

Licensing Authority

A Guide to Conditions under the Licensing Act 2003

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Status of this Leaflet

This is not statutory guidance and does not form any part of the Licensing Authority's Policy (which is available separately). The leaflet does not replace the Act or any statutory guidance issued under it, so reference should always be made to that before submitting applications.

Introduction

The aim of this guide is to address the issues connected to the attaching of conditions on premises licences or club premises certificates under the Licensing Act 2003.

It outlines the four categories of conditions and the circumstances when they would be attached to the licence or certificate. They are:

- Embedded Conditions
- Mandatory Conditions
- Voluntary Conditions
- Transferred Conditions

In offering this guidance it should be noted that, in the case of voluntary conditions, they are offered as a model only. You may vary their wording, should you wish to, or offer alternative or additional conditions to those stated.

When being asked to offer conditions applicants should take into account the four Licensing Objectives under the Act. They are:

- the Prevention of crime and disorder
- Public Safety
- the prevention of public nuisance; and
- the protection of children from harm

Types of Conditions

- (a) Embedded Conditions – These are the conditions that you will have to comply with under the Licensing Act 1964, the Children and Young Persons Act 1933, the Cinematograph (Safety) Regulations 1955 and the Sporting Events (Control of Alcohol, etc) Act 1985. These conditions will automatically be included in your new licence unless you apply to vary them.
- (b) Mandatory Conditions – These are conditions that the Licensing Act 2003 requires us to include in your licence if they are relevant to the manner in which you operate.
- (c) Voluntary Conditions – These are conditions that you volunteer to include on your licence to demonstrate how you will operate to meet the licensing objectives in the Act, the Council's Statement of Licensing Policy or to meet the concerns of objectors.
- (d) Transferred Conditions – These are conditions that are specified on your current licence issued either by the court or the local authority. These conditions will automatically be included in your new licence unless you apply to vary them.
NB:- Transferred conditions only apply to conversion applications and no other.

Embedded Conditions

Licensing Act 1964

**S.59, 60, 63, 67A, 68, 70
74, 76, LA 1964
On-licences**

Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- e. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- f. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- g. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
or

- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

S.60, 63, 86 LA 1964
Off-licences and off-sales
departments of on-licensed
premises

In this condition, permitted hours means

- a. On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c. On Christmas Day, 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d. On Good Friday, 8 a.m. to 10.30 p.m.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

S.59, 60, 63, 67A, 68, 70,74, 76, 78
LA 1964

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a. On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 11 a.m. to 11 p.m.
- b. On Sundays, other than Christmas Day or New Year's Eve, 12 noon to 10.30 p.m.
- c. On Good Friday, 12 noon to 10.30 p.m.
- d. On New Year's Eve, except on a Sunday, 11 a.m. to 11 p.m.
- e. On New Year's Eve on a Sunday, 12 noon to 10.30 p.m.
- f. On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- g. On Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the chief executive of the justices for the petty sessions area in which the premises are. The said hours shall:
 - i. not exceed six and a half hours;
 - ii. not begin earlier than 12 noon;
 - iii. not end later than 10.30 p.m.
 - iv. provide for a break of at least 2 hours, including 3 p.m. to 5 p.m.;
 - v. not extend for more than three and a half hours after 5 p.m.

The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

S.86A LA 1964
Ports

Permitted hours are disappplied for licensed premises in approved wharfs in ports designated by the Secretary of State.

S.87 LA 1964
Airports

Permitted hours conditions should therefore be omitted.

Permitted hours are disappplied for licensed premises within examination stations in airports designated by the Secretary of State.

S.87A LA 1964

Permitted hours conditions should therefore be omitted.

Licensing justices may by order vary permitted hours of on-licensed

On-licensed vineyards

S.95 LA 1964

**Restaurant licence
Restaurant and residential
licence**

vineyards. Check to see if this applies to premises and adjust conditions accordingly.

Alcohol may be sold or supplied:

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11 a.m. to 12 p.m.
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday: 12 noon to 11.30 p.m.
- (3) On Christmas Day: 12 noon to 11.30 p.m.
- (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight
- (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.
- (6) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)

S.156 Seamen's canteens

Alcohol may be sold or supplied:

- (1) On weekdays, other than Christmas Day, Good Friday or New Year's Eve from 11 a.m. to 11 p.m.
- (2) On Sundays, other than Christmas Day or New Year's Eve, and on Good Friday from 12 noon to 10.30 p.m.
- (3) On Christmas Day from 12 noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- (4) On New Year's Eve, except on a Sunday, 11 a.m. to midnight
- (5) On New Year's Eve on a Sunday, 12 noon to 11.30 p.m.
- (6) Alcohol may be sold or supplied between 3 p.m. and 7 p.m. on Christmas Day to persons taking table meals for consumption as an ancillary to the meal.
- (7) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December)

S.157 LA 1964

Seamen's canteens

Alcohol shall not be sold or supplied for consumption outside the canteen.

S.164 LA 1964

Off-licence

Alcohol shall not be sold in an open container or be consumed in the licensed premises.

S.166 LA 1964

Licensed premises

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied:

- (a) with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal;
- (b) for consumption by a person residing in the premises or his guest and paid for together with his accommodation;
- (c) to a canteen or mess.

