

Suggested Example Conditions

These example conditions are designed to provide a guide to the wording of possible conditions relating to differing situations and solely as a means of guidance.

Licensing conditions are added to Premises licence or Club premises certificate as follows:

- Mandatory Conditions set by Government (cannot be reworded)
- Operating Schedule Conditions will be added from the applicant's submission of their operating schedule which may include changes as a result of agreements with responsible authorities or interested parties after mediation (these can be reworded if it is consistent with the applicants or responsible authorities' submission)
- Panel Conditions can be imposed following a hearing (cannot be reworded)

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.

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

Licensing Objectives

All conditions must relate to the promotion of the licensing objectives.

These are:

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

Home Office Guidance

The Home Office guidance is that conditions must be necessary, proportionate, and justifiable to meet the licensing objectives.

They should be written in a prescriptive worded format, clearly understandable and be enforceable.

Conditions should be expressed in unequivocal and unambiguous terms.

Avoid wording such as May, Should, Could, Reasonable Steps, Regular, Appropriate Time, satisfaction of responsible authority, best endeavours, inaudible, recommend, random, as soon as possible.

Use wording such as Must, Shall & Will

Enforceable

In agreeing conditions, operators will often offer up a condition that uses the word may; this should be challenged as it gives a choice, so it would be impossible to enforce or demonstrate non-compliance.

Whenever a condition is being created by using the key words above, please make sure that if you went to enforce that condition what evidence would you need to prove the breach in a court.

Operating Schedule

Any applicant, in preparing the required Operating Schedule, is at liberty to volunteer measures, 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.

To minimise problems and the necessity for hearings, it is 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.

Example conditions

1. Adult Entertainment

Where the premises are operating as a family friendly venue you may wish to consider conditions restricting certain entertainment of an adult and sexual nature or restricting access to children on the premises.

- a. No entertainment or activity of an adult or sexual nature will take place within the premises.
- b. No children under the age of 18 will be allowed on the premises whilst entertainment or activities of an adult or sexual nature take place within the premises.
- c. Entertainment or activity of an 'adult' or 'sexual' nature will take place on {state day} between {start time} and {end time}. Prior to the commencement of such entertainment the licence holder will ensure that no children are on the premises and the door staff will prevent access by children.
- d. When entertainment or activity of an 'adult' or 'sexual' nature takes place on the premises the Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises 30 minutes before the entertainment takes place advising that 'children are not admitted'.
- e. Whenever the entertainment includes language of an adult nature that includes swearing or offensive comments, the licence holder shall ensure that the performer can't be heard outside the {specify room} premises or to any children living upon the premises.

2. Alcohol Authorisation by a Personal Licence holder

In special circumstances you may wish to attach a condition that a personal licence holder who is trained and authorised for sale of alcohol is on the premises at every sale of alcohol (legislation does not require the DPS or a personal licence holder to be on the premises at all times sales of alcohol take place). This should be considered at premises where Police or Trading Standards report that staff that work at the premises have sold to minors or to drunks. This is to make sure the premises are complying with all relevant legislation.

- a. The licence holder and/or designated premises supervisor shall ensure that at least one personal licence holder is available on the licensed premises while the sale or supply of alcohol is being undertaken at the premises.

3. Alcohol strength

Due to irresponsible drinks promotion and public health concerns a maximum ABV (alcohol by volume) may be considered.

- a. No beers, lager or cider will be sold above 6.5% ABV.

4. Bottles / Glasses

Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. Therefore, in appropriate cases consideration should be considered to conditions restricting bottles or glass especially venues that have reported issues of crime and disorder associated with glass or bottles. It should also be noted that the use of such restrictions are also relevant measures necessary to promote the public safety objective.

