

# Annex 5

## Proposed Conditions on behalf of the Licensing Authority

### Annex 1 - Mandatory Conditions

The Mandatory Conditions are attached and form part of the Operating Schedule of your licence/certificate. You must ensure that the operation of the licensed premises complies with the attached Mandatory Conditions as well as the Conditions in Annex 2 and Annex 3 (if applicable). Failure to do this can lead to prosecution or review of the licence.

### Annex 2 - Conditions consistent with the Operating Schedule

1. There shall be no adult entertainment or services, activities or matters ancillary to the use of the premises that may give rise to concern in respect of children.
2. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a 'Designated Public Place Order' and that alcohol should not be taken off the premises and consumed in the street. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
3. Alcohol shall only be sold ancillary to a meal purchased at the premises.
4. Alcohol shall only be served to people taking table meals or waiting to be seated for a meal.
5. The management shall make subjective assessments of noise levels outside at the perimeter of the premises approximately every hour whilst regulated entertainment is provided to ensure that noise from the premises does not cause a disturbance to local residents. Records shall be kept of the times, dates and any issues discovered. These records shall be kept for six months. Records must be made available to an authorised officer of the Council or police, upon request. Where monitoring by staff identifies that noise from the premises is audible at the perimeter, measures shall be taken to reduce this i.e. turning volume down.
6. All external doors and windows to be kept closed but not locked whilst regulated entertainment / live or recorded music is being played.
7. The external area at the front of the premises shall be designated for the use of smokers from the time of opening until closing time. There shall be no more than 10 persons using this designated area during these times. The designated area shall be adequately supervised to control the number and behaviour of patrons so as to not cause noise nuisance. Notices shall be displayed in the area specifying the terms of its use and asking patrons to respect the needs of local residents and to use the area quietly. No alcoholic drinks or glass containers shall be taken into the designated smoking area during these times.

8. Prominent, clear and legible notices shall be displayed at all public exits from the premises requesting customers respect the needs of local residents and leave the premises area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.

9. All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00 hours and 07:00 hours.

10. All staff shall receive induction and refresher training (at least every three months) relating to the sale of alcohol and the times and conditions of the premises licence.

11. All training relating to the sale of alcohol and the times and conditions of the premises licence shall be documented and records kept at the premises. These records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.

12. A written record of refused sales shall be kept on the premises and completed when necessary. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.

14. No one under the age of 18 years shall be permitted to enter the premises unless accompanied by an adult.

15. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises. (AMENDED)

### **Annex 3 - Conditions attached after a hearing by the Licensing Authority**

#### **TO APPLY IF THE LSC IS MINDED TO REMOVE LIVE AND RECORDED MUSIC FROM THE PREMISES LICENCE:**

16. Neither live nor recorded music shall be provided at the premises at any time. Section 177A of the Licensing Act 2003 does not apply to this condition.

#### **TO APPLY IF THE LSC IS NOT MINDED TO REMOVE LIVE AND RECORDED MUSIC FROM THE PREMISES LICENCE:**

17. A noise-limiting device shall be installed to any amplification equipment in use on the premises. The noise-limiting device shall be maintained in effective working order and set to interrupt the electrical supply to any amplifier should the volume of the music be audible at the perimeter of the premises.

18. Prior to the commencement of any live/recorded music staff shall check that all amplified equipment to be used is connected to the noise limiter. Records of these checks shall be documented and records kept for 6 months.

19. The noise limiter shall be recalibrated annually to ensure that the music volume does not exceed the level at which a noise nuisance to neighbours will occur. A copy of the calibration certificate shall be kept on the premises and made available to the Police or Council Officer on request.

20. Speakers shall not be attached to, or located in, the ceiling.

21. Section 177A of the Licensing Act 2003 does not apply to this premises licence (meaning conditions relating to music must be complied with at all times that the licence is in use).

*NB. Previous Condition 13: "No bottles or glasses shall be taken off the premises." has been removed as this premises licence is for 'on' sales only and the outside area does not form part of the plan. Alcoholic drinks cannot legally be removed from the licensed area.*