

## RESOURCE 3



### Examples of conditions to promote the objectives

The five licensing objectives are the central most important principles of the licensing system, each one being of equal weight and significance. Licensing policies have a substantial role to play in how the objectives might be met, and many boards stipulate the local conditions that can/will be applied in the pursuance of the objectives within their policies. This resource outlines some of the conditions contained in the most recent licensing policies.

Objective	Conditions
<b>Preventing crime and disorder</b>	The licence holder shall provide sufficient internal and external CCTV coverage.
	Where used, CCTV systems must be kept in proper working order at all times, all licence holders and staff must be able to operate the system, and images shall be kept for at least seven days and made available to Police Scotland on request.
	CCTV images should be retained for a specific period of time and that staff should be trained and authorised to make these images readily available to the Police and the Council' Licensing Standards Officers.
	Conditions may require the installation, maintenance, and operation of appropriately sited CCTV cameras and recording systems, which can provide images in all light conditions of a quality to enable facial recognition and be suitable for use as evidence, where it is considered necessary and reasonable to do so.
	The licence holder will ensure that from 23:00 onwards they shall employ or use suitably licensed door supervisors.
	It is a condition that the licence holder has in place and enforces the drugs policy formulated by Police and attached hereto and displays a notice to the effect that such a drugs policy is in operation at the premises.
	The premises licence holder shall implement a system of searching all/or a specified percentage of customers at the point of entry to the premises using appropriate and effective search techniques.
	The premises licence holder shall ensure that regular checks are carried out by management and stewards to establish that no illegal drugs or other harmful articles or substances have been brought into or are being used on the premises.
	The premises licence holder shall make provision for the prominent display at the entrance to the premises, or at a suitable alternative location agreed with the LSO, of any drug prevention or awareness literature provided to the premises licence holder by any body authorised for this purpose by the Board.

Entertainment in the licensed premises shall not, with the knowledge of the premises licence holder, be promoted, advertised or conducted in such a way which could reasonably be construed as condoning the supply, use or possession of illegal drugs.
It is a condition that the licence holder is a member of the local Radiolink Scheme.
The refusal register should be inspected and signed by the Designated Premises Manager, or his nominated representative, at least on a weekly basis.
Nightclubs must have a written dispersal policy to ensure patrons are not put into vulnerable situations after leaving e.g. allowing the phoning of a taxi and waiting in a specific area within the premises
All alcohol not on display within the premises to be kept in a designated lockfast store within the premises. This greatly reduces the risk of premises being the subject of theft. The location of the lockfast store should also be shown on the layout plans attached to premises licences.
A Personal Licence Holder must be present on the premises from 1am until the premises close.
The premises will be subject to a curfew at any time when the premises will be open after 01:30 (1.30am), including seasonal variations. A curfew will apply at 00:30 (12.30am) such that the premises must deny entry to patrons (except residents) after 00:30, including re-entry to those patrons (except residents) that leave the licensed area of the premises for any reason after 00:30.
All drinks should be served in toughened glass or other recognised safety products.
The Board retains the option, where glassing attacks occur in individual premises to require these premises to only serve drink from toughened glass, plastic or polycarbonate receptacles.
No conventional glass bottles whether open or sealed, should be given to customers, whether at the bar or by staff service to any area away from the bar.
<p>The Board requires all premises for which a new premises licence application is granted for off sales premises to have an EPOS type till. The till must be:</p> <ul style="list-style-type: none"> <li>• used for all sales of alcohol;</li> <li>• maintained in full working order;</li> <li>• operational at all times the premises are open for business;</li> <li>• accurately record the date and time of each sale of alcohol;</li> <li>• accurately record the type (beer, wine, spirits) or name of the product;</li> <li>• accurately record the amount of alcohol sold.</li> </ul>
Only alcoholic drinks sold at the event by the licensee can be consumed at the event.
No alcohol is to be removed from the licensed area and the licence holder must have in place suitable arrangements to ensure that no alcohol is removed from the licensed area.