- a. No bottles containing beverages of any kind, when open or sealed shall be given to customers on the premises whether at the bar or by staff serving away from the bar.
- b. No customers carrying open or sealed bottles shall be admitted to the premises at any time that the premises are open to the public.
- c. The licensee will only provide plastic or toughened glass containers for the supply of all beverages.
- d. The licensee shall ensure that no customers will take glasses or open bottles from the premises.
- e. Drinks shall be served in plastic, paper, or toughened containers.
 - i. You may wish to restrict this condition to specific areas, specific events, or occasions.
- f. Drinks sold at the premises to be consumed in the garden/yard will be provided in plastic containers. All bottled drinks will be decanted into the plastic containers.
- g. 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.

5. Capacity Limits

A condition that should be used only on public safety grounds as there is a duty on the licensee to comply with The Regulatory Reform (Fire Safety) Order 2005 that affects all non-domestic premises. Capacity levels may be set under the Licensing Act to prevent overcrowding at exceptionally high capacities premises, used primarily for the sale and consumption of alcohol. These conditions must have a fire authority input as limits are set taking into consideration of door widths, entrances and exits and fire measures in place at the venue.

- a. The maximum number of persons (including staff and entertainers) permitted at the premises at any one time shall not exceed XX persons.
 - i. You may wish to specify certain areas within the building i.e. different floor levels, different rooms etc.

- b. The number of attendants on each floor in a closely seated auditorium will be (a) 1-100 persons a minimum of 1 attendant (b) 101-250 persons a minimum of 2 attendants (c) 251-500 a minimum of 3 attendants (d) 501-750 a minimum of 4 attendants (e) 751-1000 a minimum of 5 attendants (f) each additional 250 persons (or part thereof) a minimum of 1 extra attendant. Attendants shall not be engaged in any other duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- c. Staff will be employed to monitor occupancy levels. As part of their role, they will stop patrons from (a) sitting in any gangway (b) stand or sit in front of any exit (c) stand or sit on any staircase including any landings (d) move people at points where large crowds/groups are forming and to keep areas free to allow for customer flow.

6. CCTV

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises.

- a. Is the Home Office suggested wording and b. is the Kent Police suggested wording.
 - a. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits and all areas where the sale and supply of alcohol occurs. Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially, and kept for a period of 31 days and handed to Police on demand. The premises licence holder must always ensure a DPS, or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format either disc or VHS to the Police and Local Authority on demand. The recording equipment and discs/tapes shall be kept in a secure environment under the control of the DPS or another responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer immediately.
 - b. CCTV will be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions.

Equipment must be maintained in good working order, be correctly time and date stamped, recordings MUST be kept on the hard drive and kept for a period of 30 days and handed to Police upon reasonable request.

The premises licence holder must always ensure a DPS, or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format to the Police and Local Authority upon reasonable request.

The recording equipment and hard drive shall be kept in a secure environment under the control of the DPS or another responsible named individual.

In the event of technical failure of the CCTV equipment the premises licence holder or DPS must report the failure to the Police Licensing Officer within 24 hours unless

the CCTV will be repaired before that time.
(licensing.north.division@kent.pnn.police.uk)

7. Children

You may consider restrictions on the access of children under 18 to premises where licensable activities take place, when necessary, to protect children from harm. It should be noted not to duplicate provision in relation to children under the age of 16 must be accompanied by an adult.

- a. No children under 16 years old will be allowed on the premises except for pre-booked functions.
- b. Prominent, clear notices shall be displayed at the entrance stating that children under the age of 16 are only allowed on the premises until 18:00 (6pm). *Specify times and days.*
- c. Children under the age of 16 will not be permitted access to the bar area, except during ingress and egress to a restaurant area where tables and chairs are set up for table meals within the premises.
- d. No children under 16 years old will be allowed on the premises after 21:00 (9pm). *Specify times and days.*
- e. Children under the age of {specify age 16/18} will not be permitted access to the premises at any time.
- f. Children under the age of 16 will be allowed access to the following areas only {restaurant, family room, function room, garden, and toilets}. *Specify locations.*
- g. An attendant to be stationed where unaccompanied children are attending such activities as theatre and cinema. There will be one attendant up to 30 children and a further attendant for each 30 children present at the event. *Specify a ratio between children and attendant.*
- h. Performances, which are advertised or promoted for a children's audience, will be staffed by persons who have been trained in the emergency evacuation of the premises and training on supervision of children. Records of staff who attend such performance will be available on demand to Police, Police Licensing Officer, and Authorised Officers of the Local Authority.
- i. The licensee must provide facilities for child performers to ensure privacy and security. This area will be subject to adult supervision at all times when children are on licensed premises.

