



Model pool of conditions in connection with Premises Licences and Club Premises Certificates under the Licensing Act 2003

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INTRODUCTION

The Council has prepared this pool of model conditions in line with the Licensing Act 2003. Conditions can be attached to the licence or certificate in the following ways:

- Conditions may be mandatory (see section 1.00).
- The licence or certificate holder (or applicant) identifies conditions from their risk assessment of the premises and includes those conditions in their operating schedules.
- The licensee or certificate holder offers conditions after discussion with the statutory consultees or interested parties.
- The Council can impose conditions following a hearing.

The conditions outlined below are not intended to be exhaustive but are indicative of the conditions that licencees and certificate holders (or applicants) may consider.

1.00 MANDATORY CONDITIONS

The following conditions are mandatory and will be attached as appropriate to every Premises Licence or Club Certificate issued by this Council.

P001 Where the Premises licence authorises the sale of alcohol.

No supply of alcohol may be made under the premises licence, at a time when there is no designated premises supervisor in respect of the premises licence or at a time when the designated premises supervisor does not hold a personal licence, or the personal licence is suspended.

P002 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence

P003 Where a premises uses door supervision.

Where a premises licence includes the condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority.

P004 For the exhibition of films.

Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film to be restricted in accordance with this section.

P005 Supply of alcohol from community premises.

Every supply of alcohol under the premises licence must be made or authorised by the management committee.

P006 Irresponsible Promotions

Where a premises licence or club premises certificate authorises the sale of alcohol for consumption on the premises then the Premises Licence Holder, the Designated Premises Supervisor and any other responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

P007 Dispensing Alcohol

Where a premises licence or club premises certificate authorises the sale of alcohol for consumption on the premises then the Premises Licence Holder, the Designated Premises Supervisor and any other responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

P008 Free Tap Water

Where a premises licence or club premises certificate authorises the sale of alcohol for consumption on the premises then the Premises Licence Holder, the Designated Premises Supervisor and any other responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

1.00 MANDATORY CONDITIONS

Additional conditions will become effective from **1 October 2010** they are:

P009 Age Verification

The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

P010 Drink Measures

The responsible person shall ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:

- beer or cider: ½ pint;
- gin, rum, vodka or whisky: 25ml or 35ml;
- still wine in a glass: 125ml;

and make customers aware of the availability of these measures.

2.00 CONDITIONS FOR PREVENTION OF CRIME AND DISORDER

2.01 Conditions relating to the prevention of crime and disorder

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.

2.02 General

When applicants for premises licences or club premises certificates are preparing their operating schedules or club operating schedules, when responsible authorities are considering such applications and when licensing authorities are considering applications following the receipt of any relevant representations from a responsible authority or interested party, the following option should be considered as measures which, if necessary, would promote the prevention of crime and disorder.

Whether or not any risk assessment shows these options to be necessary in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of the premises and the anticipated clientele of the business involved. It should also be borne in mind that club premises operate under codes of discipline to ensure the good order and behaviour of members.

Necessary conditions for the licence or certificate will also depend on local knowledge of the premises.

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

Any individual preparing an operation 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, they become enforceable under the law and a breach of such a condition could give rise to prosecution.

2.03 Text/Radio pagers

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

Such pagers provide two-way communication, both enabling licence holders, manager, 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 trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Pager system can also be used

2.00 CONDITIONS FOR PREVENTION OF CRIME AND DISORDER

by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence in an area of such people.

Text or radio pagers should be considered appropriate necessary conditions for public houses, bars and night-clubs operating in city and town centre leisure areas with a high density of licensed premises. Following individual consideration of the particular circumstances of the venue, such conditions may also be appropriate and necessary in other areas for the prevention of crime and disorder.

CD01 Text/radio pager links to the police must be provided and include the following elements:

- the text/pager equipment is kept in working order at all time;
- the pager link be activated, made available to and monitored by the designed premises supervisor or a responsible member of staff at all times that the premises are open to the public;
- any police instructions/directions are complied with whenever given; and
- all instances of crime or disorder rare reported via the text/radio pager link by the designated premises supervisor or a responsible member of staff to an agreed police contact point.

2.04 Door supervisors

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 (subject to court bans or imposed by the licence holder);
- searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons; and
- maintaining orderly queuing outside of venues prone to such queuing.

CD02 At least [number] door supervisors must be present when the premises are open. All supervisors to be registered with the Security Industry Authority.

CD03 The Licensee shall ensure that all Door Supervisors, when on duty, display a conspicuous identity badge on the left or right breast. The badge shall show:

- (a) the words 'Door Supervisor';
- (b) a photograph of the Door Supervisor; and
- (c) the registration number of the Door Supervisor.

CD04 The *Licensee* shall maintain an accurate and up-to-date *log-book* in respect of all *Door Supervisors* employed on the *premises*. This shall comprise three distinct parts recording:

- (a) the name, address, telephone number and any registration number of each *Door Supervisor* (whether employed directly by the *Licensee* or through an agency); the name, address and telephone number of the agency providing the supervisor where the supervisor is not employed directly by the *Licensee*; and
- (b) the name and any registration number of each *Door Supervisor*, the dates and times of commencement and finishing of work; the signature of the *Door Supervisor* in respect of both entries; and
- (c) details of any incident in which the *Door Supervisor* is involved, including any calling of the police and any police action taken.

Note: This could form part of the general incident or Fire *log-book* for the *premises*.

2.00 CONDITIONS FOR PREVENTION OF CRIME AND DISORDER

CD05 At least one female door supervisor should be available wherever possible or required.

2.05 Bottle bans

Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. A condition can prevent sales of drinks in glass bottles for consumption on the premises.

CD06 No sales of beverages in glass containers.

CD07 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.

CD08 No customers carrying open or sealed bottles should be admitted to the premises at any time that the premises are open to the public.