S.166 LA 1964

Licensed canteen

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.

S.166 LA 1964

Club premises

Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied, except alcohol sold or supplied with and for consumption at a meal supplied at the same time, consumed with the meal and paid for together with the meal.

S.168, 171, 201 LA 1964

**On-licence, no children's
certificate**

No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

**S.168, 171, 179, 201 LA 1964
Seamen's canteen**

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

No person under fourteen shall be in the bar of the canteen during the permitted hours unless one of the following applies:

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

No person under fourteen shall be in the bar of the canteen during the permitted hours unless one of the following applies:

**S.168, 168A, 171, 201,
Sch 12A LA 1964
On-licensed premises with
children's certificates**

- (1) He is the child of the holder of the premises licence.
- (2) He resides in the premises, but is not employed there.
- (3) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (4) The bar is in premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
- (5) (a) He is in an area shown on the plan attached to the licence.
(b) Meals and non-alcoholic beverages are available for sale for consumption in that area.
(c) He is in the company of a person aged 18 or over.
(d) He is there prior to 9 p.m.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

EMBEDDED CONDITIONS

Children and Young Persons Act 1933

Section 5

**Giving intoxicating liquor to
children under five**

If any person gives, or causes to be given, to any child under the age of five years any *intoxicating liquor*, except upon the order of a duly qualified medical practitioner, or in case of sickness, apprehended sickness, or other urgent cause, he shall, on summary conviction, be liable to a fine not exceeding [level 1 on the standard scale].

Section 12

**Failing to provide for safety of
children at entertainments**

- (1) Where there is provided in any building an entertainment for children, or an entertainment at which the majority of the persons attending are children, then, if the number of children attending the entertainment exceeds one hundred, it shall be the duty of the person providing the entertainment to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof,

than the building or part can properly accommodate, and to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and to take all other reasonable precautions for the safety of the children.

- (2) Where the occupier of a building permits, for hire or reward, the building to be used for the purpose of an entertainment, he shall take all reasonable steps to secure the observance of the provisions of this section.
- (3) If any person on whom any obligation is imposed by this section fails to fulfil that obligation, he shall be liable, on summary conviction, to a fine not exceeding [level 3 on the standard scale] *and also, if the building in which the entertainment is given is licensed..... under any of the enactments relating to the licensing of theatres and of houses and other places for music or dancing, the licence shall be liable to be revoked by the authority by whom the licence was granted.*
- (4) A constable may enter any building in which he has reason to believe that such an entertainment as aforesaid is being, or is about to be, provided, with a view to seeing whether the provisions of this section are carried into effect, and an officer authorized for the purpose by an authority by whom licences are granted under any of the enactments referred to in the last foregoing subsection shall have the like power of entering any building so licensed by that authority.
- (5) The institution of proceedings under this section shall -
 - (a) *in the case of a building [licensed by a local authority] under [section 1 of the Cinemas Act 1985], or under the enactments relating to the licensing of theatres or of houses and other places for music or dancing, be the duty of [that local authority], and*
 - (b) *in any other case, be the duty of the police authority.*
- (6) The section shall not apply to any entertainment given in a private dwelling-house.

Section 23

Prohibition against persons under sixteen taking part in performances endangering life or limb

[No person under the age of sixteen years, and no child aged sixteen years] shall take part in any [performance to which [section 37(2)] of the Children and Young Persons Act 1963] applies, and in which his life or limbs are endangered and every person who causes or procures [such a person or child], or being his parent or guardian allows him, to take part in such a performance, shall be liable on summary conviction to a fine not exceeding [level 3 on the standard scale]:

Provided that no proceedings shall be taken under this subsection except by or with the authority of a chief officer of police.

Section 24

Restrictions on training for performances of a dangerous nature

- (1) No [child] under the age of twelve years shall be trained to take part in performances of a dangerous nature, and no [child who has attained that age] shall be trained to take part in such performances except under and in accordance with the terms of a licence granted and in force under this section; and every person who causes or procures a person, or being his parent or guardian allows him, to be trained to take part in performances of a dangerous nature in contravention of this section, shall be liable on summary conviction to a fine not exceeding [level 3 on the standard scale].
- (2) A [local authority] may grant a licence for a [child who has attained the age of twelve years] to be trained to take part in performances of a dangerous nature.
- (4) A licence under this section shall specify the place or places at which the person is to be trained and shall embody such conditions as are, in the opinion of the [authority], necessary for his protection, but a licence shall not be refused if the [authority] is satisfied that the person is fit and willing to be trained and that proper provision has

been made to secure his health and kind treatment.

LICENSING ACT 2003

MANDATORY CONDITIONS

19 Mandatory conditions where licence authorises supply of alcohol

- (1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.
- (2) The first condition is that no supply of alcohol may be made under the premises licence -
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

20 Mandatory condition: exhibition of films

- (1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film 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).

21 Mandatory condition: door supervision

- (1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires such a condition to be imposed -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to -

- (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
- (3) For the purposes of this section -
- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Voluntary Conditions

Please note that conditions attached to licences and certificates should not duplicate existing legislation.