8. Complaints procedure

Interested parties may raise concerns within their representation that they have called licensed premises to complain but they have done nothing to deal with their complaint.

- a. A register of complaints shall be kept and made available to Police and Local Authority Officers on request.

9. Crime Prevention (Notices and Procedures)

Where police have provided evidence that crime has been reported in relation to theft of property of customers you may wish to suggest notices reminding customers of their safety or have controlled cloakroom facilities.

- a. The licensee will ensure that suitable notices are displayed at the premises warning customers of the prevalence of crime which may target them (for example pick pockets, bag snatchers, spiked drinks) and the need to guard their property and leaving property unattended.
- b. The premises shall support local crime prevention initiatives and clearly display crime prevention notices or give advice that supports current crime and disorder patterns.
- c. Secure, attendant controlled 'cloakroom' facilities will be maintained for patrons' over clothing and valuables.

10. Dispersal Procedures

Interested parties have raised concerns about noise and rowdy behaviour which is associated with persons either queuing outside of a venue and/or when leaving at the end of the night. To minimise such disturbances to neighbours you can consider a dispersal policy as part of preventing public nuisance.

The premises shall have a written dispersal policy that outlines the procedure for management, door supervisors and staff. The policy shall contain procedures on:

- a. supervising the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keep customers quiet as to not disturb neighbours in the vicinity.
- b. display notices outside where the queue is formed asking them to be quiet or they will be refused entry.
- c. display numbers for taxi firms inside.
- d. provide an area inside to enable persons to contact taxi firms in a quiet location rather than go outside.
- e. Move people away from the premises who are standing around talking to others.
- f. procedure on refusing entry or banning those who repeated cause a nuisance by noise and rowdy behaviour.
- g. provide a queuing system in the foyer for those waiting on taxis rather than sending them outside to wait.
- h. no entry to new customers after {time}.
- i. a monitoring system to be implemented with regards to re-entry for customers using the smoking area (such as a wrist band or ultra-violet marker).

11. Door Supervisors and their responsibilities

Conditions relating to the provision of door supervisors and security team 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.
 - Searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons and
 - Maintaining orderly queuing outside of venues and to keep the noise down of those who are queuing.
- a. The premises licence holder or DPS shall maintain an accurate and up to date register in respect of all stewards, security staff or door supervisors working at the premises when it is open to the public. The register will comprise of (a) the name, address, telephone number of the member of staff (b) any registration number relating to the steward or door supervisor whether employed directly by the licensee or through an agency (c) the name, address and telephone number of the agency providing stewards, security staff or door supervisor where not employed directly by the licensee (c) the dates and times of commencement and finishing of work (d) signature of the member of staff (e) details of any incident in which the member of staff is involved including any calls to the police and any police action taken.
- b. When the premises is open between 23:00hrs and {time} on Friday's and Saturday's a minimum of {number} door supervisor must be present at the customer entrance/exit of the premises.
- c. A minimum of {number} door supervisors must be present when the premises are open to the public.
- d. There will be a door control policy that outlines clear instruction and understanding of the door supervisors' responsibilities at the premises. This policy will contain:
- i. How door staff prevent overcrowding.
 - ii. Supervise the queue to ensure that it is managed in a way that avoids rowdy, unpleasant behaviour and to keep customers quiet as to not disturb neighbours in the vicinity.
 - iii. A procedure for door staff engaged in searching persons as a condition of entry.
 - iv. To ensure the dispersal of patrons from the curtilage and grounds of the licensed premise immediately after the end of licensable activities.
 - v. Prevent patrons from leaving the premises with open containers and bottles.
 - vi. To provide evidence by written statement to police in any criminal investigation as and when required.
- e. Door supervisor will undertake body searches at least one male and one female door supervisor must be available to undertake the body searches of the same customer gender before gaining entry to the premises.