CD09 No customers carrying open or sealed bottles should be admitted to the premises at any time that the premises are open to the public but bottles containing wine may be sold for consumption with a table meal by customers who are seated in an area set aside from the main bar area for the consumption of food.

2.06 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. Consideration could therefore be given to conditions requiring either the use of plastic containers or toughened glass which inflicts less severe injuries where considered necessary. Location and style of the venue and the activities carried on there would be particularly important in assessing whether 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 also 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.

CD10 Plastic or paper drinks containers and toughened glass must be used at all times.

2.07 Open containers not to be taken from the premises

Drinks purchased in licensed premises or clubs may 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.

CD11 The taking of alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles) is not permitted.

2.08 Restriction 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 the 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 should not only specify these areas, but indicate the circumstances in which the ban would apply and times at which it should be enforced.

2.00 CONDITIONS FOR PREVENTION OF CRIME AND DISORDER

CD14 The *Licensee/Designated Premises Supervisor* will ensure the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule and the licence.

2.09 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. 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 should 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.

CD15 Any person selling or supplying alcoholic drink under the authority of a personal licence holder will ask for a photo ID proof of age where they have reason to suspect that the individual may be under 18 years of age.

2.10 Drinks promotions

CD19 The British Beer and Pub Associations Guidelines on On-Trade Promotions will be complied with.

2.11 Crime prevention notices and signage

It may be necessary at some premises for notices to be displayed which warn customers of the prevalence of crime which may target them.

It may be necessary for the normal hours under the terms of the premises licence or club premises certificate at which licensable activities are permitted to take place to be displayed on or immediately outside the premises so that it is clear if breaches of the terms of the licence or certificate are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises so that the consequences of breaches of these conditions would also be clear and to deter those who might seek admission in breach of those conditions.

CD20 Public Information Notices about crime and disorder issues will be displayed at the request of the Council or Police.

CD21 Any restrictions on the admittance of individuals according to age (e.g. children) will be displayed on or immediately outside the premises.

CD22 Any conditions of entry to the premises will be displayed in the vicinity of any entrance to the premises.

2.00 CONDITIONS FOR PREVENTION OF CRIME AND DISORDER

2.12 CCTV

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

- CD25 Variation/video equipment will be installed inside/outside the premises and maintained in working order.
- CD26 Variation/video equipment will be set to record from the time the premises are open to the public until the premises are closed and all members of the public have left.
- CD27 Cameras covering the exterior of the premises will be left to record for the duration of the tape and for a period not less than <specify>.
- CD28 Monitoring tapes will be retained for a minimum period of 28 days and will be produced to an authorised officer on demand.

2.13 Large capacity venues used exclusively or primarily for the “vertical” consumption of alcohol (HVVDs)

Large capacity “vertical drinking” premises, sometimes called High Volume Vertical Drinking establishments (HVVDs), 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.

Where necessary and appropriate, conditions can be attached to premises licences for the promotion of the prevention of crime and disorder at such premises (if not volunteered by the venue operator and following representations on such grounds) which require adherence to:

- a prescribed capacity;
- an appropriate ratio of tables and chairs to customers based on the capacity; and
- the presence of SIA registered security teams to control entry for the purpose of compliance with the capacity limit.

3.00 CONDITIONS FOR PREVENTION OF PUBLIC NUISANCE

It should be noted that provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

3.01 Noise and vibration

PN01 The Licensee/Designated Premises Supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.

PN02 The premises shall be arranged to minimise the risk of noise nuisance to nearby properties.

PN03 Noise from the premises shall not result in exceedences of the following noise levels expressed as [x minute Leq] at [stated location]:

<i>Frequency Range</i>	<i>From a hrs to b hrs</i>	<i>From y hrs to z hrs</i>
[whole rang]	x dBA	y dBA
[63Hz octave band]	x dB	y dB
[125Hz octave band]	x dB	y dB

PN04 Noise emanating from the premises as a result of regulated entertainment shall not exceed [x dBA] as measured 1 metre from any residential dwelling.

PN05 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 to prevent noise nuisance to neighbouring properties. 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] x dB(A)
- [Location] y dB(A)

PN06 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 authority satisfaction prior to any [Regulated Entertainment] taking place.

PN07 The [doors/windows] at [specify location] shall be fitted with [double/secondary] glazing in order to improve the sound attenuation of the premises.

PN08 A [sound trap lobby/acoustic door/automatic door closer] shall be installed to [describe the location].

PN09 [Openings/specify] in the external fabric of the premises must be acoustically sealed to the satisfaction of the Licensing Authority.

PN10 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.

PN11 An alarm shall be fitted to [all external windows/fire doors] which 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.

3.00 CONDITIONS FOR PREVENTION OF PUBLIC NUISANCE

- 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 [all exits/in the beer garden] requesting customers to respect the needs of local residents and leave the premises and the area quietly.
- PN15 The [garden/patio] must not be used by customers after the hours of [hh:mm] and [hh:mm].
- PN16 External events must not continue beyond [hh:mm] without prior approval of the Licensing Authority.
- PN17 The [car park/garden] shall be managed to ensure that it is not used for [ball games/skateboarding / other potentially noisy recreational activities].
- PN18 Arrangements must be put in place to ensure that waste collection contractors do not collect refuse between [hh:mm] and [hh:mm].
- PN19 The Designated Premises Supervisor or a nominated representative shall receive and respond to complaints throughout the duration of all noisy events and will have full control at all times over the sound amplification.
- PN20 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.
- PN21 The specification and orientation of all speakers shall be agreed with the Licensing Authority/Responsible Authority.
- PN22 A designated premises supervisor or nominated representative shall ensure that no nuisance is caused by noise emanating from the premises by implementing a Self Policing Policy which shall include sound checks inside and out.

3.02 Queue management and dispersal procedures

- PN23 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.
- PN24 The premises shall have a written dispersal procedure designed to make the maximum impact immediately before premises close, and directly thereafter, by exercising proactive 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.

