

**Licensing Service**

**Licensing Act 2003**

**Pool**

**of**

**Conditions**

**Blackpool will be a Vibrant, Inclusive, Healthy,  
Safe and Prosperous Town**



## Pool of Licensing Conditions

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## **Introduction**

The 'Pool of Conditions' is published to assist applicants to identify matters which they may wish to address in an operating schedule.

The 'Pool' is not intended to address every eventuality and matters that may be routinely included in an operating schedule can be drawn from the Licensing Authority 'Statement of Licensing Policy' and from advice leaflets published, or distributed by the Licensing Authority and / or the Responsible Authorities.

Applicants are reminded that each case is judged on its individual merits and that conditions will reflect the activities taking place, the design, layout and location of the licensed premises and the particular needs of the anticipated clientele.

## **General Conditions**

1. A dry lounge will be maintained in the position shown on the plan.
2. Substantial and reasonably priced meals will be available throughout the period when the premises are open for business.

## **Crime & Disorder**

### **Door Supervisors**

1. The licence holder shall adopt and maintain suitable training for door staff and sales staff in relation to the proof of age scheme to be applied upon the premises. The training records will be made available to an authorised officer upon request.
2. The licence holder and the Designated Premises Supervisor shall ensure that an appropriate number of licensed door supervisors are on duty whenever the premises are open for the purpose of a licensable activity or when patrons are upon the premises. The number of door staff shall be in accordance with the following schedule:
3. The licence holder and the Designated premises Supervisor shall arrange adequate supervision of any queue, which may form to gain entry to the premises.
4. The license holder and the Designated premises Supervisor shall ensure sufficient door staff are employed to ensure the dispersal of patrons from the curtilage and grounds of the licensed premise immediately after the end of each period of licensable activity.

5. The License holder and the Designated premises Supervisor shall ensure that the door supervisors take appropriate measures to prevent the removal of bottles or glasses from the licensed premises.
6. The License holder and the Designated premises Supervisor shall fund the employment by the Local Authority of one member of the door supervisor team for a period of one hour after licensable activity has ceased upon the licensed premises
7. All door staff will comply with SIA requirements relating to the availability of registration documents for inspection
8. All door staff employed at the entrance / exit of the licensed premises will wear a reflective jacket of a design approved by the Lancashire Constabulary.

### CCTV

9. The License holder and the Designated premises Supervisor shall ensure that the premises are equipped with a closed circuit television system, which is provided and maintained to the satisfaction of the Lancashire Constabulary.
10. The licensee shall provide and maintain suitable and sufficient CCTV surveillance systems
11. The CCTV control room will be notified:
  - a) On any occasion when the premises CCTV or radio system is operative.
  - b) When the CCTV or radio system has been brought back into use
12. The Licence holder or DPS shall notify the Police Licensing Unit on any occasion when the CCTV or radio system is to be inoperative for a period in excess of one working day and shall provide a certificate from a competent person stating the reason for the system being inoperative and the measures which have been taken to satisfy the licence conditions
13. The Radiolink equipment will be 'live' and will be monitored by the Head Doorman or another responsible person while the licensed premises are open for business.

### Sale of beverages

14. The licence holder and the Designated premises Supervisor shall arrange and ensure that the delivery of drinks is made only in plastic containers.
15. The licence holder and the Designated premises Supervisor shall ensure that only toughened glass vessels are used to dispense beverages to customers

16. The licence holder and the Designated premises Supervisor shall ensure that the arrangement for the storage of empty bottles prevents unauthorised access to those bottles
17. The licence holder and the Designated premises Supervisor shall ensure that at least one personal licence holder is available on the licensed premises while the supply or sale of alcohol is being undertaken and shall ensure that persons identity is know to all other staff engaged in the supply or sale of alcohol

#### Nightsafe, etc

18. The licence holder and the Designated premises Supervisor shall ensure that the premises are operated in accordance with the standards described in the attached 'Nightsafe' leaflet
19. The licence holder and the Designated premises Supervisor shall participate in the 'Pubwatch' and 'Radiolink' schemes
20. The licence holder and the Designated premises Supervisor shall ensure that the premises are operated in compliance with the recommendations contained in Safer Clubbing / the following recommendations taken from Safer Clubbing