- f. Door supervisor will be stationed at a location {inside or outside} the premises at times when licensable activity is taking place and 30 minutes thereafter to assist with dispersal of customers from the premises.
- g. Door supervisors will physically search in accordance with a written procedure agreed with Kent Police, this will include a 'pat down search' and a full bag and pocket search. Those who refuse to be searched will be refused entry.
- h. All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility jackets or vests.
- i. There shall be a written agreement with police on a ratio of door supervisors to the number of patrons 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 consider the general layout of the premises and any areas that are considered to be closely seated areas.

12. Drugs / Substance misuse

The police have reported to the committee and have also reported on their specialist operations to disrupt drug supply and use in licensed premises. However, certain venues such as late-night venues do attract drug dealers and users and need to have measures in place to reduce the supply or use of drugs in their premises.

- a. The premises shall have a written drugs policy, this will detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training policy for all staff covering the issues of misuse of drugs in relation to licensed premises. Records must be kept showing members of staff who have taken the training.
- b. The designated premises supervisor or 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. On obtaining this qualification that person will be responsible for training staff employed in the bar area, cleaning staff and those involved in security on the awareness of the illegal drugs scene, locations for hiding drugs on the premises, operational guidelines to help prevent drug problems arising and tactics to enable staff to deal with such problems, should they arise. This training should be repeated on a yearly basis and records must be kept showing members of staff who have taken the training. Training records will be made available on demand by Police, Police Licensing Officer, or Authorised Officer of Local Authority.
- c. The premises shall have a written drug policy. This will entail an agreed procedure for the handling and retention of any article seized. Where premises consider a drug's safe to deposit drugs found, there will be a clear policy for the handling and packaging of seized items. For premises 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 they must have a written agreement with police as to a procedure in the collection or delivering drugs to police.

13. Electrical

Conditions regarding socket outlets should be considered when they are temporary or portable for indoor or outdoor events and may be necessary for public safety.

- a. The licensee shall ensure that socket outlets for use with temporary or portable electrical equipment on or in the vicinity of any stage area and one or more Residual Current Device (RCD) shall protect any circuits associated with stage lighting equipment.
- b. Temporary electrical wiring and distribution systems shall not be provided without notification in writing being given to the Council Environmental Health at least 10 days before the commencement of the work. The notification must explain the reasons for the temporary electrical measures and a date of the proposed removal of temporary electrical measures. Any temporary electrical measures must be removed at the end of a 3-month period or to be made permanent during that period.

14. First Aid

Large venues may require a qualified first aid person to maximise safety of customers, performers, and staff.

- a. 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.

A notice stating the availability of first aid person shall be prominently displayed inside and outside the premises and shall be protected from damage or deterioration.

There shall be first aid equipment and materials available at the premises whilst the premises are trading.

15. Glass collections, waste disposal and litter

Interested parties have raised concerns about litter, noise with bin collections and/or waste disposal early in the morning or late at night. To minimise such disturbances to neighbours you can consider conditions to set times that they are not to have collections/disposals.