3.03 Hours

- PN25 The following licensed activities <named activity> that have the potential to create public nuisance shall not be permitted unless they are done so in accordance with the controls below: <list of controls>
- PN26 Late night functions (i.e. after 12 midnight), to be restricted to Thursday, Friday and Saturday nights only unless specific additional days are approved by the Licensing Authority.

3.00 CONDITIONS FOR PREVENTION OF PUBLIC NUISANCE

3.04 Litter

- PN27 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.
- PN28 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.
- PN29 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.

3.05 Light pollution

- PN30 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.

3.06 Notification of events

- PN31 The *Licensee/Designated Premises Supervisor* shall notify the Licensing Authority in writing of all licensable events to be held on the premises at least 28 days in advance.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.01 Accommodation limits

- PS01 The Licensee/Designated Premises Supervisor 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*. The information shall be provided to any *Authorised Officer* immediately on request.
Note: Where there is an unusually large number of performers the **Council** should be consulted.
- PS02 The maximum number of person permitted to use the licensed premises at any one time, including staff, should not exceed:
- When used for dancing (devoid of furniture) - <number>
- PS03 The maximum number of person permitted to use the licensed premises at any one time, including staff, should not exceed:
- When used for functions utilising seating at tables - <number>
- PS04 The maximum number of person permitted to use the licensed premises at any one time, including staff, should not exceed:
- When used for purposes combining dance floor area and seating at table - <number>
- PS05 The maximum number of person permitted to use the licensed premises at any one time, including staff, should not exceed:
- When used for closely seated audience (moveable seating) - <number>
- PS06 The maximum number of person permitted to use the licensed premises at any one time, including staff, should not exceed:
- When used as a public house or like venue - <number>

4.02 Fire safety

- PS07 All combustible materials (e.g. straw bales,) should be removed from the licensed premises.
- PS08 All exits and routes thereto should be maintained clear and available during the function. Doors required for means of escape purposes must be maintained easily openable from inside without the aid of a key.
- PS09 All exit doors should be available for use by horizontally applied pressure only and all locks, bolts or fastenings removed or rendered inoperative when the premises are in use.
- PS10 There should be no form of heating appliance or lighting involving naked flame, (e.g. portable paraffin or liquefied petroleum gas appliance) in use during the function.
- PS11 Escape/emergency lighting should be provided which is capable of clearly illuminating all exit doors and exit routes. The system should be capable of maintaining the necessary level of illumination for a period of three hours.
- PS12 Internally illuminated (maintained type) exit notices with the “symbol/lettering” being not less than 100mm in height must be installed above all exits leading from the area used for regulated entertainment.
- PS13 Access for emergency vehicles must be kept clear and free from obstruction at all times.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

- PS14 All fire fighting equipment should be inspected, serviced and maintained in good working order. All extinguishers should be examined at least annually and the extinguisher.
- PS15 All floor coverings are to be secured and maintained so that they will not be likely to form trip hazards. Door mats are to be sunk so as to be flush with the floor.
- PS16 Adequate provision should be made to warn persons within the premises in the event of fire and where a single device or shout could not be heard throughout the premises, an electrically operated fire alarm system should be installed with call points sited adjacent to exits with sufficient sounders provided to be clearly audible throughout the premises.

4.03 Fire log-book

- PS17 (a) The *Licensee* shall cause a Fire *log-book* to be kept.
Note: *Licensees* are advised that it is good practice to keep general incident *log-book* in which are recorded details of each day's events. This may be combined with the Fire *log-book*.
- (b) An *Authorised Officer* shall be entitled to obtain a photocopy of any page(s) of any *log-book*.

4.04 Staff register

- PS18 The *Licensee/Designated Premises Supervisor* shall maintain a register indicating the number of staff, including any *Door Supervisors* and all performers, who are present when the public are present. This register shall be produced immediately on the request of an *Authorised Officer*.
Note: As *accommodation limits* exclude staff and performers, this register may be used by *Authorised Officers* to assist in deciding how many *staff* and performers are present in the *premises* at a given time. The register will also be used in the event of an emergency evacuation of the *premises*. It is essential, therefore, that the register is properly maintained and that it is readily available.

4.05 Dancing

- PS19 Dancing shall be restricted to the areas designated by the *Council*.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.06 Minimising danger

- PS20 The *Licensee* shall ensure that all performances or activities minimise any danger to the *public*.
- (a) The *Licensee* shall, except with consent, retain control over all parts of the *premises*.
 - (b) Either the *Licensee* or the Designated Premises Supervisor shall be in charge of and within the premises whenever the *public* are present. However the Licensee remains responsible for the observance of all licensing conditions.
 - (c) The *Licensee/Designated Premises Supervisor* shall ensure that he has sufficient trained *staff* on duty to ensure the safe evacuation of the *premises* in the event of emergency. Such *staff* shall have been specifically instructed on their duties in the event of an emergency by the *Licensee* or by a person nominated by him. The instruction given to *staff* shall include training on the safe and efficient running of the *premises* and the safe evacuation of the *premises*.
Note: It is important that the evacuation procedures are fully understood by all *staff*, especially where a two-stage fire alarm warning system is operated during performances.
 - (d) A nominated member of *staff* in addition to the *Designated Premises Supervisor* shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.
Note: This person should be the *Duty Fire Officer* where one is employed.
 - (e) Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The *Licensee/Designated Premises Supervisor* shall, once he is satisfied as to the competence of each member of *staff*, record this in the *Fire log-book*.

4.07 Disabled people

- PS21 The *Licensee/Designated Premises Supervisor* 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.
Note: *Licensees* are advised to obtain details of and seek to address any special needs when approached by organisers of parties of disabled people.

4.08 Safety checks

- PS22 The *Licensee/Designated Premises Supervisor* 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.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.09 Escape routes

PS23 It may be necessary to include conditions relating to the maintenance of all escape routes and exits including external exits. These might be expressed in terms of the need to ensure that such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. In restaurants and other premises where chairs and tables are provided this might also included ensuring that internal gangways are kept unobstructed.