The sample conditions have been prefixed to identify the licensing objective that they seek to address. However, some conditions may apply to one or more of those objectives.

The prefixes are:

- CD - Crime and Disorder;
- PS - Public Safety;
- PPN - Prevention of public nuisance;
- PCH - Protection of children from harm.

Sample conditions relating to the prevention of crime and disorder.

<u>Communications between Licensed Premises and the Council</u>
<p>CD1 A method of communicating between the Council and licensed premises by way of text / pager or radio links shall be provided at the premises.</p> <p>CD2 Any text / pager or radio link provided for communication with the Council and licensed premises shall be kept in good working order at all times.</p> <p>CD3 When the premises are open to the public, the communications link to the Council or licensed premises shall be switched on and available to and monitored by the Designated Premises Supervisor or a nominated member of staff.</p> <p>CD4 Every incident of crime or disorder in the premises shall be reported via the text / pager or radio link to the Council by the Designated Premises Supervisor or a nominated member of staff.</p> <p>CD5 The Designated Premises Supervisor, when present, and all members of staff shall ensure that all lawful instructions and /or directions given by the Police are complied with. <i>(Note, where the premises hold a club premises certificate, there is no requirement for a Designated Premises Supervisor).</i></p>

Door Supervisors

CD6

There shall be provided at the premises door supervisors who are registered with the Security Industry Authority to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity. *(Note. The conditions may have to be amended to include specific reference to times, dates and licensable activities and number of door supervisors dependant upon the representation(s) made by a responsible authority or the content of the operating schedule.)*

CD7

There shall be employed at the premises not less than (insert number) female door supervisor(s) each of whom is registered with the Security Industry Authority. *(Note. The conditions may have to be amended to include specific reference to times, dates and licensable activities and number of door supervisors dependant upon the representation(s) made by a responsible authority or the content of the operating schedule).*

CD8

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- (i) the door supervisor's name, date of birth and home address;
- (ii) his/her Security Industry Authority licence number;
- (iii) the time and date he/she starts and finishes duty;
- (iv) the time of any breaks taken whilst on duty;
- (v) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable.

Toughened Glasses/Plastic Containers

CD9

No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of delivery.

CD10

No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non-splintering plastic, paper or shatterproof glass.

CD11

No drink shall be removed from the premises in an unsealed container.

CCTV

CD12

A tamper proof CCTV system shall be installed at the premises in liaison with and to the satisfaction of the Greater Manchester Police Local Crime Reduction Officer and shall be used to record during all hours that a licensable activity takes place on the premises.

CD13

A CCTV camera shall be installed at the locations marked, "CCTV CAMERA" on the plan of the premises.

CD14

Where CCTV equipment is fitted, it shall be maintained in good working order in accordance with the manufacturer's instructions.

CD15

A written record shall be kept every time images are recorded by CCTV and shall include details of the

recording medium used, the time and date recording commenced and finished. This record shall identify the person responsible for the recording and shall be signed by him/her. Where the recording is on a removable medium (i.e. videotape, compact disc, flash card etc.), a secure storage system to store those recording mediums shall be provided.

CD16

The images recorded by the CCTV system shall be retained in unedited form for a period of not less than 31 days.

Capacity Limits

CD17

The maximum number of persons allowed in these premises shall be *[insert the numbers, areas and occasions on which the capacity condition applies]*.

Proof of Age Schemes

CD18

There shall be in place for the premises a written policy to prevent the sale or supply of alcohol to persons under 18 years of age. That policy shall require any person who appears to be under the age of 18 years to produce a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.

CD19

A notice or notices shall be displayed in and at the entrance to the premises where they can be clearly seen and read and shall indicate that it is unlawful for persons under 18 to purchase alcohol or for any person to purchase alcohol on behalf of a person under 18 years of age.

CD20

Persons who appear to be under the age of 18 years shall be required to produce proof of age by way of a recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS) or if a proof of age card is not available a photo driving licence, passport or accredited student card.

Crime Prevention Notices

CD21

There shall be displayed on the premises notice(s) to warn members of the public visiting the premises of the incidence of crime, which may affect them. The notice(s) shall be displayed in a position where it is clearly visible to members of the public.

Trading Hours and Licensed Activities Signs

CD22

There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises. (See also CD17)

CD23

Where the premises licence has restrictions relating to the admission of children, a sign detailing those restrictions shall be displayed at the entrance to the premises where it is clearly visible to members of the public visiting those premises.

Large capacity venues used exclusively or primarily for the "vertical" consumption of alcohol (HVVDs).

CD24

There shall be provided at the premises tables in the ratio of 1: (insert number) customers and seats in the ratio of 1: (insert number) customers.

Search policy (drugs and weapons)

CD25

There shall be in force for the premises a search policy for prospective customers which shall be developed in liaison with and to the satisfaction of the Greater Manchester Police Local Crime Reduction Officer.

CD26

There shall be displayed at the entrance to the premises a notice informing prospective customers of the search policy.

Pub and Club Watch schemes.

CD27

The licence holder and/or the designated premises supervisor or a person nominated by them may be a member of and regularly attend at the meetings of the Pub and Club watch scheme for the area within which the premises is located.