#### Management & training

21. The License holder and the Designated premises Supervisor shall nominate another person who will deputise for the Designated Premises Supervisor in that persons absence and shall ensure that the identity of the deputy is known by all other staff when such absence occurs
22. The licensee shall ensure adequate first aid provision is available at all times to include having at least \_\_\_ trained first-aiders on the premises at all times the premises are being operated
23. The licensee and all managers shall produce evidence to demonstrate that they are suitably trained in all aspects of the safe and efficient running of the venue
24. The Licence holder will within \_\_\_ days of the issue of this licence comply with the requirements of the Crime Prevention Survey attached to this licence
25. Risk assessments carried out by or on behalf of the Licence holder which relate to a licensing objective will be available for inspection by an officer or a Responsible Authority

#### Football

26. On any occasion when Blackpool Association Football Club may be playing at the Bloomfield Road Stadium the premise shall be closed during a period commencing \_\_\_ hours before the published commencement of play and ending \_\_\_ hours after the published end of play

27. The Licence holder shall provide and maintain (in the position marked BB on the attached plan) a bottle bin of a type approved by the Local Authority.

### Signage

28. The License holder and the Designated premises Supervisor shall erect and maintain signage (in a form approved by the licensing authority) on or adjacent to all staffed exits advising patrons of the Street Drinking Order and the intention of door staff to enforce a 'no exit with a bottle' policy
29. The License holder and the Designated premises Supervisor shall permit, facilitate and assist in the display upon the premises of health education and crime prevention campaign materials in a form agreed with the Licensees Forum or any successor liaison body recognised by the Licensing Authority
30. The Licence holder shall erect and maintain suitable and sufficient conspicuous signage on the exterior of their premises advising patrons that causing any disturbance or disorder in a queue will result in admission being refused

### Drinks Pricing Policy

31. The License holder and the Designated Premises Supervisor shall maintain a drinks pricing policy which complies with any Local Authority resolution made in accordance with approval from the Licensees Forum or any successor liaison body recognised by the Licensing Authority

### Hours

32. The Licence holder will notify the Police 10 working days prior to any change in the terminal hour identified in this licence
33. No patrons shall remain on the licensed premises (except for a period of 20 minutes to enable 'drinking-up') following the termination of licensable activity

### Drugs issues

34. Where there is reasonable suspicion that drugs are being carried, the licensee shall ensure that the outer clothing, pockets and bags of those entering the venue are searched by a trained staff member of the same sex.
35. The licensee shall erect a clearly visible notice in a form prescribed by the Council advising those attending that 1. It is a condition of entry that customers agree to be searched and 2. Police will be informed if anyone is found in possession of controlled substances or weapons
36. The licensee shall ensure that the security arrangements are sufficient to discourage the sale and consumption of drugs and shall ensure such arrangements include regular checks of toilet areas

37. The licensee shall exclude any customers known to have been previously convicted of committing criminal offences relating to drugs
38. The licensee shall maintain a record of incidents involving the use and/or detection of drugs and make those records available for inspection
39. The licensee shall store, dispose, transfer confiscated and found drugs in accordance with procedures agreed with the Lancashire Constabulary
40. The licensee shall develop and apply a drugs prevention strategy for the venue. The strategy shall include arrangements for the location of posters and the distribution of other information relating to drugs risks, the dangers associated with drugs and the legal provisions relating to drug use

#### General

40. Secure, attendant controlled 'cloakroom' facilities will be maintained for patrons' over clothing and valuables.

### **Public Nuisance**

#### Noise when accessing/exiting premises

1. The licence holder shall erect and maintain suitable and sufficient conspicuous signage on the exterior of their premises advising patrons that causing any disturbance or disorder in a queue will result in admission being refused
2. The Licence holder and the Designated Premises Supervisor shall arrange adequate supervision of any queue which may form to gain entry to the premises
3. During the final hour of daily trading the licence holder and the Designated Premises Supervisor shall ensure that appropriate announcements are made or images are projected to remind patrons of the need to leave the premises without causing annoyance, nuisance or disturbance to local residents and to advise patrons of any taxi free-phone or collection arrangements available upon the premises
4. The licence holder shall erect and maintain in a prominent position at every exit a clear and conspicuous notice requesting patrons to avoid causing noise, nuisance or disturbance to local residents
5. Prominent, clear and legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly
6. The licence holder and the Designated Premises Supervisor shall ensure sufficient door staff are employed at exits from the premises to remind departing patrons of the need to avoid causing nuisance or disturbance to local residents