In certain premises where existing legislation does not provided adequately for the safety of the public, consideration might also be given to conditions that ensure that:

- All exits doors are easily openable without the use of a key, card, code or similar means.
 - Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept.
 - Any removable security fastenings are removed whenever the premises are open to the public or occupied by staff.
 - All fire doors are maintained effectively self-closing and shall not be held open other than by approved devices (for example, electromagnetic releases operated by smoke detectors).
 - Fire resisting doors to ducts, service shafts, and cupboards shall be kept locked shut.
 - The edges of the treads of steps and stairways are maintained so as to be conspicuous.
- (a) 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*.
Note: In restaurants and other *premises* where chairs and tables are provided care should be taken that clear gangways are maintained.
- (b) All exit doors shall be available and easily openable without the use of a key, card, code or similar means. Only *approved* fastenings shall be used.
Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily.
- (c) 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).
- (d) If *required*, exit doors shall be secured in the fully open position when the *public* are present.
- (e) All fire doors shall be maintained effectively self-closing and shall not be held open other than by *approved* devices.
- (f) Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
- (g) The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.10 Curtains, hangings, decorations upholstery

- P24 (a) Hangings, curtains, and temporary decorations shall be maintained *flame-retarded*.
(b) Any upholstered seating shall continue to meet the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of *BS5852:1990*.

4.11 Scenery

- PS25 (a) Any scenery shall be maintained *flame-retarded* to the Council's satisfaction.
(b) Temporary decorations shall not be provided except with *consent*. When seeking *consent* for temporary decorations the *Licensee* shall advise the *Council* of the period for which it is desired to retain them.
(c) Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.
(d) On a *separated stage*, scenery made of the following materials may be used subject to any requirements the *Council* may impose in any particular case:
(i) materials acceptable on an *open stage*;
(ii) *flame-retarded fabrics*;
(iii) plywood, hardboard or similar boards; any boards under 6mm thick shall be treated by a process of impregnation which meets at least class 2 when tested in accordance with *BS476-7*;
(iv) any other materials *approved* by the *Council*.
(e) On an open stage, scenery made of the following materials may be used subject to any requirements the *Council* may impose in any particular case:
(i) *non-combustible material*;
(ii) *inherently flame-retarded fabrics*;
(iii) *durably-treated flame-retarded fabrics*;
(iv) *fabrics* rendered and maintained *flame-retarded* to the *Council's* satisfaction by a non-durable process;
(v) timber, hardboard or plywood treated by a process of impregnation which meets class 1 when tested in accordance with *BS476-7*;
(vi) timber framing of minimum 22mm nominal thickness;
(vii) medium-density fibreboard (NDF), plywood or chipboard not less than 18mm in thickness;
(viii) plastics material subject to special consideration by the *Council*;
(ix) any other materials *approved* by the *Council*.
(f) The use of plastics or polystyrene shall be avoided whenever possible.
(g) Decorative items such as statues made of expanded polystyrene shall be enclosed by a non-combustible skin of, for example, plaster and care shall be taken that this skin is maintained undamaged.

Notes: Sheet materials such as hardboard or plywood laid in direct contact with a structural floor need not be treated flame-retarded.

Whilst detailed calculations are unlikely to be required, the amount of flammable scenery that the *Council* will permit depends upon consideration of a number of factors including the structure of the premises, the fire spread control provisions, the fire-fighting arrangements and the specific risks presented by the performance; all of which will determine the *Council's* requirements in any particular case. Lower or less permanent standards of fire retardancy may be acceptable in premises provided with a separated stage, a sprinkler installation and a Duty Fire Officer than may be approved on an open stage.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

- (h) Curtains, drapes and new soft furnishings, shall be maintained *flame-retarded*.
- (i) Any carpets and other textile floor coverings and under-lays when tested appropriately in accordance with *BS4790* shall either not ignite or have the effects of ignition limited to a radius of 35mm on both upper and under surfaces.

Note: Similar considerations apply to the use of properties and furnishings as to the use of *scenery*. Where the action does not involve the use of naked flame or smoking lesser standards may be acceptable. As a general rule hand-held properties and antique furnishings will be *approved* without flame retardancy treatment. However the Council will generally apply the same standards as apply to scenery to large properties, large quantities of furnishings and to items especially constructed for the presentation.

4.12 Fire action notices

PS26 Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade can be summoned, shall be prominently displayed and shall be protected from damage or deterioration.

4.13 Outbreaks of fire

PS27 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*.

4.14 Loss of water

PS28 The *Licensee/Designated Premises Supervisor* shall have readily available the telephone number of the local *Fire Control Centre*. The *Licensee/Designated Premises Supervisor* shall notify the *local Fire Control Centre* as soon as possible if he is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

4.15 First aid

- PS29
- (a) The *Licensee/Designated Premises Supervisor* shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the *premises*.
 - (b) If *required*, 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.

4.16 Lighting

In certain premises where exiting legislation does not provide adequately for the safety of the public or club members and guest, consideration might also be given to conditions that ensure that:

- in the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present;
- fire safety signs are adequately illuminated;
- emergency lighting is not altered;

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

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

- PS30
- (a) If *required*, a *competent person* shall be in charge of the electrical or other installation. 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.
 - (b) Except as permitted under d) below there shall be adequate illumination to enable people to see their way out of the *premises*.
 - (c) Fire safety signs shall be adequately illuminated.
 - (d) If essential to the entertainment and subject to consent, the *management lighting* in the *entertainment area* may be reduced or extinguished provided.
 - (i) the lighting be controlled from a position with a clear view of the *entertainment area*; and
 - (ii) an operator remain by the controls whilst the lighting is reduced or extinguished; and
 - (iii) the operator restore the ***management lighting*** at once in the event of any emergency; and
 - (iv) the escape route signs remain adequately illuminated.