Sample conditions relating to Public safety

Evacuation of disabled persons

PS1

When disabled persons are present on the premises there shall be in place arrangements for their safe evacuation in the case of an emergency or other reason. Details of those arrangements shall be recorded in writing and all staff employed on the premises shall be aware of those arrangements.

PS2

All disabled persons on the premises shall be made aware of the evacuation arrangements.

Alterations to the premises

PS3

All parts of the premises shall at all times be kept free from defect and no changes, alterations of any kind to the surface finish or coverings including furniture and flooring on any part of the premises shall be made without the prior approval of the Council.

Escape routes

PS6

All exits and escape routes to those exits (including external escape routes) from the premises shall be provided with non-slip even surfaces and shall be maintained in good repair, correct working order and kept free from all obstructions when the public are on the premises. External escape routes shall also be kept free from ice and snow.

PS7

The nosings on all steps and landings shall be maintained so that they are clearly visible by painting them in contrasting colours or other similar means.

PS8

All doors or gates both inside and outside the premises which are on an escape route shall be fitted only with approved fasteners and shall at all times be properly maintained, free from obstruction and be capable of being opened easily and fully so that they do not restrict the public leaving the premises and shall open in the direction of the escape route.

PS9

Where a door on an escape route opens against the direction of exit travel, it shall be locked in the open position by a tamper-proof fastening when the public uses the premises and there shall be a clearly visible notice in capital letters which contains the following words, "THIS DOOR SHALL BE KEPT LOCKED IN THE OPEN POSITION WHEN THE PREMISES ARE OCCUPIED" displayed in a clearly visible position next to the door.

PS10

All exit doors and gates from premises or enclosure(s) surrounding it shall be capable of being opened by any person without the use of a key, card, code or other similar means and be kept free from all fastening devices when the premises are open to the public.

PS11

All exit routes and doors on such routes shall be checked on every occasion before the premises is used for purposes of a licensable activity and at regular occasions when the premises are open to the public to ensure that they are free from defect, obstruction, trip hazards and surfaces are not slippery. A record of such inspections, any defects discovered and the remedial action taken shall be made in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.

PS12

The method of opening any exit door or gate from the premises or enclosure(s) surrounding it shall be clearly displayed immediately above or below the fastening in white block lettering on a green background in letters not less than 50 mm high.

PS13

Where any automatic self-closing fire-resisting doors activated by a fire alarm or fire detection system are fitted within the premises they shall not be prevented from closing by any device and shall be marked to both sides of the doors so that they are clearly visible and positioned at or about eye level with the words "FIRE DOOR KEEP CLEAR" in block letters not less than 50mm high when the premises are open to the public.

PS14

Where a fire-resisting door is fitted within the premises and that door is required to be kept closed at all times then the door shall be clearly marked on both sides with a sign bearing the words "FIRE DOOR KEEP CLOSED" in block letters not less than 50mm high and clearly visible when the premises are open to the public.

PS15

Where a roller shutter or folding gate is used on any escape route, that shutter or gate shall be locked in the open position when the premises are open to the public.

PS16

Any door or gate in the premises which is not an exit door or gate shall have a sign bearing the word "PRIVATE" in block letters not less than 50 mm high.

PS17

Any chain, padlock or any other device used to lock an exit door when the premises are not in use shall be numbered and shall be removed and stored on a storage hook bearing the same number when the premises are open to the public.

PS18

The furniture or seating in premises shall be arranged so that it does not obstruct any exit, route to any exit or to any facility within the premises.

PS19

Where seats are arranged for a closely seated audience, the seating and gangways shall be fixed and arranged to allow free unobstructed access to exits, routes to exits and the facilities provided in the premises. (Note! Where such seating is provided, reference must be made to the publication, "Guide to Fire Precautions in Existing Places of Entertainment and Like Premises" ISBN 0-11-340907-9 available from the Stationery Office and all good book sellers).

Safety checks

PS20
Before the premises are opened for the purposes authorised by the licence an inspection shall be carried out to ensure that the premises are safe for use. Details of the inspection, defects discovered and remedial action taken shall be recorded in writing in a logbook kept for that purpose. That logbook shall be made available for inspection on demand to an Authorised Officer of the Council, a Fire Officer or a Police Constable.

PS20A
Reasonable provision shall be made to ensure that the premises and facilities are both accessible, and reflect the needs of all sectors of the community.

Curtains, hangings, decorations, upholstery, carpets, walls and ceilings

PS21
The premises shall be maintained so that the following fire retardancy standards are complied with:-

- (i) All upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of BS 5852:1990.
- (ii) All repairs or refurbishment of existing seating or upholstery shall include the removal of untreated polyurethane foam and its replacement by fillings which conform to the Furniture and Furnishings (Safety) Regulations 1988 (as amended).
- (iii) Carpets – B.S.4790 low radius of spread.
- (iv) Walls and Ceilings – Circulation areas, Building Regulations. Class O General Areas, B.S.476 Class1.
- (v) All artificial foliage, floral decorations or any other decoration provided on the premises shall be of inherently flameproof material.

