Buckinghamshire Council

Licensing Act 2003 – Pool of Model Conditions

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Introduction

All applicants for new licences (and variations) are required to give careful consideration to their proposed licensable activities and set out the measures they intend to take to promote the licensing objectives. Should applicants be successful in obtaining a licence (or variation) then these proposed measures will become legally binding conditions attached to the licence. This pool of conditions has been published by the Council's licensing service to help applicants when drafting their applications. **Applicants are strongly advised to refer to the Council's Licensing Policy in the first instance before using this document.**

Conditions should only be applied to a licence if they are appropriate and proportionate to the circumstances of the application. The conditions listed are not to be regarded as standard conditions which should be automatically applied. These conditions are intended to be used as a guide and should be used selectively, according to their relevance to the individual application. It is important that when considering what, if any conditions are required to promote the licensing objectives, that applicants are realistic about what is needed and achievable. **Failure to comply with a licence is a serious matter and can result in a criminal conviction.**

These conditions are similar to those which the Licensing Authority has found useful in promoting the licensing objectives when addressing concerns raised by responsible authorities and other parties. This is by no means an exhaustive list of conditions and applicants may consider that additional measures are necessary. **Applicants may also wish to adapt the wording of any the proposed measures listed to fit their specific circumstance or propose additional measures not listed.** As already stated, **it is important that applicants only propose conditions that are relevant to their intended activities and that they are able to comply.**

In appropriate circumstances, the Licensing Authority will also draw upon these conditions when exercising its licensing powers. Responsible authorities and other parties may also find these conditions helpful when considering making representation in response to a licence application.

Crime and Disorder

CCTV

Applicants are advised to liaise with Thames Valley Police before drafting proposed measures relating to CCTV

1. The premises shall install and maintain a comprehensive CCTV system in accordance with any minimum requirements of Thames Valley Police.

   All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

   The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

   All recordings shall be stored for a minimum period of 31 days *(or other specified time period)* with date and time stamping.

   Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period (*or other specified time period*).

2. A staff member from the premises who is adequately trained in the operation of the CCTV system shall be on the premises at all times when the premises is open for licensable activities. This staff member must be able to provide an authorised officer of Buckinghamshire Council or Thames Valley Police with copies of the requested CCTV images or data within 24 hours of the request.

3. A written log shall be maintained of routine checks and maintenance to the CCTV system. Routine checks shall include ensuring the date and time are correct, all cameras are recording and the minimum period of required storage is being maintained.

Responsible person

4. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol. Copies of personal licences will be kept on file at the premises and made available to an authorised officer of Buckinghamshire Council or Thames Valley Police on request.

5. A written record of all staff authorised to sell alcohol shall be maintained on the premises and made available to an authorised officer on request.

6. A manager, nominated in writing by the licence holder, shall be on the premises at all times that it is open to the general public. The licence holder must ensure any nominated manager has been provided with a copy of the licence conditions.

Drinking vessels

7. No drinks shall be served in glass containers at any time.

8. All drinking vessels used in the venue shall be made from a sustainable material other than glass. All drinks in glass bottles are to be decanted into a non-glass containers or non-glass carafes prior to being served. Glass drinking vessels may be used for private or pre-booked events within the (specified area).
9. Empty drinking vessels shall be frequently collected from all public areas on the premises, including any outside areas.