7. The licence holder and the Designated Premises Supervisor shall ensure sufficient door staff are employed at exits from the premises to ensure the dispersal of patrons from the curtilage and grounds of the licensed premise immediately after the end of each period of licensable activity
8. The Licensee shall ensure that staff arriving before 09.00 hours or departing late at night when the business has ceased trading conduct themselves in such a manner to avoid disturbance to nearby residents

#### Litter/bottle disposal

9. Litter arising from take away food premises may cause nuisance in thoroughfares some distance from the licensed premises. The council's Director of Technical Services may publish a plan to locate approved receptacles in appropriate positions to mitigate this nuisance. The Premises Licence holder will provide a litter receptacle of a type approved by the Director of Technical Services to be located in a position identified on the published plan or in the absence of such a plan in a position in the vicinity of the licensed premises
10. The premise licence holder will arrange for litter dropped in the vicinity of the licensed premise to be collected and removed at the licence holder's expense at a frequency of not less than sixty minute intervals during opening hours
11. For the purposes of conditions above 'the collection and removal of litter' should be taken to include the washing away to the gutter of spilled food and similar materials so as to leave the footway in a clean, safe and wholesome condition
12. The premises licence holder will be expected to accept the Council's voluntary code of practice for litter and refuse. The code of practice is available from the Director of Technical Services
13. When food for consumption off the premises is sold, adequate waste receptacles for use by patrons shall be provided in the local vicinity. The positioning of the receptacles shall be agreed by the Council, and the responsibility of disposing of the collected waste shall rest with the licensee
14. The placing of refuse, such as bottles, into receptacles outside the premises shall take place at the following specified times so as to prevent disturbance to nearby premises

#### Noise from within the premises

15. The licensee shall ensure that noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be disturbed. To this end sound insulation shall be provided and regard must be had to the ventilation requirements for the premises. All sound insulation shall be installed to the satisfaction of the Council

16. The licensee shall submit to the Council an acoustic report prepared by a reputable noise consultant, which demonstrates how music and other amplified sound generated at the premises will be contained within the said premises, thereby not causing a disturbance to neighbouring premises. The report shall have regard to any noise caused by any ventilation system and any likely escape of noise from the system, the opening of doors for patrons acoustic characteristics of fire doors, windows, any flat roofs and the general fabric of the building. Where sound transmission is likely through the structure of the building to one attached the report must show in detail how this will be eradicated
17. The volume of amplified sound used in connection with entertainment shall at all times be under the control of the licensee or management and the controlling mechanism shall be operated from a part of the premises inaccessible to the public
18. During any period of time where amplified sound is played in any part of the premises, either:
  - The noise level shall not exceed \_\_\_ dB(A)(slow) at any time or \_\_\_ dB(A) Leq over a 10 minute period
  - The contents of the Draft Code of Practice on Sound Levels in Discotheques shall be adopted in its entirety on the premises, or
  - Suitable noise compressors/limiters shall be installed and operated to the satisfaction of the Council so as to prevent disturbance to the neighbouring premises
19. The use of explosives, pyrotechnics and fireworks of a similar nature, which could cause disturbance in surrounding areas shall be restricted in accordance with requirements specified by the Council (specify)

#### Miscellaneous

20. The Licensee shall ensure that cooking, noxious or persistent smells generated at the premises do not cause nuisance to nearby properties, and that the premises shall be adequately ventilated to the satisfaction of the Head of Environmental Services
21. Flashing or bright lights on or outside licensed premises shall be positioned or screened in such a manner so as not to cause inconvenience to nearby properties
22. The time during which the premises are permitted to be open to the public or to members and guests shall be restricted between the hours of \_\_\_ to \_\_\_ to prevent public nuisance from \_\_\_
23. The time during which the premises are prohibited from holding licensable activities (specify which) are restricted to \_\_\_
24. The area marked \_\_\_ on the plan attached to this licence and described as \_\_\_ shall only be used for licensable activity during the following hours \_\_\_

and that area will, outside those hours, be made inaccessible to patrons except for access to and egress from the premises