	The points of entry and exit must have at least one conspicuously displayed notice which is at least A4 in size making it clear that no alcohol is to be removed from the licensed area at any time.
	At least once per annum, the premises licence holder should employ the services of and obtain a Report from independent professional security advisers, to assess the effectiveness of procedures in place for preventing and detecting any drug misuse and the presence or use of other harmful articles or substances on the premises and provide a copy of the said Report to the Board within seven days of its receipt.
<b>Securing public safety</b>	The licence holder shall provide the facilities and fire precautionary measures as stated on the Fire Safety Checklist completed by the licence holder and submitted to the Scottish Fire and Rescue Service.
	The Board may impose a condition requiring that drinks be served in safer alternatives to glass.
	No glasses or bottles shall be permitted in cloakrooms, toilets or on dance floors located on the premises.
	Sufficient shelves, ledges, tables and counters shall be provided on the premises to accommodate glasses and bottles before collection.
	In late opening premises no conventional glass bottles, whether open or sealed, should be given to customers, whether at the bar or by staff service to any area away from the bar.
	The premises licence holder shall have in place a staff “duty of care policy” aimed at reducing customer vulnerability through intoxication, however attained.
	A person trained to the satisfaction of the Licensing Board in administering first aid must be present on the premises from 1am until the premises close. It should be noted that the level of first aid training is in line with Health and Safety Executive guidance and procedure for Emergency First Aid at Work.
	The premises must have staff present who have undertaken Advanced First Aid training.
	Premises licence holders must maintain a daily Incidents register (which shall include all refusals) and said register must be made available for inspection by Police Scotland and/or an LSO upon request.
	Outdoor areas located on a public footway should only be used for the consumption of alcohol by those seated in the area. No vertical drinking should be permitted on a footway.
	A risk assessment must be prepared to ensure the health and safety of staff members, volunteers, visitors and members of the public attending the event. Copies of the documented risk assessments must be available for inspection by authorised officers from the Council during the event. For safety purposes, adequate transport must be considered for patrons attending events in isolated areas.
	In the case of occasional licences permitting the sale of alcohol until after 1:00am, a condition will be applied requiring a person trained to the satisfaction of the Board in first aid to be on the premises from 1:00am until the earlier of 5:00 am. or when the premises next closes.
	In the case of occasional licences, all staff employed or engaged to sell or serve alcohol will require to have completed the licensing training prescribed in the Licensing (Training of Staff) Scotland Regulations 2007.

	The Board may, in the case of outdoor events, also impose a further local condition requiring that a copy of the member of staff's training record be kept on site for the duration of the occasional licence.
	There must be two persons deployed within the premises to ensure good order and a further one person for every 100 patrons above the initial 100 patrons.
	The disposal of glass and other receptacles between the hours of 9pm and 9am inclusive is prohibited.
	All holders of premises licences with outdoor drinking areas and those operated under occasional licences must display a copy of the approved layout plan of the outdoor area.
	The premises licence holder must operate a mechanical or electronic counting system which is capable of accurately recording the number of persons entering and leaving the premises and any area of the premises having a separate occupant capacity.
	The premises licence holder shall at any time, upon a request being made by a police constable, a Licensing Standards Officer, or any member of or person authorised in writing by the Licensing Board, immediately provide accurate information on the number of persons within the premises and any area of the premises having a separate occupant capacity.
	The premises licence holder shall prepare a risk assessment for stewarding personnel, and the number of such stewarding personnel present on the premises shall at no time be less than the requisite number provided in said risk assessment.
	The following minimum levels of lighting shall be maintained at all times...e.g. Corridor/stairs - 150 lux
	The premises licence holder shall ensure that the sanitary accommodation is regularly inspected by staff to ensure that the facilities and all parts of the accommodation are kept clean and in good condition.
	There shall be prominently displayed in the sanitary accommodation, a notice containing the following information: (a) the frequency of inspections of the sanitary accommodation, (b) the date and time when the sanitary accommodation was last inspected in terms hereof and (c) the names of the members of staff who carried out each inspection.
	The premises must have a closure policy, e.g. the last 30 minutes of music must be slow and considerably quieter. The written policy must be advised to all staff members, where appropriate made clear to customers, available for inspection, reviewed regularly and a detailed record of reviews maintained.
	The licensee shall not engage in, or permit, conduct or activities on the premises: (a) which cause offence, or (b) which are likely to cause offence to a reasonable person, or (c) which constitute a threat to public order or safety, or (d) which are likely to discourage a particular part of the community from using the premises, on racial, religious, sectarian or other discriminatory grounds. The licensee shall take reasonable steps to prevent any other person from engaging in such conduct or activities.