PS22
Where any furnishing or fitting in the premises including wall, floor and ceiling linings, requires further periodic treatment to maintain the surface spread of flame qualities, they shall be treated in accordance with the manufacturers specifications. When such treatment is carried out, a written record shall be made in the log book kept for that purpose and a certificate showing the treatment has been carried out shall be obtained and retained for inspection by the Fire Authority.

PS23
No curtain, hanging or any other decoration shall be positioned so as to obstruct any exit, sign or fire fighting equipment.

Control of occupancy limits

PS24
At all times when the premises are used for the purpose of the *licence/or club premises certificate, the licence holder, a club official, manager or designated premises supervisor who is responsible for the management of the premises shall at all times be aware of the number of persons on the premises and shall if requested to do so give that information to an authorised person. (*delete as appropriate)

PS24A
The maximum number of persons allowed on these premises shall be *(insert the numbers, areas and occasions on which the capacity condition applies)*

PS25
Printed notices shall be prominently displayed in the premises detailing the essential steps that must be taken if a fire is discovered or the fire alarm goes off or other emergency arises and how to call the Fire Service.

Outbreaks of fire

PS26
A person who is nominated for the purpose of taking control in the event of a fire, fire alarm, emergency or event which may effect the safety of persons attending the premises shall be on and in charge of the premises at all times when any licensable activity is being provided. That person shall be responsible for calling the Fire Service in the event of any fire and that person shall also be responsible for meeting the Fire Service and guiding them to the fire.

PS27
Any outbreak of fire of any kind shall be reported to the Fire Service immediately and a written record shall be made in a logbook kept for that purpose.

Loss of water

PS28
Where the water supply to any hydrant, hose reel, sprinkler, drencher or any other fire extinguishing installation is cut off or restricted the Fire Service shall be notified immediately.

Access for emergency vehicles

PS29
Clear and unobstructed access shall be available to the premises for use by the emergency services and emergency service vehicles at all times.

First Aid

PS30
There shall be maintained on the premises at all times an adequate and appropriate supply of first aid equipment and materials.

PS31
At all times when the public are present, at least one person who holds a current recognised first aid certificate or award shall be present on the premises. Where more than one such person is present their duties shall be clearly defined.

Lighting

PS32
When the public, members or guests are present, the lighting levels in all parts of the premises shall be capable of providing sufficient illumination for the public, members or guests to leave the premises safely and there shall be at least one person who is nominated to switch on the emergency lighting in an emergency situation. (Note where the premises are a theatre or cinema, a complete or substantially complete blackout may be permitted for production reasons provided that the exit signs shall be kept lit at all times).

PS33
All fire instruction signs shall be illuminated so that they can be easily read at all times when the public, members or guests are present on the premises.

PS34
The controls for the emergency lighting shall be protected from unauthorised use and accidental operation and the system designed so that the emergency lighting cannot be altered.

PS35
Every battery which is used to power an emergency light or exit sign shall be maintained in a fully charged condition at all times.

PS36
On every occasion before the public, members or guests are admitted to the premises an inspection of all normal and emergency lighting shall take place. A record shall be kept in a logbook of those tests and any faults discovered together with a record of the work carried out to repair those faults. All faults discovered shall be repaired immediately or if that cannot be done then as soon as is possible and the reason for the delay shall be entered in the logbook.

Temporary electrical installations

PS37
No temporary electrical wiring or distribution system shall be installed in the premises unless, the installation is carried out by a suitably qualified and competent person. The premises licence holder or Club Premises Certificate holder shall obtain a certificate from that person that the installation is fit for purpose and complies with British Standard 7671 and where applicable, British Standard 7909. A copy of that certificate shall be produced by the Premises Licence Holder or the Club Premises Certificate Holder if requested to do so by an Authorised officer of the Council or an Officer of the Greater Manchester Fire and Rescue Service.

PS38
Where any temporary electrical wiring or distribution system has been installed in any premises by a person who is not competent to do so, the premises licence holder or Club Premises Certificate holder installation shall have the installation inspected and certified in writing by a suitably qualified and competent person that it is fit for purpose and complies with British Standard 7671 and where applicable, British Standard 7909. A copy of that certificate shall be produced by the Premises Licence Holder or the Club Premises Certificate Holder if requested to do so by an Authorised officer of the Council or an Officer of the Greater Manchester Fire and Rescue Service.

PS39
A written notice has been served on the Licensing Authority not less than ten days before any work commences unless this is not possible due to time constraints. In such cases written notice shall be served as soon as is practicable.

Sanitary accommodation

PS40
The premises shall be provided with adequate lavatory accommodation which shall at all times when the premises are in use be kept clean, ventilated, disinfected and supplied with hot and cold water, soap, toilet tissue, hand drying and sanitary towel disposal facilities as appropriate.

Sports Entertainment

PS41
A Registered Medical Practitioner shall be present at any sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.

PS42
Where the entertainment requires the provision of a ring, it shall be installed by a competent person who shall ensure that it is properly constructed and supported and all materials used in its construction are non-combustible. The Premises Licence Holder or the Club Premises Certificate Holder shall obtain a certificate from that competent person that the ring has been correctly constructed is fit for use and is constructed of non-combustible material. The Premises Licence Holder or the Club Premises Certificate Holder shall produce that certificate if required to do so to an Authorised officer of the Council or Greater Manchester Fire and Rescue Service.