Responsible retail of alcohol

10. Staff engaged in the sale or supply of alcohol to customers at the premises shall be trained in the promotion of the licensing objectives as are relevant to their duties. This shall include training on awareness of local alcohol related issues. The training shall be recorded in a training record which shall not be removed from the premises, except in case of emergency or for the purposes of copying, until a period of 12 months has expired since the last entry that has been recorded. The training record shall be made available to Police and authorised council officers on request.
11. All staff engaged in the sale or supply of alcohol to customers will receive documented refresher training at least every 6 months in relation to the promotion of the licensing objectives. The documentation shall include the content of the training with details confirming the name of the trainer and names of the staff undertaking the training.
12. A register of all refusals to sell alcohol shall be maintained at the premises. The register will show date, time and reason for refusal, details of any documentation presented and name of staff member who refused the sale. The register shall be retained for inspection at the premises whilst it is open for licensable activities for a period of no less than 12 months from the date of the last entry in the register being made.
13. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to food that is available to take-away for immediate consumption [and/or delivery].
14. The supply of alcohol for consumption at the premises shall only be to a person seated taking a substantial table meal there and for consumption by that person ancillary to their meal.
15. The supply of alcohol shall be by waiter or waitress service only.
16. Substantial food and non-alcoholic drinks, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

    In areas experiencing problems associated with street drinking, for example where a Public Space Protection Order (PSPO) is in place:

17. No single cans or bottles of beer or cider will be sold.
18. No high strength beer or cider products with [6.5% ABV] or higher will be sold.

19. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
20. Alcohol shall not be sold to any person who is reasonably expected to consume it on the street in the vicinity of the premises.
21. Alcohol shall not be sold to customers in an open container.
22. All alcohol sold from the premises will be marked in a way that can be used to identify that the alcohol has been purchased from the shop.
23. Staff training shall include training on awareness of local alcohol related issues of concern and the actions required by staff to avoid contributing to these concerns.
24. A log of all refusals to sell alcohol shall be maintained at the premises and include a record of refusals of persons known to consume alcohol in breach of the local PSPO.

Drink spiking

25. Measures shall be in place at the premises to tackle 'drink spiking'. Measures shall include appropriately worded signage displayed in areas accessible to the public warning customers to be vigilant.
26. All staff shall be trained and regularly briefed on how to prevent, identify and respond to suspected drink, needle or vape spiking.
27. Drink covers or other anti-spiking measures will be made available.
28. All suspected incidents of spiking shall be reported to the police as soon as reasonably practicable. Any available evidence, including CCTV footage, shall be preserved and made available to the police upon request.

Door supervisors

29. A minimum of (X) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business (*or specify days/hours*) and they must correctly display their SIA licence(s) when on duty so as to be visible.
30. At least (2) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
31. All door supervisors will correctly display their SIA licence so as to be visible when on duty at the premises.
32. A log to record door supervisors employed at the premises shall be kept at the premises and made available to an authorised officer of Buckinghamshire Council or Thames Valley Police on request. The log shall be completed on any day that door supervisors are employed and shall include as a minimum the date, full name, SIA registration number and expiry date, and shift start and end times for each door supervisor.
33. The licensee shall ensure that:
    a. All licensed SIA door staff on duty at premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of Thames Valley Police.

b. All recordings shall be stored for a minimum period of 31 (*or other time frame as specified)* days with date and time stamping, and

c. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 (or other time frame as specified) day period.

34. All persons entering or re-entering the premises after (e.g 21.00) hours shall be searched by a SIA licensed member of staff and monitored by the premises CCTV system.

35. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.

36. Customers shall not enter or leave the premises from / by (insert specific entrances or exits), except in the event of an emergency.

Unauthorised sales

37. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

38. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

Theft prevention

39. Crime prevention notices shall be displayed prominently on the premises warning customers of the potential risk of crime, for example “Bags should not be left unattended”, “watch out for pickpockets”.

40. Cloakroom facilities shall be provided free of charge for all bags [and coats].

41. Adequate lighting shall be provided in the premises to prevent ‘dark’ spots.

Incident reports

42. An incident log shall be kept at the premises, and made available on request to an authorised officer of Buckinghamshire Council or Thames Valley Police. It must be completed within 24 hours of the incident and will record the following:
    (a) all crimes reported to the venue, including allegations of spiking
    (b) all ejections of patrons
    (c) any complaints received concerning crime and disorder
    (d) any incidents of disorder
    (e) all seizures of drugs or offensive weapons
    (f) any faults in the CCTV system, searching equipment or scanning equipment
    (g) any refusal of the sale of alcohol

(h) Any welfare intervention

(i) any visit by a relevant authority or emergency service.