<b>Preventing public nuisance</b>	A noise limiter shall be installed on the premises and a noise level set in conjunction with dialogue with the council's Environmental Health team to ensure amplified music noise does not cause an impact on the amenity within neighbouring residential premises.
	Amplified announcements / music / entertainment noise levels must be controlled so that they are non-intrusive / low level at any neighbouring residential properties.
	The premises must detail all active steps taken and to be taken in order to minimise noise leakage from the premises including consulting with the Environmental Health Department of the Council.
	Noise from amplified and non-amplified music, singing and speech sourced from licensed premises shall not be audible in any adjoining property after 11.00 pm.
	Between the hours of 11pm and 7am, no noise by way of music whether amplified or not or singing and speech emanating from licensed premises shall (i) exceed 31dB or 10dB above the underlying level, or (ii) for low frequency, exceed 47dB in 63Hz band and/or 41dB in 125Hz octave bands in any neighbouring property.
	Licence holders must have regard to any guidance published such as the Good Practice Guide on the control of noise from pubs and clubs published by the Institute of Acoustics.
	Licence holders must have regard to the Code of Practice on Environmental Noise Control at Concerts published by the Noise Council.
	Where the outdoor area is situated on a public footway, it may only be used for the consumption of alcohol by customers seated at tables.
	Playing of live or recorded music in the outdoor drinking area is prohibited.
	It is a condition of the licence that; (a) any outdoor area is clearly demarcated onsite; (b) that use of the area is to cease at 2200 hours and (c) that no amplified music or entertainment is to take place in the outdoor area.
	The licence holder must provide litter bins in the vicinity of the premises.
	The licence holder shall arrange for litter patrols in the vicinity of the premises at the terminal hour.
	The capacity of the outside area shall not exceed <i>[number of persons]</i> .
	Emptying of bottles shall not occur between the hours of 21.00-09.00.

	The premises must have a door control policy. The written policy must be advised to all staff members, where appropriate made clear to customers, available for inspection, reviewed regularly and a detailed record of reviews maintained
	The premises must have a written staffing policy. A personal licence holder must be nominated as being in charge at all times and to be on the premises, each bar must be supervised by a personal licence holder. The written policy must be advised to all staff members, where appropriate made clear to customers, available for inspection, reviewed regularly and a detailed record of reviews maintained. The member of staff in charge should be clearly identified to other staff and customers.

	The premises must keep a register of staff maintained by the nominated person in charge each day and or at shift handover times which shall be available for inspection
	Where premises are open after 1am there shall be strictly no admittance to the premises after 1am which prevents persons leaving to smoke outwith the premises being readmitted.
	Smoking may only take place in those areas approved by the Licensing Board.
<b>Protecting and improving public health</b>	The ATM should not be located in any part of the premises where alcohol is available for purchase and consumption so that a customer wishing to use the ATM must cease drinking in order to do so.
	All staff must have additional training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication. This should include use of material such as the ' Who are You ' video (whoareyou.nz) or similar. All related training should be recorded and such records available for inspection by Licensing Standards Officers.
	Alcohol may be sold on the premises prior to 1100 hours only to persons taking table meals.
	Premises open for the sale of alcohol after 0100 hours shall have available a selection of hot and cold foods and shall advertise this within the premises.
	The premises must provide patrons with seating for at least 25% of the maximum occupancy as assessed by Building Standards.
	Hand washing facilities must be provided at all bars for the use of bar staff in accordance with Regulation (EC) No. 852/2004 on the hygiene of foodstuffs.
	In relation to grants of early on-sale hours at distilleries, alcohol producers and specialist off-sales premises: a requirement that any such sales be made only during a formal or tutored tasting session and only to customers taking part in such tasting sessions.
	Signs must be displayed in such a way as to make staff, customers and visitors aware that smoking is prohibited. In addition, signage should state the name of the person to whom a complaint may be made by anyone who observes someone smoking.
	Where a function is to be held in a building, a marquee or any other temporary structure, it will for the duration of the event, be designated as a No Smoking area.
<b>Protecting children and young</b>	Children and young persons are not permitted to be present at or in the immediate vicinity of any bar or bar counter.
	Children must be excluded from an area of 1.5 metres from any bar servery in the premises. An exception to this rule is where a child is passing through the excluded area from one part of the premises to another there being no other convenient way.
	A separate under 18's bar must be provided where soft drinks only are sold.
	Children and young persons will only be permitted into licensed premises where the primary purpose of allowing them access is to consume a meal.