PS43
No member of the public shall be allowed to be seated or to enter an area within 2.5 metres of the outermost edge of the playing area of the sport.

PS44

Where the entertainment relates to the provision of water sports, there shall be present an adequate number of staff who are trained in rescue, life saving and resuscitation. Such staff shall be positioned and remain adjacent to the water at all times the premises are used for entertainment and be readily identifiable to the public by means of conspicuous clothing or other marking system which is visible under all lighting conditions. (See the recommendations in the joint Health and Safety Commission and Sports Council publication "Managing Health and Safety in Swimming Pools").

Special effects

PS45
No smoking or naked flames shall be permitted on any part of the stage during any entertainment unless that use has been notified to the Licensing Authority and is provided in accordance any guidance given by the Greater Manchester Fire and Rescue Service.

PS46
No explosive, liquefied petroleum gas or any other highly flammable materials shall be used or stored on the premises unless notified to the Licensing Authority and is used in accordance any guidance given by the Greater Manchester Fire and Rescue Service.

PS47
No pyrotechnics including fireworks shall be used or stored at the premises unless notified to the Licensing Authority and they are used in accordance with any guidance given by the Greater Manchester Fire Service.

PS48
No dry ice machines or cryogenic fog, smoke machines or fog generators shall be used at the premises unless notified to the Licensing Authority and is used in accordance any guidance given by the Greater Manchester Fire Service.

PS49
Lasers shall only be used on the premises in accordance with the requirements for the safe use of lasers as set down in the HSE Guide, The Radiation of Safety Lasers Used for Display Purposes [HS (G) 95] and BS 60825: Safety of Laser products British Standard 4803: part 3.

PS50
No strobe light shall be used in premises unless a notice which can be clearly seen and easily read by the public warning that strobe lights are in use in the premises is displayed at each entrance to the premises.

Conditions which are generally specific to Theatres, Cinemas, Concert Halls and Similar Places (Promotion Of Public Safety)

Premises used for closely seated audiences

Attendants

PS51
In any closely seated auditorium, there shall be in attendance the number of attendants as set out in the table below and those attendants shall be instructed as to their essential responsibilities in the event of a fire or other emergency and details of such instructions shall be recorded in a logbook kept for that purpose. Account shall be taken of the attendance of disabled persons and children.

<u>Number of Members of an Audience present on a floor</u>	<u>Number of attendants</u>
1 to 100	1
101 to 250	2
Plus one additional attendant for each additional 250 or part of 250 members of the audience present.	
Except where most of the audience are aged below 16 years when the number of attendants shall be on the lower floor, for	
1 to 50	1

51 to 100	2
Plus one additional attendant for each additional 100 or part of 100 members of the audience present and on any floor above the lower floor,	
1 to 25	1
26 to 50	2
Plus one additional attendant for each additional 50 or part of 50 members of the audience present.	

Sitting and standing in gangways etc.

PS52
No person shall sit on any floor within the premises. *(Exceptions to this requirement may be written into the condition).*

PS53
No standing or waiting shall be permitted in (any area) or (except in the following areas*). *(*Specify the area(s), if any, in which standing or waiting is permitted.)*

PS54
In no circumstances shall any person be allowed to: -
(i) sit in any gangway;
(ii) stand or sit in front of any exit; or
(iii) stand or sit on any staircase including any landing.

Balcony fronts

PS55
No item of clothing or any other objects shall be placed over balcony rails or on upon balcony fronts.

Safety curtain

PS56
A safety curtain shall be provided which shall be of robust construction, made of non-combustible materials or inherently or durably treated flame-retardant fabric and shall be able to withstand damage caused by scenery, properties or falling debris. It shall: -

- (a) be of sufficient strength and stiffness to resist the pressure of air likely to be caused by fire in the stage area without distorting to an extent which would cause its withdrawal from its retaining guides;
- (b) provide an adequate seal against the passage of smoke between the stage area and the audience;
- (c) be able to withstand the effects of fire for a sufficient period of time to allow the complete evacuation of the building; and
- (d) be capable of closing within 30 seconds.

PS57
The curtain shall have the words "Safety Curtain" displayed on it in a conspicuous position where it are clearly visible to the audience from all parts of the auditorium.

PS58
The curtain and curtain guides shall be protected by a manually released drencher system arranged to spray the stage face of the curtain with water and to keep the curtain and its guides cool in the event of fire. There shall be provided a clearly indicated duplicated hand release gear to lower the curtain and operate the curtain drencher system one of which shall be situated on the stage side of the curtain and the other on the audience side in a position where it is easily accessible to the fire service and authorised staff.

Alternatively,

PS59

A curtain shall be provided between the stage and the audience, which shall be of robust construction, made of non-combustible materials or inherently or durably treated flame-retardant fabric and shall be able to withstand damage caused by scenery, properties or falling debris. It shall: -

- (a) provide an adequate seal against the passage of smoke between the stage area and the audience;
- (b) be able to withstand the effects of fire for a sufficient period of time to allow the complete evacuation of the building; and
- (c) be capable of closing within 30 seconds.

