



London Borough of Hackney

Licensing Act 2003 – Pool of Model Licence Conditions

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Summary

This pool of conditions has been provided to help applicants applying for a new premises licence or club premises certificate or to vary an existing licence to prepare their operating schedule ensure that when licensable activities are taking place the four licensing objectives are promoted.

Conditions attached to a licence or certificate are the steps or actions the holder of the premises licence or the club premises certificate will be required to take, or refrain from taking, at all times when licensable activities are taking place at the premises in question.

The attachment of conditions to a premises licence, or club premises certificate, will not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc., Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999, and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore unnecessary.

How to use this document

This pool of model conditions is not an exclusive or exhaustive list of conditions which may be included on a premises licence. It does not restrict any applicant, responsible authority, or other person from proposing any alternative conditions, nor would it restrict a licensing sub-committee from imposing any reasonable condition on a licence it considers appropriate for the promotion of the licensing objectives.

Conditions are required to be clear, appropriate and enforceable and must be expressed in terms that are unequivocal and unambiguous. Further, such conditions should be open, transparent and reasonable.

Conditions should not be applied universally and treated as standard conditions. Licensing conditions are to be tailored to the size, style, characteristics and activities taking place at the premises concerned.

For a condition to be relevant it must promote one or more of the licensing objectives. These are:

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

The conditions in the tables below have been designed for the use by applicants in preparing their operating schedules. Each table lists conditions which aim to address issues that commonly arise at licensed premises. The conditions are arranged as follows:

	CD	PS	PN	PC
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CD – conditions to promote the prevention of crime and disorder

PS – conditions to promote public safety

PN – conditions to promote the prevention of public nuisance

PC – conditions to promote the protection of children from harm

In some cases, conditions will overlap and relate to more than one of the objectives.

Alcohol

		CD	PS	PN	PC
1	No beer, lagers or ciders exceeding 6.5% alcohol by volume (ABV) shall be sold or supplied at the premises.	—			
2	No single cans or bottles of beer, lager or cider shall be sold or supplied at the premises.	—			
3	No “miniature” bottles of spirits of 50ml or less shall be sold or supplied at the premises.	—			
4	Alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and that the consumption of alcohol by such persons is ancillary to taking such meals. The supply of alcohol shall be by waiter or waitress service only.	—			
5	Consumption of alcohol in the bar area is restricted to customers waiting to be escorted to a table.				
6	Numbers of patrons in the bar area (not awaiting tables) shall not exceed <i>[Insert]</i> persons.				
7	Any alcohol sold or supplied [for consumption off the premises] must be in a sealed container.				
8	Any sales of alcohol shall be charged at no less than £0.50 per unit of alcohol. The licence holder will prepare a price list calculating the units for each available produce, which shall be made available to the Police or Licensing Enforcement on request.				

Building Management

		CD	PS	PN	PC
1	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed <i>[number]</i> , subject to the following maximum occupancies: For example: <i>[First Floor]</i> <i>[number]</i> persons <i>[Ground Floor]</i> <i>[number]</i> persons <i>[Basement]</i> <i>[number]</i> persons				
2	The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed <i>[number]</i>				
3	Sanitary accommodation shall be provided in				

	accordance with BS 6465-1:2006+A1:2009 Sanitary installations - Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances standard for sanitary provisions or any British Standard replacing or amending the same.				
4	The edges of the treads of steps and stairways shall be maintained so as to be clearly visible.		—		
5	All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.		—		
6	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.		—		
7	The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.		—		
8	All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.		—		
9	All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.		—		
10	The certificates listed below shall be submitted to the Licensing Authority upon written request: <ul style="list-style-type: none"> • Any permanent or temporary emergency lighting battery or system • Any permanent or temporary electrical installation • Any permanent or temporary emergency warning system 		—		

CCTV

		CD	PS	PN	PC
1	The licensee shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any	—	—	—	

	light condition. The CCTV system shall as a minimum continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be provided immediately upon the request of Police or authorised officer throughout the preceding 31 day period.				
2	No less than one member of staff who is able to operate the CCTV system shall be on the premises at all times.	—	—		
3	The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff.	—		—	
4	An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will as a minimum record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs or offensive weapons (f) any faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.	—	—	—	—

Drugs

		CD	PS	PN	PC
1	The licensee shall operate a zero tolerance policy to drugs and comply with the Hackney Police/Council Community Safety Unit Drugs and Weapons policy where appropriate. Prominent signage shall be displayed by every entrance and exit detailing the drugs and weapons policies.	—	—		
2	A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises.	—	—		
3	A secured, lockable drug box must be installed at the venue. Police attendance must be	—			

	requested for removal of the contents.				
4	Police and LBH contracted drugs dogs or drug detection equipment will be given immediate access to the premises without notice for the purpose of detecting and reducing incidences of drug misuse.	—	—		

