

# Appendix F

## Conditions arising from the Review Application

### 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. All staff involved in the sale of alcohol shall receive induction and refresher training (at least every six months) relating to the sale of alcohol and the times and conditions of the premises licence.
3. 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.
4. A 'Think 25' proof of age scheme shall be operated and relevant material shall be displayed at the premises.
5. A record of refused sales shall be kept on the premises and completed when necessary. This record shall contain the date and time of the refusal, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. 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.
6. The Designated Premises Supervisor shall regularly check the refusals system to ensure it is being consistently used by all staff.
7. 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 and area quietly. These notices shall be positioned at eye level and in a location where those leaving the premises can read them.
8. Signs shall be prominently displayed on the exit doors advising customers that the premises is in a Public Space Protection Order Area (or similar) and that alcohol should not be taken out of the licensed area to be consumed in the street.

These notices shall be positioned at eye level and in a location where they can be read by those leaving the premises.

9. Staff shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, is kept clean and free from litter at all material times to the satisfaction of the Licensing Authority.

10. 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 the hours of 22:00 and 07:00.

11. Deliveries shall not be made to the premises between the hours of 22:00 and 07:00.

12. All 'off' sales of alcohol shall be made in a sealed container.

13. All those delivering to and from the premises shall be instructed to do so quietly so as not to disturb local residents.

14. Delivery of alcohol or late-night refreshment shall only be made to a domestic dwelling or place of business.

15. If there is no one available to take in the delivery, the courier shall not leave alcohol in an unattended place for collection later. It can be left with a neighbouring property only if the Think 25 condition above is taken into account.

16. Delivery of alcohol to anybody who appears to be under the age of 25 shall require evidence of proof of age to be shown to the person making the delivery. If proof is not provided or if there is any doubt about the I.D. the delivery of alcohol shall be refused.

17. A telephone number for the premises shall be provided to local residents, the Police and/or the Local Authority upon request to enable them to express any concerns about the running of the business. Staff shall be trained on the importance of answering calls.

18. The DPS, a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times the premises are open to the public.

19. (a) A CCTV system covering the interior & exterior of the premises will be installed to current metropolitan police / Home office standards and shall be kept operational at all times the premises are open to the public.

(b) It shall be capable of taking a head & shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.

(c) All staff who may work front of house shall be trained to operate the CCTV system and download images.

(d) At least one member of staff trained to operate the CCTV system & download images shall be on duty at all times the premises are open to the public. Footage

shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.

20. An incident book shall be kept at the premises, and made available to the police or authorized council officers, which will record the following:

- (a) All crimes reported,
- (b) Lost property,
- (c) All ejections of customers,
- (d) Any complaints received,
- (e) Any incidents of disorder,
- (f) Any seizure of drugs or offensive weapons,
- (g) Any faults in the CCTV,
- (h) Any refusal in the sale of alcohol,
- (i) Any visit by a relevant authority or emergency service.

21. All alcohol shall be ancillary to the operation of the premises as a restaurant and alcohol may only be supplied with a substantial food order.

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

**SOUGHT BY LICENSING AUTHORITY IF LICENSING SUB-COMMITTEE  
DECIDES BACKGROUND MUSIC ONLY:**

- 22. Section 177A does not apply to this premises licence and this condition does not permit any regulated entertainment, including live music, recorded music and DJ music.

**SOUGHT BY LICENSING AUTHORITY IF LICENSING SUB-COMMITTEE  
DECIDES REGULATED ENTERTAINMENT PERMITTED BETWEEN 8AM AND  
11PM:**

- I. A noise limiting device shall be installed to any amplification equipment in use on the premises and shall be maintained in effective working order. The noise limiter should be set so that noise does not emanate from the premises so as to cause a nuisance to nearby properties.
- II. 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.

- III. When recorded and or live music, is taking place, noise checks at the perimeter of the premises shall be conducted every hour 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.
- IV. All external doors and windows shall be kept closed but not locked whilst recorded and or live music is taking place.
- V. Section 177A of the Licensing Act 2003 does not apply to conditions I, II, III, IV. *(meaning they are enforceable at all times music is provided. This numbering may need to be amended if additional conditions below are applied to the licence)*

**OFFERED BY PREMISES LICENCE HOLDER**

**(& AGREED BY LICENSING AUTHORITY, IF, LSC DECIDES MUSIC IS PERMITTED BETWEEN 8AM AND 11PM):**

A - All loudspeakers should be isolated from the building structure. For fixed speakers, this should be achieved using neoprene fixings for all speaker mountings. For free standing speakers, these should be sited on a suitable isolating material.

B - DJs should be reminded of the requirements and be trained in the proper use of noise limiting equipment and the appropriate control of sound systems.

**OFFERED BY PREMISES LICENCE HOLDER**

**(& NOT AGREED BY LICENSING AUTHORITY AS DOES DEEM THIS CONDITION ENFORCEABLE):**

C - Music should not be played through the main sound system outside opening hours. Where staff require entertainment during preparation periods, this should be provided by a personal mobile phones without any external bluetooth speakers.

**OFFERED BY PREMISES LICENCE HOLDER**

**(& NOT AGREED BY LICENSING AUTHORITY, WHO HAVE OFFERED CONDITIONS I AND II ABOVE INSTEAD):**

D - Details of the noise limiter that will be used at the premises must be submitted to the Environmental Health Team for prior approval. The noise limiter must be set at a

level in consultation with the Environmental Health Team and agreed by 30th January 2023 that ensures neighbours are not caused nuisance or significant loss of amenity at any time and is to be used to control noise from amplified music and sound at all times.