications:

- U Universal - suitable for audiences aged four years and over
- PG - Parental Guidance. 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.

CP1	If the License Holder is notified by the Licensing Authority in writing that it objects to the exhibition of a film specifying the grounds of objection, such film shall not be exhibited.
CP2	Not less than 28 days' notice in writing shall be given to the Licensing Authority of any proposal to exhibit any other film which has not been classified by the British Board of Film Classification. Such a film may only be exhibited if consent has been obtained and in accordance with the terms of any such consent.
CP3	No film shall be exhibited unless:

	<p>(i) it is a current news-reel; or</p> <p>(ii) it has been passed by the British Board of Film Classification as a U, PG, 12A, 15, or 18 film and no notice of objection to its exhibition has been given by the Licensing Authority, or</p> <p>(iii) the film has been passed by the Licensing Authority as U*, PG*, 12A*, 15*, or 18* with * being the name of the Council.</p>
CP4	Immediately before each exhibition at the premises of a film (other than a current news-reel) passed by the British Board of Film Classification there shall be exhibited on the 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, of the statement approved by the Board indicating the category of the film.
CP5	Every poster, advertisement, photograph, sketch, synopsis or programme relating to a film (other than a current news-reel) exhibited, or to be exhibited at the premises, shall indicate clearly the category of the film.

### Theatres

The admission of children to the performance of a play will normally be left to the discretion of the licence holder and no condition restricting the access of children to plays will normally be attached except where the entertainment incorporates that of an adult nature.

CP6	<p>Whilst entertainment of an adult nature is taking place no person under the age of 18 shall be on the licensed premises and a clear notice shall be displayed at the entrance to the premises in a prominent position so it can be easily read by persons entering the premises in the following terms:</p> <p><b>“NO PERSON UNDER 18 WILL BE ADMITTED”</b></p>
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### Performances Especially for Children

Where performances are presented especially for unaccompanied children in theatres and cinemas consideration will be given to additional conditions that ensure adequate supervision and the well-being of children.

CP7	When performances are specially presented for children an attendant shall be stationed in the area(s) occupied by the children in the vicinity of each exit provided that, on each level occupied by children, the minimum number of attendants on duty shall be one attendant per 50 children or part thereof.
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### Children in Performances

Where existing legislation does not provide adequately for the protection of children and where relevant matters have been identified in Operating Schedules, or as a result of representations being made, consideration will be given to conditions that:

CP8	Dressing rooms and other backstage facilities shall be large enough to accommodate safely the number of children taking part in any performance. Every child shall have a seat and not be expected to sit on tables or to stand.
CP9	All chaperones, supervisors and production crew shall receive adequate instruction on fire procedures applicable to the venue.
CP10	Any person who is engaged in supervising children shall have been subject to a check through the Enhance Disclosure of the Criminal Records Bureau.
CP11	Child performers shall be supervised at all times including transfer from stage to dressing rooms and anywhere else in the premises.
CP12	Child performers shall be accounted for at all times in case of an evacuation or emergency. To achieve this the following actions shall be taken prior to the arrival of the children at the venue: <ul style="list-style-type: none"> <li>(i) allocation of dressing rooms/changing areas with a list of the names of the children using each dressing room plus the names of the chaperones responsible for each dressing room/changing area</li> <li>(ii) each chaperone to have a list of the children for whom they are responsible</li> <li>(iii) the venue manager and management team to have copies of all the lists including any last minute alterations</li> </ul>
CP13	If special effects are proposed full details should be submitted to the Licensing Authority for separate approval.  Note: It is recommended that special effects are not used in children's productions. The use of special effects, including smoke, dry ice, rapid pulsating or flashing lights, may trigger allergies or an adverse reaction in some cases.

### The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's web site, in the trade press and in an annual report. If a

product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important mechanism in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner which may appeal to or attract minors.

Where appropriate and necessary, consideration can be given to attaching conditions to premises licences and club premises certificates that require compliance with the Portman Group's Retailer Alert Bulletins.

CP/14	The premises shall comply with Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and with the Portman Group's Retailer Alert Bulletins.
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### **Proof of Age cards**

Proof of age cards can be used in connection with the prevention of crime and disorder. However, where necessary and appropriate, a requirement for the production of proof of age cards before any sale of alcohol is made could be attached to any premises licence or club premises certificate for the protection of children from harm. Any such requirement should not be limited to recognised "proof of age" cards, but allow for the production of other proof, such as photo-driving licences and passports. The Secretary of State strongly supports the PASS accreditation system which aims to approve and accredit various proof of age schemes that are in existence. This ensures that such schemes maintain high standards, particularly in the area of integrity and security, and where appropriate and necessary, conditions may refer directly to PASS accredited proof of age cards, photo driving licences, student cards and passports. As for conditions relating to crime and disorder, it should be noted that many adults in England and Wales do not currently carry any proof of age. This means that the wording of any condition will require careful thought. For example, the requirement might be to ensure sight of evidence of age 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. This would ensure that most minors - even those looking older – would need to produce proof of age appropriately before making such a purchase. Under such an arrangement only a minority of adults might be affected, but for the majority there would be no disruption to their normal activity, for example, when shopping in a supermarket.

Proof of age cards can also ensure that appropriate checks are made where the presence of children is restricted by age at certain times, such as 16.

CP15	The premises shall adopt a policy of requiring the production of "proof of age" before sales of alcohol are made. All operators and staff have both a duty and responsibility to ensure that only those who are of age are provided with intoxicants.
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