General Management

		CD	PS	PN	PC
1	A record shall be kept detailing all refused sales of alcohol. The refusals book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities upon request. Such refusals book is to be inspected and signed by the DPS or, in the absence of the DPS, by an alternative member of store management at intervals not exceeding seven days. All occasions when persons have been refused service shall be recorded and kept at the premises for not less than 12 months after the last entry recorded.	—		—	—
2	The licensee shall display the telephone number/email address of the Designated Premises Supervisor for use by any Responsible Authority or any person who may wish to make a complaint during the operation of the licence in a prominent external location at the premises that is easily accessible to the public.	—	—	—	—
3	Toilets to be checked for evidence of any crime regularly throughout the day and at least hourly after [insert hours]. Records of these checks are to be documented and retained for no less than 31 days and shall be provided to the Police upon immediate request.	—	—		
4	The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.	—		—	
5	Plastic and/or toughened glass vessels shall be used for the consumption of drinks, intoxicating and non-intoxicating, at [insert times/all times].	—	—	—	—
6	No glass receptacles containing beverages	—	—		

	whether open or sealed, shall be given to customers on the premises whether at the bar or by staff away from the bar.				
7	No entry to or re-entry to the premises after [time] by members of the public or guest of friends of members of staff or the premises licence holder. (except those patrons who have temporarily left the premises to smoke.)			—	
8	No entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment as defined in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Police and Crime Act 2009, shall be provided.	—	—		—
9	Adequate and appropriate supply of first aid equipment and materials must be available on the premises at all times.		—		
10	At least one member of staff who has received first-aid training from a HSE approved trainer shall be on duty when the public are present.		—		
11	Seating for no less than [number] persons shall be provided in the premises at all times the premises are in operation.				
12	Seating for no less than (insert) % of the maximum occupancy shall be provided in the premises at all times the premises are in operation.				
13	There shall be a written dispersal policy, a copy of which shall be kept on the premises and made available to police or other authorised officer upon request.				
14	Measures to be implemented to prevent theft. These measures may include, but may also not be limited to the following: Bag clips/hooks Property patrols Notices advising patrons that thieves operate in the area.				
15	Substantial food shall be available at all times.				

Noise and Odour Management

		CD	PS	PN	PC
1	Clear and prominent notices shall be displayed and maintained at all exits in a place where they can be seen and easily read by customers			—	

	requiring customers to leave the premises and the area quietly.				
2	Door supervisors and other members of staff to verbally request customers as they exit the premises to leave quietly and respect local residential neighbours.			—	
3	All external doors and windows shall be kept closed, other than for access and egress, when regulated entertainment is taking place.			—	
4	Background music shall not exceed a level that allows face to face conversation at normal speech level.			—	
5	A detailed acoustic report should be carried out by a competent person and should be submitted to the Licensing Service [within <i>timeframe</i>]. Recommendations in the report should be approved by the Pollution Control Team and completed prior to any regulated entertainment taking place.				
6	All music systems shall be routed through a sound limiting device. The limiting device(s) should be set to ensure inaudibility in all nearby residential premises, a certificate of compliance should be submitted to the pollution group. The device shall be controlled by the licensee/management and kept in a locked, tamper-proof box.			—	
7	The sound limiting device must be recalibrated annually to ensure that the music is inaudible in nearby residential premises prior to the anniversary (of the grant of licence/variation/review).			—	
8	All speakers must be isolated from the structure of the building to prevent the transmission of vibration. The final specification should be approved by the Pollution Control Team before installation.			—	
9	The noise level from the premises whilst being used for regulated entertainment shall not exceed [insert limit] measured at any point(s) [insert location].			—	
10	Music noise from the licensed premises as measured spatially averaged within the habitable areas of the attached residential noise sensitive premises (measured at a height of 1.2 metres and 0.5 metres from any reflecting surface) at any time shall not cause any increase in the measured real time Leq(1min) 1/1 octave band sound pressure level centred on the frequencies [frequencies]			—	

	and overall 'A' weighted levels when compared with the existing background noise equivalent Leq(1min) ('A' weighted levels, [frequencies]) to the levels at each of the following residential premises; (insert details)				
11	Measurements should be taken in the same noise sensitive premises at a similar time without the music from the licensed premises in operation or at such level as not to cause noise nuisance, as determined by the council's Noise Pollution Team.			—	
12	Amplified music shall be played within the licensed premises during permitted hours through an in house sound system which shall be fitted with a sound limiter set to an internal reverberant sound level limited to LAeq [level] dB, as measured at the mid-point of the licensed premises bar at a height of 1.2 metres. In addition the system shall be limited via the in-house limiter to control the frequencies [frequencies] as measured in the same position as above, in real time simultaneous Leq (1min) 1/1 octave band sound pressure level. These levels should be set to correspond with levels in condition 1, above.			—	
13	The setting up of level controls of such devices shall take place before any amplified music is played and be carried out under the supervision of an acoustic consultant registered with the Institute of Acoustics who will provide a certificate of the completion and verification of the calibration and set up. The initial set up is to be witnessed by Council officers.			—	
14	An annual check to the effectiveness, with re-calibration where necessary, of the devices shall be undertaken by an acoustic consultant registered with the Institute of Acoustics, who shall provide a certificate of verification of the calibration and set up, both initially and annually, to be provided to the Council's Pollution Control Team within 21 days of the check of effectiveness.			—	
15	Such noise control devices or automatic volume control systems shall be secured within robust lockable security enclosure, or similar, to prevent unauthorised access to and tampering with the controls. In the case of computer controlled systems they shall only be			—	