PS60 The curtain shall have the words "Safety Curtain" displayed on it in a conspicuous position where it is clearly visible to the audience from all parts of the auditorium.

Ceilings

PS61

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a person who is suitably qualified and competent to do so. The Premises Licence Holder shall obtain from the competent person a certificate as to the condition of the ceiling and the date by which a further such inspection shall take place. The Premises Licence Holder shall forward a copy of that certificate to the Licensing Authority within seven days of completion of the inspection. Such inspections shall take place at intervals of not less than five years.

(Note. It may be that only ceilings in specific areas within premises require inspection and certification. In those cases details of the specific ceilings should be incorporated into the condition.)

Seating

PS62

Where the audience is seated around tables, the seating need not be fixed but both tables and chairs shall be arranged so that gangways are clearly identifiable and unobstructed.

PS63

Where less than 250 temporary seats are to be used, then unless the seats are in boxes which cannot accommodate more than eight persons or in other areas which have been approved, chairs or single seats shall be secured together in lengths of not less than four seats and not more than twelve seats.

PS64

Where more than 250 temporary seats are to be used, then unless the seats are in boxes which cannot accommodate more than eight persons or in other areas which have been approved, chairs or single seats shall:

- (a) be secured together in lengths of not less than four seats and not more than twelve seats;
- (b) the end seats of each row shall be fixed to the floor; or
- (c) fixed to floor bars which shall not be more than 25mm in height and have a cambered surface.

PREMISES USED FOR FILM EXHIBITIONS

Attendants at premises where there is not in place a system of communications with staff

PS65

Where there is not in place in the premises a system of alerting staff, there shall be in attendance the number of attendants as set out in the table below and those attendants shall be instructed as to their essential responsibilities in the event of a fire or other emergency and account shall be taken of the attendance of disabled persons and children. Details of such instructions shall be recorded in a logbook kept for that purpose.

Number of members of an audience present on the premises	Minimum number of attendants required to be on duty on the premises
1 to 250	2
Plus one additional attendant for each additional 250 (or part thereof)	
Where there are more than 150 members of the audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor.

Attendants at premises where there is in place a system for communications with staff.

PS66
Where there is in place in the premises a system for alerting staff, there shall be in attendance the number of attendants as set out in the table below and those attendants shall be instructed as to their essential responsibilities in the event of a fire or other emergency and account shall be taken of the attendance of disabled persons and children. Details of such instructions shall be recorded in a logbook kept for that purpose.

Number of members of an audience present on the premises.	Minimum number of attendants required to be on duty.	Minimum number of other staff on the premises who are able to assist in the event of an emergency.
1 to 500	Two	One
501 to 1000	Three	Two
1001 to 1500	Four	Four
1501 to 2000	Five	Five
Over 2000	Five plus one for each additional 500 (or part thereof) of persons on the premises.	Five plus one for each additional 500 (or part thereof) of persons on the premises.

- (b) For the purposes of part (a) of this condition, staff shall not be considered as being available to assist in the event of an emergency if they are: -
- (i) the holder of the premises licence or the manager on duty at the premises; or
 - (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation; or
 - (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
- (c) Attendants shall, as far as is reasonably practicable, be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the public have access.
- (d) The staff alerting system shall be maintained in good working order at all times and checks shall be carried out on the system not less than once per month to check its efficiency. A record of such checks shall be recorded in a logbook kept for that purpose.

Audience under 16 years

PS67
Where the audience in any floor, tier or auditorium consists mainly of unaccompanied persons under 16 years of age there shall be in attendance the number of adult attendants as set out in the table below and those attendants shall be instructed as to their essential responsibilities in the event of a fire or other emergency and account shall be taken of the attendance of disabled persons and children. Details of such instructions shall be recorded in a logbook kept for that purpose.

Number of members of an audience present on the premises (or in any auditorium, cinema unit, or on any floor or tier).	Minimum number of attendants on duty on the premises (or in any auditorium, or on any floor or tier).
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1 to 50	1
<p>Plus one additional attendant for each additional 50 or part of 50 members of the audience present. Plus, one additional attendant where the audience is above the lowest floor of the premises</p> <p><i>(Note it may also be necessary to include a requirement for an attendant to be in the vicinity of the exit(s) from the premises, floor, auditorium etc.)</i></p>	
<p><u>Minimum lighting</u></p>	
<p>PS68 The level of lighting in any auditorium during the showing of films shall be maintained at a level which complies with the standards set out in BS CP 1007 (Maintained lighting for cinemas). <i>(Note, where this standard is not considered to be satisfactory, the appropriate amendment should be made to the condition).</i></p>	
<p><u>Flammable films</u></p>	
<p>PS69 No flammable film shall be allowed on the premises unless notified to the Licensing Authority and it is used or stored in accordance with any guidance from the Greater Manchester Fire and Rescue Service.</p>	
<p><u>Chill room</u></p>	
<p>PS70 Where the regulated entertainment at the premises comprises mainly of fast dance music and the capacity of the premises exceeds (INSERT NUMBER). A "chill room" or "quiet area" shall be provided at the premises and shall have a free and easily accessible supply of drinking water and shall be supervised by a qualified First Aider.</p>	