- a. A member of staff every 30 minutes whilst the premises is trading will remove all empty drinking vessels, bottles or containers after the contents have been consumed or they become empty. The licence holder and the Designated premises Supervisor shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles.
- b. A waste receptacle for use by patrons will be provided in {position}. The receptacles shall be emptied every day the venue is trading between the hours of 09:00 to 22:00 (9am to 10pm). *Amend times as appropriate.*
- c. After close of business, staff will pick up any flyers/rubbish/litter/bottles that have been left for a distance of 30 metres in each direction. The collection and removal of litter will be taken to include the washing away immediately outside the premises the pavement to the gutter of spilled food and similar materials to leave the footway in a clean and safe condition. *Amend distance as appropriate.*

- d. There will be no collection of waste, which includes bottles, recycling, and litter between the hours of 22:00 and 08:00 (10pm to 8am). The licence holder and the Designated premises Supervisor shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles. *Amend times as appropriate.*

16. Incident register (book/records)

The police may require a register to be held of all incidents that may happen at the premises and/or local resident may report of numerous incidents taking place at the premises. This condition could help promote all the licensing objectives.

- a. The premises licence holder or designated premises supervisor must keep an incident register. Staff to be trained to complete the incident book/records immediately after the incident but no later than the end of their shift. The register must be kept on the premises and will detail.
 - i. Day, date, and time of incident
 - ii. Nature of incident
 - iii. Resolution
 - iv. Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has been made.

The register must be made available to Police, Police Licensing Officer, and authorised officers from Local Authority on demand either electronically or hard copy.

17. Large scale events – over 500 people

Venues that may provide a large-scale event should have extra measures in place where relevant authorities are formally notified before each event. Both the Police and Licensing team sit on a 'Safety Advisory Group' who liaise with agencies/department such as Fire, NHS, Ambulance, emergency planning, highways, event team, green spaces, and environmental health. You may wish to consider these conditions that are relevant to all four licensing objectives.

- a. The licence holder or event organiser must notify in writing to Kent Police and the Licensing Authority of the intention to hold an event that is proposed for occupancy of over 500 persons within 60 days of the event.

The letter must include details of the proposed event.

- i. date and times of event.
- ii. nature of event
- iii. types of activities taking place and those that are licensable.
- iv. proposed occupancy
- v. location whether inside or outside and must include any temporary or fixed structures that will form part of the event.

- b. The licence holder shall produce risk assessments that must have proper regard to the Health and Safety Executive guidance 'The Event Safety Guide: A guide to health, safety, and welfare at music and similar events'. It must address but is not limited to risks specific to the nature of the proposed event and its potential to undermine the licensing objectives. The risk assessments must be submitted in writing either by post or electronically to Police Licensing Team (licensing.north.division@kent.pnn.police.uk), the local Licensing Authority and Environmental Health a minimum of 31 days prior to the event taking place.
- c. When Kent Police determine it necessary due to the nature of the proposed event and associated risks, the premises licence holder is required to request in writing as soon as possible and in any case a minimum of six weeks prior to any event 'special policing services' as defined by section 25 Police Act 1996. Payment for the provision of special policing services determined as necessary by Kent Police shall be paid to Kent Police in full at least seven days prior to the commencement of the event.
- d. At an event that is to be 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.

18. Light Pollution

In certain premises there may be a lack of lighting for the safety of the public and consideration must be given if there are specific lighting needs for CCTV or areas of public access. Interested parties may raise concerns about existing glaring lights from premises. To minimise such disturbances to neighbours you can consider conditions to prevent lights being angled to cause nuisance.

- a. In the absence of adequate daylight, any artificial lighting provided by the premises {designate an area instead} in any area accessible to the public shall be angled as to not cause a glare into any other premises/residential properties.
- b. Flashing or bright lights on or outside licensed premises shall be positioned or screened in such a manner so as not to disturb residents in nearby properties.

19. Noise and vibration

It should be noted that provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the public from the effects of noise nuisance. Therefore, these matters should be considered before deciding whether conditions are necessary for the prevention of public nuisance.