This incident log shall be retained for inspection at the premises whilst it is open for licensable activities for a period of no less than 12 months from the date of the last entry in the register being made.

43. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
    a. The police (and, where appropriate, the Ambulance Service) are called without delay;
    b. The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
    c. Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Pubwatch

44. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join and participate in the local Pubwatch (*Hotel Watch/Shop Watch*) or other local crime reduction scheme approved by the police, and local radio scheme if available.

Public safety

45. An attendant shall be on duty in the cloakroom during the whole time that it is in use.

46. Any special effects or mechanical installations shall be arranged, operated and stored so as to minimise any risk to the safety of those using the premises. Special effects include: dry ice, smoke/fog machines, pyrotechnics, fire arms, lasers, explosives, real flames and strobe lighting.

47. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (X) persons.

48. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

49. The means of escape provided for the premises shall be maintained unobstructed (both inside and outside), free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

50. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

51. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

52. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

53. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.

54. Current test certificates showing that the following systems are in a satisfactory conditions shall be provided to an authorised officer of the responsible authorities on request:
    a. Emergency lighting
    b. Electrical installation
    c. Emergency warning systems

Outside areas

55. Outside furniture shall not be placed in front of any designated emergency exits or prevent easy access for emergency services.

56. Outside furniture stored inside during opening times shall not obstruct any emergency exit routes.

57. Furniture must be suitable for outside use, so that it can withstand adverse weather and must be maintained in a safe condition. Furniture such as umbrellas and other coverings must be suitably robust and sufficiently weighted to prevent collapse or movement, especially during adverse weather.

58. Items that may cause trip hazards such as trailing cables and weights must be highlighted, covered, removed or positioned out of the way as appropriate. Low lying furniture that may not be easily seen shall not be used.

59. If providing outside heaters the licensee shall ensure adequate fire fighting arrangements and appropriate secure arrangements for storing any fuel are in place.

60. Adequate lighting shall be used if outside areas are used at night or in low light level conditions.

61. Outside electrical systems must be installed, modified and maintained by a competent and suitably qualified electrical engineer.

Safe Place Scheme

62. The premises shall join the local safe place scheme*.
    *A scheme to help a vulnerable person deal with any incident that takes place in the community – for example, assisting a confused older person, or providing support to someone who has been harassed to provide a temporary safe place until either emergency services attend and or family or carer contact arrives. This scheme aims to help vulnerable people in the Community lead independent lives and feel safer. This scheme aims to provide reassurance for users of the service that they have a means to alert someone if they are out alone and require assistance. The Safe Place scheme is also available for anyone who is feeling unsafe, unwell, or has had an accident. Once a business agrees to joining the scheme they receive a door sticker/ laminated contact card and an explanation sheet.

Violence Prevention Bystander Scheme

63. Staff shall be trained in effective bystander intervention skills to empower staff to

safely intervene to challenge harmful behaviours that indicates a perpetrator may be indicating sexual and or violent adverse behaviours towards another person.

Events

64. The Premises Licence Holder shall prepare a detailed written Event Management Plan (EMP) for any event. This will include details for, but not limited to, the following:-

    1. Nature & style of the event, including crowd profile
    2. Capacity and expected audience
    3. Event programme & advertising
    4. Communication strategy
    5. Site and location plans
    6. Management structure
    7. Special effects
    8. Campsite safety
    9. Emergency evacuation plan
    10. Medical plan
    11. Information and welfare
    12. Safeguarding children and young people and age controls
    13. Transport and traffic management plans
    14. Food, drink and water provision
    15. Waste management
    16. Working at height
    17. Animal welfare
    18. Noise management planning and controls
    19. Temporary demountable structures
    20. Fire risk assessment
    21. Electrical safety
    22. Welfare and sanitation plan
    23. Extreme weather and contingency plans
    24. Security
    25. Crowd management
    26. Emergency procedures
    27. Barriers and fencing
    28. Entry search and eviction policy
    29. Alcohol and drugs policy
    30. Counter terrorism

65. The Event Management Plan and any relevant risk assessments will be shared with Buckinghamshire Council's Safety Advisory Group, SAG, at least six months before the first day of any event (or shorter period if agreed in writing with the Licensing Authority).