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

4.17 Emergency lighting

- PS31
- (a) The *emergency lighting* installation shall not be altered in any way except with consent.
 - (b) The *emergency lighting* battery shall be fully charged before the admission of the *public*.
 - (c) In the event of failure of the normal lighting:
 - (i) if the *emergency lighting* battery has a one hour capacity the *public* shall leave the *premises* within 20 minutes unless within the time the *normal lighting* has been restored and the battery is being re-charged; and
 - (ii) if the *emergency lighting* battery has a 3 hours 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.
 - (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.
 - (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
 - (ii) where the *emergency lighting* battery has a 3 hour capacity; and
 - (iii) if the failure of the *normal lighting* was fully rectified within on hour of failure and the battery is being re-charged.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.18 Temporary electrical installations

With regard to the first point below, it should be recognised that ten days notice may not be possible where performances are supported by outside technical teams. For example, where temporary electrical installations are made in theatres for television show performances. In such circumstances, the key requirements is that conditions where necessary should ensure that temporary electrical installations are only undertaken by competent qualified persons, for example, employed by the television company.

- PS32 (a) Temporary electrical wiring and distribution systems shall not be provided without notification being given to the Council at least 10 days before the commencement of the work.
- Note:** This Condition does not normally apply to electrical equipment on a stage provided with permanently installed distribution facilities.
- (b) Temporary electrical wiring and distribution system shall comply with recommendations of *BS7671* or where applicable *BS7909*.
- (c) Temporary electrical wiring and distribution systems shall be inspected and certified by a competent person before they are put into use. A copy of the certificate shall be sent to the Council as soon as possible.
- (d) Temporary electrical wiring and distribution 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 Council at the end of each 3 month period.
- Note:** The Council will normally require temporary electrical wiring and distribution systems to be removed at the end of the 3 month period or to be made permanent during that period.

4.19 Ventilation

- PS33 (a) The premises shall be effectively ventilated.
- (b) Where the ventilation system is designed to maintain a positive air pressure within part of the premises, that pressure shall be maintained whenever the public are present in that part of the premises.
- PS34 **Cleansing ventilation**
- (a) Ventilation ducting and other shafts shall be kept clean.
- (b) Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.
- (c) 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.
- (d) Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as required.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

4.20 Premises used for closely seated audiences

PS35 Attendants

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

<i>Number of members of the audience present on a floor</i>	<i>Minimum number of attendants required to be present on that floor</i>
1 – 100	1
101 – 250	2
251 – 500	3
501 – 750	4
751 -1000	5
each additional 250 (or part thereof)	1

- (a) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- (b) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- (c) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- (d) 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.
- (e) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

PS36 Standing and sitting in gangways etc.

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstances shall anyone be permitted to -
 - (i) sit in any gangway;
 - (ii) stand or sit in front of any exit; or
 - (iii) stand or sit on any staircase including any landings

PS37 Drinks

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

PS38 Balcony Fronts

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

PS40 Scenery

Any scenery should be maintained flame-retardant.

PS41 Safety curtain

Where a safety curtain is provided, it should be arranged so as to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium should be heavyweight and be made of non-combustible material or inherently or durably treated flame-retardant fabric.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

PS42 Ceilings

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

PS43 Seating

Where the potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

4.21 Premises used for film exhibitions

PS44 Minimum lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in *BS CP1007* (Maintained Lighting for Cinemas).

PS45 Flammable films

No flammable films should be allowed on the premises without the prior approval of the licensing authority and fire authority.

PS46 Attendants at premises without a staff alerting system

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

<i>Number of members of the audience present on the premises</i>	<i>Minimum number of attendants required to be on duty</i>
1 - 250	2
each additional 250 (or part thereof)	1

Where there are more than 150 members of an audience in any auditorium or on any floor at least one attendant shall be present in any auditorium or on any floor.

PS47 Attendants at premises with a staff alerting system

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

<i>Number of members of the audience present on the premises</i>	<i>Minimum number of attendants required to be on duty</i>	<i>Minimum number of other staff on the premises who are available to assist in the event of an emergency</i>
1 – 500	2	1
501 – 1000	3	2
1001 – 1500	4	4
1501 – 2000	5	5
each additional 500 (or part thereof)	1	1

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

- (b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
 - (i) the holder of the premises licence or the manager on duty at the premises; or
 - (ii) a member of staff whose normal duties or responsibilities are likely to significantly 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.
- (c) Attendants shall as far as 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 audience have access.
- (d) The staff alerting system shall be maintained in working order.

PS50 Hypnotism

The *Licensee* shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of inducted sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This Condition does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

4.22 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 so as to minimise any risk to the safety of the audience, the performers and staff.

Special effects which should be considered include:

- dry ice machines and cryogenic fog;
- smoke machines and fog generators;
- pyrotechnics, including fireworks;
- real flame;
- firearms
- motor vehicles;
- strobe lighting;
- laser (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825; Safety of laser products);
- explosives and highly flammable substances.

PS51 Entertainment involving special risks

- (a) The Licensee shall not permit an entertainment that involves special risks except with consent.
- (b) The Licensee shall not permit explosives or highly flammable substances to be brought onto the premises except with consent.

PS52 Entertainment using special effects

- (a) The Licensee shall not permit the use of special effects, except with consent.
- (b) The Licensee shall give Council 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.

4.00 CONDITIONS FOR PROTECTION OF PUBLIC SAFETY

PS53 Entertainment using special effects

Compressed or liquefied gases shall not be used except with consent. At least 10 days' notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises.

Note: This does not normally apply to gas cylinders used in connection with the dispensing of beverages.

PS54 Indoor sports entertainments

An appropriately qualified medical practitioner must be present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.

PS55 Indoor sports entertainments

Where a ring is involved, it must be constructed and supported by a competent person and inspected by a competent authority and any material used to form the skirt around the rings is flame-retardant;

PS56 Indoor sports entertainments

At wrestling or other entertainments of a similar nature members of the public shall not occupy any seat within 2.5 metres of the ring.