<b>persons from harm</b>	Children and young persons will only be permitted in licensed premises until 9.00pm or one hour after cessation of serving of food to the individual person or group of persons consuming the meal, whichever is the earlier.
	Children and Young Persons must vacate the premises by 10pm.
	No children under the age of 16 will be permitted into any premises and young persons aged 16 or 17 will only be permitted in the licensed premises until 9pm.
	Children and young persons will only be permitted into licensed premises where the primary purpose of allowing them access is to attend a pre-booked private function or a ticketed function until the termination of the function. Stewards are to circulate the premises throughout the event to ensure that under 18s do not obtain access to alcohol
	Children and young persons must be accompanied by and kept under the direct supervision of a responsible adult (not less than the age of 18) who must keep proper control of the children at all times.
	Children and Young Persons (0-17 years) may remain as long as a responsible parent or guardian is present. Children (0-15 years) may remain until **** hours. The hours will be stipulated by the police or Licensing Standards Officer.
	If the premises licence holder or their staff are not satisfied that children and/or young persons are being supervised adequately, the group of which they are a part will be required to leave the premises. If the premises licence holder or their staff have such concerns about the level of intoxication of the accompanying adults they should not require the group to leave the premises. They should contact the police without delay to report the matter.
	Children under the age of twelve years, shall not have direct access to pool tables, darts boards or gaming machines in any part of the premises to which they have access or are allowed entry.
	Stewarding must be provided at the entrance to the bar area to ensure that no person under the age of 18 years is admitted to the licensed area.
	Where televisions or screens for live or pre-recorded entertainment or games are intended to be used in areas where children and young persons are permitted, the programmes or video films must be of a type suitable for family and children and young persons' viewing.
	Male and female toilets should be accessible without having to pass through an area that is not open to children and young persons and remain open at all times when children and young persons are in the premises
	The Licence Holder shall provide safe high chairs for the use of young children
	The Licence Holder shall provide heating facilities for baby/toddler's food at no cost to the customer.
	The Licence Holder shall provide containers for the disposal of soiled nappies.
	The Licence Holder shall ensure that heating sources are adequately protected.
	The Licence Holder shall ensure that baby food and bottle warming facilities are available.
	The Licence Holder shall ensure that minimum of two baby high chairs are available.

	The part or parts of the licensed premises where children and young persons are permitted should be free of category A, B or C gaming machines and gaming, unless the gaming is equal chance prize gaming which children and young persons are permitted to participate in under the Gambling Act 2005.
	Gaming, category C and greater gaming machines should not be located in walkway areas, must be sited in a location where their use can be monitored by staff (including volunteer staff) and no children and young persons will be permitted to operate said machines.
	No child shall be permitted to operate any amusement-with-prizes machine or video/DVD/electronic machine which is in the premises, except mobile telephones or other hand-held electronic devices owned by the child.
	A robust age verification policy requires to be in place for deliveries that include alcohol and must be strictly adhered to by all delivery staff, incorporating a Challenge 25 approach. Documentation presented as verification of age requires to be of a type prescribed in the Licensing (Scotland) Act 2005 or Regulations under that Act as suitable for that purpose.
	An order register must be kept on the premises containing details of the items ordered/ despatched, with details of when the order was placed and when the alcohol was despatched.
	No delivery of alcohol should be left unattended or with children or young persons where there is no adult available to accept delivery.
	Premises that are holding events exclusively for children, or children and young persons, such as themed parties, discos etc., must ensure that adequate adult supervision is in place for children or young persons attending the event.