- a. The Licence holder shall erect and maintain clear and prominent notices displayed at all exits requesting the public to respect the needs of residents and to leave the premises and the area quietly.
- b. When live music or recorded music takes place inside the premises all doors and windows will be kept shut. Entrance/exit doors will be fitted with self-closing mechanism that will enable these doors to automatically close once persons enter or leave the premises.
- c. A designated premises supervisor or a nominated representative shall keep written records of sound checks when live music, recorded music or amplified sound is

taking place. Sound checks must be made inside and outside the premises at all entrance/exit doors to the premises and to walk outside around the premises on all sides where there are residential properties. The record must contain (a) date and time (b) type of event (c) name of person carrying out the sound check (d) location of the check (e) whether the person determined if the noise was set to a level as to cause a complaint (f) action taken in relation to noise levels i.e. being increased, decreased or no action (g) The noise must be assessed at the start of the event and at intervals no less than every one hour until the end of the event.

- d. No regulated entertainment will take place until such time as: the licensee submits to the Council Environmental Health an acoustic report prepared by a reputable noise consultant, which demonstrates how music and other amplified sound generated at the premises will be contained within the said premises, thereby not causing a disturbance to neighbouring premises. The report shall have regard to any noise caused by any ventilation system and any likely escape of noise from the system, the opening of doors for patrons' acoustic characteristics of fire doors, windows, any flat roofs, and the general fabric of the building. Where sound transmission is likely through the structure of the building the report must show in detail how this will be eradicated.

Any work to the building or system must be carried out as per the report recommendations.

The acoustic report will be checked and any relevant work to the system or building on completion must be approved in writing by Environmental Health before regulated entertainment is authorised to take place.

- e. The licensee must create a written scheme of soundproofing of the premises {or state a location}. The scheme will outline a timescale for implementing any works required to be carried out. Environmental Health will be sent the written scheme and notified on the completion and approved in writing by them before regulated entertainment can take place.
- f. A noise limiting device shall be installed, fitted, and maintained as to control all sources of amplified music or speech at the premises to prevent noise nuisance to neighbouring properties. The noise limiter shall be set to maintain a maximum level which is agreed in writing with Environmental Health and amended as and when required to deal with any reported nuisance/complaint.
- g. The {doors / windows} at {specific location} shall be fitted with {double/secondary} glazing to improve the sound reduction at the premises.
- h. A {sound trap lobby/acoustic door/automatic door closer} shall be installed to {describe location}.
- i. {Specify location} must be acoustically sealed as to specifications agreed in writing with Environmental Health.

- j. An alarm shall be fitted to {all external windows/fire doors} which alert staff when {they/it} are opened without authorisation by the designated premises supervisor or responsible person.
- k. Concerts or similar outdoor events of musical performance at the premises that provide live music, recorded music or amplified sound audible at the site boundary shall be restricted to no more than {specify a number} per annum. These events shall not occur on more than {specify a number} consecutive days.
- l. Any sound test carried out in advance of a concert or musical performance shall not take place between the hours 23:00 and 09:00 (11pm and 9am) and will be limited to one (1) hour.
- m. For outdoor events at the premises that provide live music, recorded music or amplified sound shall employ a suitably qualified and experienced noise control consultant. They shall be appointed no later than six weeks prior to the event. The noise control consultant shall liaise between all parties including the licensee, promoter, sound system supplier, sound engineer and Environmental Health on all matters relating to noise control.
- n. The Music Noise Level (MNL) for all outdoor events shall achieve the guidelines described in the Noise Council's Code of Practice on Environmental Noise Control at concerts. The appointed noise control consultant shall monitor noise levels at the sound mixer position and/or at any locations as agreed in writing with Environmental health where reported noise complaints have been received. The consultant will advise the sound engineer of the permitted music noise levels so that they will not be exceeded. The Licensing Authority and Environmental Health Service shall have access to the results of the noise monitoring during the event and be provided a written report including date, time period, noise levels, monitoring locations details of actions taken if a breach of noise criteria occurred. The report must be submitted to the Environmental Health department no later than 3 weeks after the event.
- o. No live music, recorded music or amplified equipment shall be relayed via external speakers other than for events with the prior written approval of Environmental Health. The specification and orientation of all speakers shall be agreed in writing with Environmental Health.
- p. When regulated entertainment and background music takes place outdoors a noise management plan must be in place to review the impact of noise prior to, during and after each event.
- q. No amplified music is to be permitted unless a noise management plan, which has been agreed with the local authority, is in place. The noise management plan shall be periodically reviewed and/or when significant changes occur in the operation, building or event type or following a complaint.
- r. A noise management plan shall be prepared and adapted as appropriate before any live or recorded music event takes place.