	accessed by an authorised Sound Engineer under the supervision of an acoustic consultant registered with the Institute of Acoustics authorised for this purpose by the Company. All changes shall be reported to the Council as soon as practicable after the event.				
16	For residential premises directly attached to a licensed venue, these levels shall be measured with all residential windows closed and windows should be in a single or double glazed configuration only. Secondary internal panes should be opened or removed during measurements. For all other cases i.e. buildings separated from the licensed premises windows should be slightly open for ventilation.			—	
17	No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.			—	

Outdoor Areas

		CD	PS	PN	PC
1	Patrons shall not be permitted to take glass off the premises/into external areas of the premises.	—	—	—	
2	No more than [insert number] of patrons will be permitted in the designated smoking area at [any time/after insert time]	—		—	
3	Use of outdoor area (shown on the plan) shall cease at [time].			—	
4	The designated smoking area shown on the plan, shall be de-lined by a physical border.				

Preventing Underage Sales

		CD	PS	PN	PC
1	A record shall be kept detailing all refused sales of alcohol. The refusals book will be maintained at the premises and will be available for immediate inspection upon request by a representative of the statutory authorities upon request. Such refusals book is to be inspected and signed by the DPS or, in the absence of the DPS, by an alternative member of store management at intervals not exceeding seven days. All occasions when persons have been refused service shall be	—		—	—

	recorded and kept at the premises for not less than 12 months after the last entry recorded.				
2	All store staff who are engaged or employed as cashiers will receive formalised training in the sale of age restricted products and training records evidencing such training will be kept and maintained in store, available for inspection by a representative of the statutory authorities for not less than 2 years. Such training is to be refreshed at intervals not exceeding [six/twelve] months.	—			—
3	Where a person appears to be under the age of [insert age] identification in the form of a passport, photo driving licence or a proof of age card bearing the PASS hologram will be sought and if not provided service of alcohol shall be refused.	—			—
4	Prominent, clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale indicating that where a person appears to be under the age of [25] identification will be sought and if not provided service of alcohol will be refused.	—			—
5	Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.	—			—
6	A till prompt will appear on the initial sale of alcohol that will reminded the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.	—			—
7	All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.	—			—
8	Children under the age of ** years shall not be allowed on the premises after **: ** hours unless accompanied by an adult.				—
9	Children under the age of ** years shall not be allowed on the premises.				—

SIA and Security

		CD	PS	PN	PC
10	The licensee/management shall record the full name, home address and contact telephone number, SIA registration number, and the time/date of employment of any door supervisor(s) employed at the premises. Where door supervisor(s) are provided by an	—	—		

	agency the name, business address and contact telephone number will also be recorded. These records are to be maintained for no less than [insert period].				
11	A minimum of (X) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.	—			
12	At least (X) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.	—			
13	All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system.				
14	Every person entering the venue should be counted in and out with a counting device to ensure that the maximum accommodation limit is not exceeded.	—	—		
15	Every new patron entering the venue will be searched upon entry after [time].	—			
16	Door supervisors shall be employed at a ratio of xx patrons. At least one member of the door staff shall be female.	—			
17	All door staff stationed at the front entrance shall wear high visibility jackets or vests. All security staff stationed in internal areas of the premises shall wear high visibility armbands.	—			
18	Club Scan (or similar identification scanning device) is to be installed and maintained at the premises and shall operate [insert times/days].	—			

Waste Management

		CD	PS	PN	PC
1	The licensee shall undertake a litter patrol at hourly intervals in [state xx radius/perimeter/pre-determined area] to collect any litter associated with the premises. The collection and removal of litter should include satisfactory disposal of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition.	—		—	
2	Waste collections shall be restricted to [time] and [time] and on xx days of the week/weekend.			—	
3	No refuse and/or bottles are to be placed in external receptacles or in areas outside the			—	

	premises after 2300/between [xx:xx and xx:xx].				
4	<p>The current trade waste agreement/duty of care waste transfer document shall be conspicuously displayed and maintained in the window of the premises where it can be conveniently seen and read by persons standing on the [insert location] façade of the premises. This should remain unobstructed at all times and should clearly identify:-</p> <ul style="list-style-type: none"> • the name of the registered waste carrier • the date of commencement of trade waste contract • the date of expiry of trade waste contract • the days and times of collection • the type of waste including the European Waste Code 				
5	All staff are to be fully trained and made aware of the legal requirement of businesses to comply with their duty of care as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.				
6	Any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. An adequate supply of waste receptacles shall be provided (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.				
7	Where premises are situated in an area where time banded waste collections waste must be kept within the premises until such time as its waste carrier arrives to collect the refuse.				
8	Signage to be erected asking customers to refrain from littering the public highway outside the premises.				