PS57 Indoor sports entertainments

At water sports entertainments, staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the water at all material times.

PS58 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 proposing the deletion of the condition relating to public safety in question. The applicant will need to propose in a new operating schedule reflecting the proposed alteration to the premises how he or she intends to take alternative steps to promote the public safety objective. The application for variation will enable the responsible authorities with expertise in safety matters to consider whether the proposal is acceptable.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or a temporary event notice when open for the purpose of being used for the supply of alcohol for consumption there. In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5:00am at all premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice. Conditions duplicating these provisions are, therefore, unnecessary.

5.01 Access for children to licensed premises – in general

Restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made if it is necessary to protect children from harm. Conditions attached to premises licences and club premises certificates may reflect the concerns of responsible authorities and interested parties who have made representations but only where the licensing authority considers it necessary to protect children from harm.

- (a) For any premises with known associations (having been presented with evidence) with or likely to give rise to heavy or binge or underage drinking, drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years. Applicants wishing to allow access for children to premises where these associations may be relevant, when preparing operating schedules or club operating schedules or variations of those schedules for the purpose of obtaining or varying a premises licence or club premises certificate should:
- explain their reasons; and
 - outline in detail the steps that they intend to take to protect children from harm on such premises.
- (b) For any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11:00pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after the time. Applicants wishing to allow access when preparing operating schedules for the purpose of obtaining or varying a premises licence or club premises certificate should:
- explain their reasons; and
 - outline in detail the steps that they intend to take to protect children from harm on such premises.
- (c) In any other case, subject to the premises licence holder's or club's discretion, the expectation would be for unrestricted access for children subject to the terms of the 2003 Act. An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely, which would mean there would be no need to detail in the operation schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises.

PC01 Children under the age of 18 will not be permitted access to the premises.

PC02 Children under the age of 12 must be accompanied by adults after 23:00 hours.

PC03 Children between the age of 12 and 16 must be accompanied by a responsible adult after 22:00 hours.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

PC04 Deliveries of alcohol must only be made to and accepted by persons over the age of 18.

5.02 Age Restrictions – specific

Under the 2003 Act a wide variety of licensable activities could take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place, licensing authorities following relevant representations made by responsible authorities and interested parties will need to consider a range of conditions that are to be tailored to the particular premises and their activities where these are necessary.

Licensing authorities are expected to consider:

- (a) the hours of the day during which age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 8:00pm does not mean that it would be necessary to impose age restriction for earlier parts of the day;
- (b) types of event or activity in respect of which no age restrictions may be needed, for example:
 - family entertainment; or
 - non-alcohol events for young age groups, such as under 18s dances
- (c) similarly, types of event or activity which give rise to a more acute need for age restrictions than normal, for example:
 - during “Happy Hours” or on drinks promotion night;
 - during activities outlined in a) above.

PC05 No children under 12 years may be allowed in the liquor licensed areas after 22:00 hours

PC06 Age restrictions will apply during the following hours <specify>

5.03 Age restrictions – cinemas

The Secretary of State considers that, in addition to the mandatory condition imposed by virtue of section 20, requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 or by the licensing authority itself, conditions restricting the admission of children to film exhibitions should include:

PC08 Where a programme includes a film recommended by the licensing authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

PERSONS UNDER THE AGE OF [insert appropriate age] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

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 parent or legal guardian has first been obtained.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

- PC09 (a) The categories U, PG, 12, 12A, 15 and 18 have the following meaning:
- *Universal* – suitable for audiences age four years and over;
 - *PG* – Parental Guidance, some scenes may be unsuitable for young children;
 - *12* – passed only for persons of 12 years and over;
 - *12A* – passed only for viewing by person aged 12 or older or persons younger than 12 when accompanied by an adult;
 - *15* – passed only for persons of 15 years and over;
 - *18* – passed only for persons of 18 years and over;
 - *RESTRICTED (18)* – passed only for persons of 18 or over who are members (or their guests) of a properly constituted club.
- (b) The addition of the *Council's* name after the category means that the film has been passed by the *Council* for exhibition in the *Council's* area in the category shown.
- PC10 No film shall be exhibited unless:
- (a) it is a current news-reel; or
 - (b) it has been passed by the British Board of Film Classification as a *U, PG, 12, 12A, 15, 18 or RESTRICTED (18)* film and no notice of objection to its exhibition has been given by the *Council*; or
 - (c) the film has been passed and classified by the *Council*.
- PC11 If the *Licensee* is notified by the *Council* in writing that it objects to the exhibition of a film specifying the grounds of objection, such film shall not be exhibited.
- PC12 Films in the *RESTRICTED (18)* category shall only be shown with *consent*. Any application to permit such films to be shown shall be advertised in accordance with the *Council's* conditions.
- PC13 Not less than 28 days' notice in writing shall be given to the *Council* of any proposal to exhibit any other film which has not been classified as specified in Condition PC09. Such a film may only be exhibited if consent has been obtained and in accordance with the terms of any such *consent*.
- PC14 When the programme includes a film in the *12, 15 or 18* category no person appearing to be under the age of *12, 15 or 18* as appropriate shall be admitted to any part of the programme.
- This Condition shall not apply to members of staff of 16 or 17 years of age provided the person's parent or legal guardian has first been obtained. This consent shall be available for examination by *Authorised Officers* at all reasonable times.
- PC15 If the *Council* does not agree with the category of any film as passed by the British Board of Film Classification, it may alter the category or prohibit the showing of the film. On notice of alteration of category being given by the *Council* to the *Licensee*, the film shall thereafter be treated as being in the altered category and the Conditions applicable to the exhibition of films in the altered category shall be observed. On notice of prohibition of exhibition being given by the *Council* to the *Licensee*, the film shall not be exhibited.
- PC16 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 10 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.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