25. The area marked \_\_\_ on the plan attached to this licence and described as \_\_\_ shall be securely and safely physically separated from \_\_\_ to prevent access to and egress from that area and/or the premises other than by the entrances and exits shown on the plan

### **Public Safety**

1. The licence holder and the Designated Premises Supervisor shall ensure that an appropriate number of licensed door supervisors are on duty whenever the premises are open to conduct licensable activity or when patrons are upon the premises. The number of door staff shall be in accordance with the following schedule:
2. The licence holder and the Designated Premises Supervisor shall ensure that the premises are operated in compliance with recommendations contained in Safer Clubbing/the following recommendations taken from Safer Clubbing
3. The licence holder and the Designated Premises Supervisor shall ensure that the maximum number of persons allowed onto the premises shall not exceed the capacity determined by the Lancashire Fire and Rescue Service / a number 10% lower than the capacity determined by the Lancashire Fire and Rescue Service
4. The licence holder and the Designated Premises Supervisor shall nominate another person who will deputise for the Designated Premises Supervisor in that persons absence and shall ensure that the identity of the deputy is known by all other staff when such absence occurs
5. The licence holder and the Designated Premises Supervisor shall permit, facilitate and assist in the display upon the premises of health education and crime prevention campaign materials in a form agreed with the Licensees Forum or any successor liaison body recognised by the Licensing Authority
6. Risk assessments carried out by or on behalf of the licence holder which relate to a licensing objective will be made available to the Responsible Authorities
7. Frequent collection of glasses and bottles will be undertaken to ensure that empty containers do not accumulate in or around the licensed premises
8. The licensee shall ensure that the ventilation to the premises is maintained to satisfy the appropriate Building Regulations

9. The licensee shall ensure free cold drinking water is available on request and shall have adequate supplies of chilled soft drinks and bottled water available for sale at the bar(s)

### **Protection of Children**

#### **Access to the premises:**

1. Unaccompanied children will not be allowed upon the premises
2. Accompanied children will only be allowed to remain on the premises between the hours of \_\_\_ and \_\_\_
3. Children will only be admitted to the part of the premises delineated in (colour) upon the plan accompanying the licence application
4. Unaccompanied children will only be allowed into the parts of the licensed premises used for the sale or consumption of alcohol and delineated on the plan accompanying the licence application for the purposes of using the amusement facilities namely \_\_\_ located therein
5. The licence holder shall not permit the admission of persons under 18 years of age to the licensed premises.

#### **Adult entertainment**

6. No Entertainment of an 'adult' or 'sexual' nature will take place upon the licensed premises
7. Entertainment of an 'adult' or 'sexual' nature will take place on (state day) between (start time) and (end time). Prior to the commencement of such entertainment the licence holder will ensure that no children are upon the premises and the door staff will operate a strict proof of age scheme based upon photo-ID to prevent access by children
8. Any advertisement for entertainment of an adult or sexual nature will clearly and conspicuously display the words 'children are not admitted'
9. Any advertisement for entertainment of an adult or sexual nature will only be displayed after obtaining the approval of the Responsible Authorities (Police and Child Protection)
10. Whenever entertainment of an adult nature is taking place the entertainment will not be visible to persons under 18 years of age (including staff) who are within or outside the licensed premises.

#### **Staff**

11. The licence holder shall adopt and maintain suitable training for door staff and sales staff in relation to the proof of age scheme to be applied upon

the premises. The training records will be available to an authorised officer upon request.

12. The area delineated in (colour) on the plan accompanying the licence application is provided for the purposes of children's entertainment. Only persons who have undergone an enhanced Criminal Records Bureau check and have satisfied the Child Protection agency will be employed in this area
13. Having regard to the nature of the entertainment no person under 18 years of age shall be employed upon the licensed premises.