66. The licence holder, or their representative, shall attend any SAG meetings to which they are invited.

67. The licence holder shall consider all advice provided by SAG members and make amendments to the EMP where appropriate.

68. A final version of the written EMP shall be submitted to Buckinghamshire Council's Licensing Service no less than 28 days prior to the first day of any event.

69. During an event, regulated entertainment shall only be undertaken in accordance with the Noise Management Plan for that event, approved in writing by the Licensing Authority who will be advised by the responsible authority exercising the statutory functions specified in the Licensing Act 2003, section 13,(4),(e).

70. So far as is reasonably practicable the Premises Licence Holder shall ensure that events are run in accordance with the associated Event Management Plan.

Public Nuisance

Complaints

71. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

72. A written complaints log shall be maintained at the premises to record any complaints made in relation to licensable activities. The log shall include date and time received, details of the complaint, any actions taken and a record of the person receiving the complaint. The log shall be made available to authorised officers of Buckinghamshire Council on request and kept for a minimum of [12 months].

Noise outbreak

73. Noise levels emanating from the premises shall be kept below the following levels as measured at the designated measuring point:
    a. An objective noise limit of (XX decibels, "A "weighted, averaged over a 15minute period at xx (disclose location) (xxdBALeq15min)
    b. An objective noise limit of (XX decibels, "A "weighted, averaged over a 15-minute period including a "C" weighted, averaged over a 15-minute period at xx (disclose location), (xxdBALeq15min and xxdBCLeq15min)

    The designated measuring point is located at [specify].

74. Loudspeakers shall not be located in the entrance/exit of the premises or outside the building.

75. The premises licensee, shall operate in accordance with a Noise Management Plan (NMP), approved in writing by the Licensing Authority who will be advised by the responsible authority exercising the statutory functions specified in the

Licensing Act 2003, section 13,(4),(e). To ensure the ongoing adequacy of the NMP, the premises holder shall review the NMP on a regular basis (at least every 12 months), and at any other time the licence holder is made aware that controls measures within the NMP require review. Any revisions to the NMP following review shall be submitted to the Licensing Authority for further approval. A copy of the latest approved NMP shall be produced on demand to an authorised officer of the council.

Doors and windows

76. All windows and external doors shall be kept closed [after specified time] except for the immediate access and egress of persons.

Entry/exit controls

77. Admission to the premises shall be through the [designated entrance/premises lobby area only].

78. Queuing outside the premises shall be restricted to a designated area located at [specify location].

79. Notices, at least A4 in size, using a clear, legible font size, shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

80. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

81. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Buckinghamshire Council.

82. There shall be no admittance or re-admittance to the premises after [23.00] hours except for customers permitted to temporarily leave the premises (e.g. to smoke, make a phone call).

83. Customers arriving/departing by vehicle parked in the immediate vicinity of the premises shall be actively discouraged from leaving vehicle engines running.

Outside areas

84. Alcohol supplied from the premises for immediate consumption in outside areas shall only be served to customers seated at tables.

85. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to (X) persons at any one time.

86. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as (specify location).

87. Notices, of a minimum A4 size and using a clear, legible font size, shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of

local residents and use the area quietly.