20. Notices / Signage

It may be considered appropriate to require signage to be displayed, setting out conditions, reminders to the public about causing public nuisance, procedures of the premise for gaining access and details to public to contact someone to complain.

- a. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons stating the actual operating hours of the premises.
- b. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons of any admission restrictions.
- c. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons stating a telephone number to contact in relation to complaint.
- d. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that causing any disturbance or disorder in a queue will result in admission being refused.
- e. The Licence holder shall erect and maintain clear and prominent notices on the exterior of their premises advising patrons that those attending, stating that 'It is a condition of entry that customers agree to be searched' and 'Police will be informed if anyone is found in possession of controlled substances or weapons'.

21. Radios

Radios could be considered appropriate in large establishments such as public houses and nightclubs operating in city and town centre and leisure areas with a high density of licensed premises. This is to aid links between management, bar staff and door supervisors. It can also be part of a pub watch or similar scheme where there are links with other similar premises in the vicinity.

- a. Staff to use an internal radio system whilst licensable activities are taking place.
Staff to be trained in the use and protocols of the system.
- b. The Radio link equipment will be 'live' and will be monitored by the Head Doorman, designated premises supervisor or another responsible person whilst the licensed premises are open for business.

22. Refusal register (book/records)

Licensees need to show due diligence under the age verification policy. Trading Standards carry out test purchase exercises on those who do not have specific measures in place in relation to refusing sales of alcohol to minors or from intelligence from the public. It is good practice to have a refusal register however it is relevant under the licensing objectives prevention of crime and disorder and protection of children from harm.

- a. The premises licence holder or designated premises supervisor must keep a refusal register. Staff to be trained to complete a refusal book/record immediately after the refusal but no later than the end of their shift. The register must be kept on the premises and will detail a) Day, Date & Time of refusal b) Item Refused c) Name or description of person refused sale d) Reason for refusal e) Each entry is to be checked and signed by the DPS/Licensee no later than 1 week after the entry has

been made. The register must be made available for Police, Police Licensing Officer, and authorised officers from Gravesham Borough Council on demand either electronically or hard copy.

23. Residents Meetings

It may be relevant that licensees hold regular meetings with residents, to deal with concerns from residents. This promotes the prevention of public nuisance.

- a. The designated premises supervisor or responsible person must hold two meetings in a calendar year with residents (live in the vicinity) and local ward councillor(s) to address any complaints or matters arising from the licensed premises. It will be the responsibility of the licensee to complete minutes of the meetings that must include (a) date and time of meeting (b) names of attendees (c) items raised (d) measures proposed or taken by the licensed premises. The minutes must be submitted to the Licensing Authority within 14 days of the meeting. Copies of minutes must be sent to all persons who attended and to any resident or councillor who should request a copy if they are unable to attend the meeting.

24. Special Effects

The use of special effects in venues of all kinds being used for regulated entertainment is increasingly common and can present significant risks. Any special effects or mechanical installation should be arranged and stored to minimise any risk to the safety of the audience, the performers, and staff. Special effects which should be considered include: (a) dry ice machines and cryogenic fog (b) smoke machines and fog generators (c) Pyrotechnics including fireworks (d) real flame (e) firearms (f) motor vehicles (g) strobe lighting (h) laser (i) explosives and highly flammable substances.