#### Films

14. The licence holder will observe the age restrictions associated with the British Board of Film Classification certification of films for exhibition
15. Specialist films which have not been certified by the BBFC will not be exhibited
16. Specialist films which have not been certified by the BBFC will only be exhibited to audiences over the age of 18 years
17. Each exhibition of a film shall be preceded by display of a reproduction of the BBFC certificate for that film. The display of the reproduction shall be of no less than 5 seconds duration and shall be of a size which can be readily read by the audience
18. Any trailer advertising a film shall be preceded by a statement approved by BBFC indicating the classification of the film being advertised.
19. Any recommendation of the Licensing Authority restricting the admission of children to a film shall be displayed in association with any advertisement for the film inside or outside the licensed premises

#### Entertainment/child performers

20. Attendants will be provided at each children's performance on a ratio of 1 attendant per 50 children based upon the maximum capacity of the auditorium
21. Facilities for child performers will ensure privacy and security
22. Child performers will be subject to adult supervision at all times when upon the licensed premises
23. Performances which are advertised or promoted for a children's audience will be staffed by persons who have been trained by the management of the licensed premises in relation to the emergency evacuation and supervision of children. The training shall be to the satisfaction of the Responsible Authority

24. Whenever the entertainment includes language, which could reasonably be regarded as strong or offensive, the licence holder shall ensure that the entertainment is inaudible to persons within the vicinity and / or any children living upon the premises.
25. Staff employed to supervise children performing in or attending regulated entertainment shall be familiar with the layout of the premises, the location of facilities, fire escape routes and the location of fire fighting equipment.
26. Staff employed shall receive instruction on the fire procedures applicable to the venue prior to the first performance.
27. The licence holder at any premises being used for children's entertainment shall so far as it is practicable arrange for any special effects which may trigger an allergic reaction in children, particularly flashing lights, dry ice, foam and smoke to be made known to responsible adults when admission of the children is sought or arranged.
28. The licence holder shall ensure that the number of attendants and chaperones present at any children's entertainment is to the satisfaction of the Director of social services and in no circumstances below a ratio of 1 attendant to \_\_\_\_ children.

#### Miscellaneous

29. The licence holder shall erect and maintain a sufficient number of signs at each bar or alcohol sales point informing customers that sales will not be made to persons under 18 years of age.
30. Any restrictions imposed by the licence holder, Designated Premises Supervisor and / or the terms of this licence will be prominently and clearly displayed at the entrance(s) to the licensed premises
31. The Gaming machine shall be located in the position marked 'CV' on the plan attached to this licence and an unobstructed view shall be maintained between the bar and the machine
32. The cigarette vending machine shall be located in the position marked 'CV' on the plan attached to this licence and an unobstructed view shall be maintained between the bar and the machine

#### Mandatory and Government 'advised' conditions

**It should be noted that there is a mandatory condition set out in Section 20 of the Licensing Act 2003, which Licensing Authorities must attach to each premises licence which authorises the exhibition of films (see also Section 74 as regards Club Premises Certificate).** It is suggested that the responsibility for attaching this condition lies with the Licensing Officer in each Licensing Authority.

## Section 20 Mandatory condition: Exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence must include a conditions requiring the admission of children to the exhibition of any films to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
3. Where-
  - a. The film classification body is not specified in the licence, or
  - b. The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question
  - c. Admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section-  
'children' means persons aged under 18; and  
'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

### **There are also 5 conditions which the Government advises, via its Statutory Guidance (see Annex H) are attached to the licences.**

1. Premises which are open to the public and which sell alcohol for consumption off the premises (e.g. off-licences / supermarkets) should be presumed not to allow children under 12 onto their premises after 11pm unless accompanied by an adult.
2. Where the Licensing Authority is to make recommendations on the admission of children to films (i.e. instead of a film classification body) then the operator must submit the film to the authority 28 days before exhibition so as to provide sufficient time for the Licensing Authority to classify the film.
3. Where films are classified by either the Licensing Authority or a film classification body there should be the following classification:  
  
**U** – Universal. Suitable for audiences aged four years and over  
**PG** – Parental Guidance. Some scenes may be unsuitable for young children.  
**12A** – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.  
**15** – Passed only for viewing by persons aged 15 and over.  
**18** - Passed only for viewing by persons aged 18 and over.

4. Immediately before each exhibition of the film, which has been passed by the British Board of Film Classification, there should be a statement, for at least 5 seconds, which reproduces the certificate of the Board; or for a trailer, then a statement approved by the Board indicating the classification of the film.
  
5. A condition that when a licensing authority has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. An example of the wording of such a notice is provided in the Statutory Guidance

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