For a film passed by the Council notices shall be conspicuously displayed both inside and outside the premises so that persons entering can readily read them. The notices shall state without the addition of any other words:

North Norfolk District Council

(Here insert title of film)
has been passed by the North Norfolk District Council as
(here insert the definition of the category and the
category assigned)

When a trailer is to be exhibited advertising a film passed by the Council the notice shall state:

North Norfolk District Council
***.....trailer advertising +.....film**
(*here insert the category of the trailer)
(+here insert the category of the film)

5.04 Theatres

The admission of children to theatres, as with other licensed premises, is not expect to normally be restricted unless it is necessary to promote the licensing objective of the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play is expected to normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

Licensing authorities are also expected to consider whether a condition should be attached to a premises licences which requires the presence of a sufficient number of adult staff on the premises to ensure the well being of children present on the premises during any emergency.

5.05 Performances especially for children

Where performances are presented especially for unaccompanied children in theatres and cinemas conditions are anticipated to be needed which require:

PC17 An attendant to 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 should be one attendant per 50 children or part thereof.

Licensing authorities are expected, having regard to any representations made by responsible authorities on the issues, to also consider whether or not standing should be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

5.06 Children in performances

There are many productions each year that are on-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. Licensing authorities should familiarise themselves with the requirements of these Regulations and not duplicate any of these requirements. However, if it is necessary to consider imposing conditions, in addition to these requirements, for the promotion of the protection of children from harm then the licensing authority should consider the matters outlined below.

- (a) **Venue** – the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.
- (b) **Fire safety** – all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- (c) **Special effects** – it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- (d) **Care of children** – theatres, concert halls and similar places are place of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

5.07 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 website, 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.

5.00 CONDITIONS FOR PROTECTION OF CHILDREN FROM HARM

5.08 Proof of Age Cards

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.

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.

6.00 CONDITIONS RELATING TO CLUBS

6.01 General conditions

The general conditions when a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.

- CL01 Is that under the rules of the club a person may not:
- be admitted to membership; or
 - be admitted, as candidates for membership, to any of the privileges of membership;
- without an interval of at least two days between their nomination or application for membership and their admission.
- CL02 Is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- CL03 Is that the club is established and conducted in good faith as a club
- CL04 Is that the club has at least 25 members.
- CL05 Is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

6.02 Determining whether a club is established and conducted in good faith

In determining for the purposes of condition CL03 whether a club is established and conducted in good faith as a club, the matters to be taken into account are:

- (a) any arrangements restricting the club's freedom of purchase of alcohol;
- (b) any provision in the rules, or arrangements, under which –
 - (i) money or property of the club or
 - (ii) any gain arising from the carrying on of the clubis or may be applied otherwise than for the benefit of the club as a whole or for charitable, benevolent or political purposes;
- (c) the arrangements for giving members information about the finances of the club;
- (d) the books of account and other records kept to ensure the accuracy of that information;
- (e) the nature of the premises occupied by the club.

6.03 Additional conditions for the supply of alcohol

The additional conditions which a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.

- CL06 So far as not managed by the club in general meeting or otherwise by the general body of members). The purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members:
- are members of the club;
 - have attained the age of 18 years; and
 - are elected by the members of the club.
- CL07 No arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.

6.00 CONDITIONS RELATING TO CLUBS

- CL08 No arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from:
- (a) any benefit accruing to the club as a whole; or
 - (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

A DEFINITIONS

In these conditions the following words have the meanings indicated. Except where the context demands otherwise the singular includes the plural and masculine includes the feminine. Words in *italics* throughout these conditions denote words defined below.

<i>Word(s)</i>	<i>Definition</i>
Accommodation limit	The maximum number of people, not being staff or performers, permitted by the Council to be within the premises or a designated area of the premises when they are in use under the terms of a licence issued by the Council . Notes: Experience has shown that where accommodation limits include staff, licensees may reduce the number of staff present as the entertainment area becomes more crowded in order to comply with the accommodation limits on the licence. Such reduction is undesirable. Therefore accommodation limits exclude staff and performers. In exceptional circumstances the Council may also limit the numbers of staff and performers.
Approved	Permitted in advance by the Council in writing.
Approved arrangements	The arrangement of the premises , (including the layout, fittings, installations and all others things in connection therewith) with the operating schedule as approved by the Council .
Attendant	A member of staff on duty to assist the public entering or leaving auditoria and to assist in the event of fire or other emergency
Authorised officer	Any person authorised in writing by the Council or other responsible authority under the Licensing Act 2003
Balcony front	The barrier at the front edge of a balcony which prevents people from falling on to the floor or tier beneath the balcony.
BS	The appropriate British Standard, which may be an equivalent harmonised European Standard. All references to British Standards are to the current edition unless a date is shown.
Certificate	A written report or reports inspection and satisfactory condition completed by an appropriately qualified engineer or other competent person and normally submitted the Council within one month of inspection. Note: The competent person , when completing the certificate , may indicate the period of validity of the certificate , which will normally be acceptable by the Council .
Competent person	A person who has such practical and theoretical knowledge and such experience as is necessary to carry out the work and who is aware of the limits of his own ability, expertise and knowledge.
Consent	Permission given in advance by the Council in writing.
Council	The licensing authority named on the licence.
Door supervisor	Any person employed at or near the entrance to the premises to ascertain or satisfy himself as to the suitability of members of the public to be allowed on the premises or any person employed to maintain order on the premises .
Duty fire officer	A member of staff who has been adequately trained in fire prevention and fire-fighting to the satisfaction of the Council .