- a. The licensee shall not permit the use of special effect except with written consent from Environmental Health. The licensee shall give the Council at least 14 days' notice in writing of any proposal to use special effects. The notice shall include (a) type of special events (b) date and times when the special effects will be demonstrated (c) details of the event.

25. Sports Entertainment

Organised events that involve spectators. To promote public safety objective.

- a. A qualified medical practitioner must be present throughout the sports entertainment that involves boxing, wrestling, judo, karate, or other sports entertainment of a similar nature.
- b. Where a ring is to be installed it must be constructed and supported by a competent person and inspected by a competent authority. Any material used to form the skirt around the ring(s) is to be flame retardant.
- c. Members of the public shall not occupy any seat within 2.5 meters of the ring.

26. Staff levels

In the absence of a licence holder or designated premises supervisor members of staff are therefore responsible in running the premises. It may require that after a specific time that there is a need to promote the licensing objectives with the need to specify the numbers of staff working during peak periods or at times where there is a potential for crime and disorder.

- a. There will be a minimum of 3 members of staff on duty from 8pm until closing.
Specify number of staff and times.
- b. There will be a minimum of 3 members of staff on duty, at least 2 members of staff will remain in the public area at any time and 1 member will be appointed as duty manager/responsible person.

27. Staff Training

In the absence of a licence holder or designated premises supervisor members of staff are therefore responsible in running the premises and therefore should have adequate training so that there are no breaches in legislation. The licence holders must provide adequate training to promote all four licensing objectives.

- a. All persons that sell or supply alcohol to customers must have licensing training. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation. Training records must be kept on the premises and shall contain the nature, content, and frequency of all training. Records must be made available for inspection by Police, Police Licensing Officer, and authorised officers from the Local Authority on demand either electronically or hard copy.
- b. All persons that sell or supply alcohol to customers must have licensing training. Training should take place within six weeks of employment and any new employees will be supervised until the training has taken place. Refresher training should be repeated a minimum of every six months or earlier if required due to changes of legislation. Training records must be kept on the premises and shall contain the nature, content, and frequency of all training. Records must be made available for inspection by Police, Police Licensing Officer, and authorised officers from Gravesham Borough Council on demand either electronically or hard copy.
- c. Training must include (a) avoiding sales of alcohol or age restricted products to those under the age of 18 (b) recognising customers who appear drunk and refusing sale or supply of alcohol (c) knows the licensing objectives (d) have read and understood licence conditions (e) can produce licences/certificates/permits relevant to the premises in absence of licensee (f) can point out where the summary is displayed in absence of licensee (g) understands consequences for breaching legislation that can impact them as individuals and those that impact the licensee and the premises (h) have the relevant contact details of the designated premises supervisor or licensee.

28. Outside Areas

Interested parties have raised concerns about noise or rowdy behaviour of patrons using outside areas. The smoking ban has increased the number of complaints from residents where they feel intimidated by customers standing on the highway smoking and drinking when they are trying to pass. Some residential properties back on to licensed premises gardens and during the summer months find it noisy especially when windows and doors are being left open.

- a. The {garden/patio} must not be used by customers after {times}.

- b. Outdoor areas with the exception of the {location} at the premises shall not be used after 23:00 (11pm) on all days.
- c. Prominent, clear notices shall be displayed in the garden stating that customers must not use the garden after the hours of {times}.
- d. Prominent, clear notices shall be displayed in the garden requesting that customers keep the noise down and to respect the needs of residents when using the garden.
- e. Regulated entertainment outdoors will be limited to {number} events a calendar year.
- f. Regulated entertainment outdoors will cease no later than 21:30 (9.30pm) on all days. *Specify times and days.*
- g. No outside area shall be used for consumption of alcohol or provision of regulated entertainment after 23:00 (11pm) on all days. *Specify activity, times, and days.*
- h. The licensee will have a member of staff monitoring the outside and restricting access to only 5 people at a time to be outside smoking after 23:00 (11pm). No beverages will be allowed outside, and non-smokers will not be allowed to accompany those who are smoking.