88. Customers permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.

89. The sale of alcohol for consumption in outside areas of the premises shall be restricted to alcohol to be consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

90. The premises licence holder, or their representative, shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

91. Flashing or particularly bright lights on or outside the premises shall not cause a public nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

92. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a public nuisance to any persons living or carrying on business in the area where the premises are situated.

93. There shall be no sales of alcohol for consumption off the premises after [23.00] hours.

94. All sales of alcohol for consumption off the premises shall be in sealed containers only.

95. There shall be no sales of hot food or hot drink for consumption off the premises after [23.00] hours.

96. All tables and chairs shall be removed from the outside area, or rendered unusable, by [23.00] hours each day.

97. Amplified music shall not take place in outside areas [after 23:00hrs].

98. The licence holder shall have a system in place to regularly monitor the use of outside areas by customers to ensure nearby residents are not disturbed by customer noise and the area is kept clear of litter.

99. Waste receptacles shall be made available for use by staff and customers.

100. The outside area shall be thoroughly cleaned at the end of each day that it is in use.

101. The licence holder shall make reasonable provision for seating in an area where smoking is not permitted with ‘no smoking’ signage displayed in designated ‘smoke-free’ zones in accordance with Smoke-free (signs) regulations 2012.

102. No ash trays or similar receptacles shall be provided or permitted to be left on

furniture in designated 'smoke free' zones.

103. A minimum 2 metre distance shall be provided between non-smoking and smoking areas.

Deliveries (to the premises)

104. Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

105. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.

106. No deliveries from the premises, either by the licensee or a third party shall take place between (23:00) and (08:00) hours on the following day.

107. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

Litter and waste

108. All waste intended for pre-arranged collection shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

109. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.

110. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.

Protection of children from harm

111. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

112. A Challenge 21 (*or Challenge 25*) proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a valid driving licence, a valid UK passport, a valid international passport or ID card or a valid government approved proof of age card with the PASS Hologram.

113. A record shall be kept detailing all refused sales of alcohol relating to under age customers. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for

inspection at the premises by the police or an authorised officer of Buckinghamshire Council at all times whilst the premises is open.

114. The licence holder shall ensure that a written children safeguarding policy is in place for the premises. The policy shall cover the four broad categories of abuse: neglect, physical abuse, sexual abuse and emotional abuse as well as child exploitation and modern slavery. The policy shall include details of staff awareness and refresher training in relation to the policy, including training with specific reference to child exploitation and modern slavery. A copy of the policy shall be made available on request to authorised officers of Buckinghamshire Council along with evidence that staff have attended awareness training related to the policy.

115. The licence holder shall ensure that signage in relation to spotting the signs of exploitation, are displayed on the premises.

116. The licence holder shall report any concerns relating to suspicious behaviour, indicating that exploitation may be taking place on or around the premises, to Thames Valley Police.

Delivery Services

117. Any person or automated system taking an order for the supply of alcohol on behalf of the premises licence holder will inform customers that proof of age by way of photographic driving licence, passport or a form of identification with the PASS hologram may be required before alcohol is supplied in accordance with the Challenge 25 age verification scheme.

118. An age disclaimer shall be clearly displayed on the licence holder's website, "You must be 18 years of age or older to purchase alcohol. ID may be required upon delivery."

119. The age verification policy (eg Challenge 25) shall be clearly displayed on the licence holder's website.

120. The premises licence holder shall ensure that any third party deliver/courier company is instructed to comply with the following:

    a. Any refusals will be logged by the delivery driver. Records of all refusals will be obtained from the delivery company and provided to the relevant authorities upon request; and

    b. Delivery drivers will be trained on relevant aspects of the Licensing Act 2003 including underage sales, sales to a person who is drunk, obtaining alcohol for a child or a person who is drunk and delivering alcohol to someone under the age of 18.

121. All sales of alcohol authorised under this licence must be completed remotely by way of the internet. No customer access is authorised at this address.

122. All alcohol supplied under this licence must be sent directly to the customer by postal or courier service.