A DEFINITIONS

<i>Word(s)</i>	<i>Definition</i>
Designated premises supervisor	A person who holds a personal licence and is appointed by the Licensee in writing to be in charge of the premises .
Durably-treated flame-retarded fabric	See flame-retarded fabric
Emergency lighting	See lighting
Entertainment area	That part of the premises which is constructed and arranged for use for entertainment's including any stage or auditorium.
Escape lighting	See lighting
Film exhibition	Any exhibition of moving pictures which is produced otherwise than by the simultaneous reception and exhibition of programmes included in a programme service within the meaning of the Broadcasting Act 1990.
Flame-retarded fabric	A fabric that has been tested using the methods of BS5438: 1988 Test 2A (face ignition) and 2B (bottom ignition) using a 10 second flame application time in each case. The results of tests on the fabric shall show that no part of any hole nor the lowest boundary of any flaming reach the upper or either vertical edge of specimen and that there was no separation of any flaming debris. (This performance standard is akin to that set out in BS5867-2: 1980 Type B.)
Durably-treated flame-retarded fabric	A fabric that has been chemically treated to render it flame-retarded. Prior to the ignitability tests set out above the fabric is subjected to the appropriate wetting or cleaning procedure set out in BS6551: 1989 . After this washing or cleaning procedure, the fabric shall meet the performance standard for flame-retarded fabric set out above.
Inherently flame-retarded fabric	A fabric which, although not non-combustible and not subjected to any flame-retarding process or finish, meet the performance standard for flame-retarded fabric set out above throughout its thickness. The BS5651 'durability' procedure can be omitted before testing fabrics composed entirely of thermoplastic materials such as nylon, polyester or modacrylic, to which a flame-retarding treatment has not been applied.
Indoor sports	See sports entertainment
Inherently flame-retarded fabric	See flame-retarded fabric
Inspect/inspection	To carry out a visual inspection accompanied by such other test as may be necessary, in the opinion of the competent person carrying out the inspection, to enable the completion of a certificate of (satisfactory) condition.
Licensee	The person (or body) to whom the Council has granted the licence or who is deemed to be the holder of the premises licence.
Lighting: emergency	Lighting provided for use in the event of the failure of the normal lighting system . Emergency lighting includes escape lighting . Any reference in these conditions to any emergency lighting battery shall be taken to apply to all batteries provided as part of the emergency lighting installation.

A DEFINITIONS

<i>Word(s)</i>	<i>Definition</i>
Lighting: escape	That part of the emergency lighting which is provided to ensure that the escape routes are illuminated at all material times. In these conditions any reference to emergency lighting shall be taken to apply likewise to any escape lighting not provided as part of any emergency lighting installation.
Lighting: management	The combination of the emergency lighting and that part of the normal lighting which, in the absence of adequate daylight, is intended to facilitate safe movement about the premises . Note: In closely-seated auditoria this would be the usual performance mode.
Lighting: normal	All permanently installed electric lighting operating from the normal supply which, in the absence of adequate daylight, is intended for use during the whole time that the premises are occupied. Note: Normal lighting does not include emergency lighting , purely decorative lighting and stage or performance lighting.
Local fire control centre	The address and telephone number which the Licensee has confirmed with Fire Authority as appropriate for the Licensee to use in order to make contact with the fire brigade in a non-emergency but immediate manner.
Log-book	Any log-book required under these Conditions shall be: (a) accurate and up to date; (b) bound and consecutively numbered; (c) retained in a safe and secure place on the premises for a minimum of 5 years after the date of last entry or for such longer period as required ; (d) readily available for examination by an Authorised Officer . Note: Log-books may be kept in a manual form. The Council will accept records in electronic form provided the Licensee can demonstrate adequate security and integrity of the information.
Management lighting	See lighting
Normal lighting	See lighting
Open stage	See lighting
Pop concert	An event at which live or recorded amplified music is played and which could reasonably be expected to attract an audience of such a nature as could lead to problems with crowd control, over-excitement and/or unruly behaviour.
Premises	All parts of the premises as licensed by the Council including the ancillary parts of the building such as offices, changing rooms, workshops, stores etc which are used in connection with the entertainment area .
Public	Persons, other than staff or performers, who are on the premises , whether or not they are members of a club and irrespective of payment.
Required	Specified by the Council in writing.
Scenery	Includes cloths, drapes, gauzes, artificial foliage and fabric decorations.

A DEFINITIONS

<i>Word(s)</i>	<i>Definition</i>
Separated stage	Any device or effect which was not included in the original licensing risk assessment for the premises which, if not properly controlled, may present a hazard. Examples include the use of dry ice machines, cryogenic fogs, smoke machines, fog generators, pyrotechnics and fireworks, real flame, firearms, motor vehicles, strobe lighting and lasers.
Special risks	Any entertainment which falls outside the normal use of the premises and which, if not properly controlled, may present a hazard. Examples include foam parties, skating to music and performances especially for children.
Sports entertainment	Contests, exhibitions or display of any sport where physical skill is the predominant factor (except dancing in any form) held indoors to which the public are invited as spectators.
Staff	Any person, whether or not employed by the Licensee , concerned in the management, control or supervision of the premises who has been given specific responsibilities by the Licensee or Designated Premises Supervisor .
Staff alerting system	A system (whether electronically operated or otherwise) for immediately alerting staff to take appropriate action in the event of fire or other emergency.
Stage	The specific part of an entertainment area on which performers perform which is distinct from the area occupied by the public , often elevated above level of the adjacent floor; includes, where the context permits, platform, dais or rostrum.
Open stage	A stage which is not separated from the auditorium by a safety curtain. An open stage should, however, be separated from the rest of the premises , other than the stage fire risk area , by fire-resisting construction.
Separated stage	A stage that is separated from the rest of the premises , other than the stage fire risk area , by fire-resisting construction and provided with a safety curtain, which affords smoke separation between the stage and the auditorium. The safety curtain is normally installed to close off a proscenium opening.
Stage fire risk area	The stage and the auditorium together with any scene dock, workshop, stage basement, staff or other room associated with the stage. The stage fire risk area is separated from the rest of the premises by fire-resisting construction.
Trailer	A film advertising a film exhibition.