Sample conditions relating to the prevention of public nuisance

<p><u>Hours of opening</u></p>	
<p>PPN1 The licensed premises/club premises or the parts of the licensed premises/club premises edged in red on the attached plan of the premises may be open to the public/members of the club and their guests between the hours of (insert hours) on the following days (insert days). <i>(Note this condition will have to be re-drafted where the permitted hours are different on different days.)</i></p>	
<p>PPN2 The licensable activity/club qualifying activity namely (specify activity) is permitted to take place on the licensed premises/club premises in those parts of the plan edged in (specify colour) on the attached plan of the premises between the hours of (insert hours) on the following days (insert days).</p>	
<p><u>Noise and Vibration</u></p>	
<p>PPN 3 For premises where entertainment frequently takes place, music and associated sources (including DJs, and amplified voices) should generally not be audible inside noise sensitive property at any time. Where entertainment takes place less frequently, such noise should not be audible inside noise sensitive property between 23.00 and 07.00 hours.</p>	
<p>PPN 4 All external doors and windows shall be kept closed when entertainment is being provided, other than for access and egress and in the event of an emergency. If additional ventilation is subsequently necessary, then it shall be attenuated in accordance with a scheme submitted to the licensing authority.</p>	
<p>PPN 5</p>	

The noise level from the premises whilst being used for public entertainment purposes shall not exceed (insert limit) measured at any point (insert location).

PPN 6

The licence holder or his representative shall conduct regular assessments of the noise coming from the premises on every occasion the premises are used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments in a log book kept for that purpose and shall include, the time and date of the checks, the person making them and the results including any remedial action.

PPN7

There shall be placed at all exits from the premises in a place where they can be seen and easily read by the public, (or member and their guests) notices requiring customers to leave the premises and the area quietly. *(Note, this may also include a reference to vehicles).*

PPN 8

Disposal of waste bottles into external receptacles must not occur between xx.xx and yy.yy

Noise and Vibration Continued

PPN 9

No music or speech shall be relayed via external speakers other than for events with prior approval of the licensing authority.

PPN 10

Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between xx.xx and yy.yy

PPN 11

Staff must be given adequate instruction to prevent them causing unnecessary noise when they leave the premises and prominent, clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.

PPN12

A noise impact assessment of the licensed activities at the premises shall be carried out to the satisfaction of the licensing authority. Where the assessment indicates that noise control measures are necessary, a scheme shall be submitted to the licensing authority and implemented before the activities take place.

PPN13

A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises.

PPN14

The *(doors/windows)* at *(specify)* shall be fitted with *(double/acoustic dual)* glazing in order to improve the sound attenuation of the premises.

PPN15

A sound insulation scheme to the *(relevant parts of the premises)* must be agreed with the licensing authority and the work completed to the licensing authorities satisfaction before entertainment takes place.

PPN16

A *(sound trap lobby/acoustic door/automatic door closer)* shall be installed to the *(describe location)*

PPN17

An alarm shall be fitted to *(all external windows/fire doors)* which alerts staff when *(they/it)* are opened without authorisation.

PPN18

Speakers shall be located and fixed within the premises in a manner so as to minimise disturbance

arising from structure borne vibration.

PPN19

The (*garden/patio*) must not be used by customers after the hours of xx.xx

PPN20

No inflatable play equipment shall be used without the agreement of the licensing authority with respect to its hours of use and other conditions as may be appropriate.

Offensive smells

PPN 21

There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.

PPN 22

Where there are any offensive smells created on the premises, provision shall be made for such smells to be vented from the premises so that they do not cause a nuisance to nearby premises.

Waste materials

PPN23

There shall be provided at the premises containers for the storage and disposal of waste foods and other refuse from the premises. Those containers shall be constructed, maintained and located /secured so that access to them by vermin and unauthorised persons is prevented and arrangements made for the regular disposal of their contents in accordance with the duty of care provisions (Section 34) of the Environmental Protection Act 1990.

PPN 24

Where the premises provides food to the public for consumption on or off the premises, there shall be provided outside the premises, at or near the exits, sufficient waste bins to enable the disposal of waste food, food containers, wrappings and other litter.

PPN 25

Where the premises provide food for consumption off the premises, the public area outside and adjacent to the premises shall be cleared of waste food, food containers, wrappings and other litter which originated from the premises.

PPN 26

Where flyers are used by premises, the premises shall be responsible for the removal of any discarded flyers from public areas. Where large numbers of flyers are found in public areas relating to the premises and the premises does not remove them without delay, they shall meet the cost of removal by the Council.

PPN27

Posters advertising the premises or acts/events at the premises shall not be fixed to any building or structure without permission of the owner and planning permission where necessary.

Light pollution

PPN 28

No light from or on the premises and any other light under the control of the premises shall be provided where that light causes a nuisance to any nearby premises, unless it is considered necessary by the local Police force to prevent crime and disorder.

Sample conditions relating to the Protection of children from harm

Age restrictions – general

PCH1

No person under the age of 18 years shall be permitted on the premises when they are being used for the purposes of the supply of alcohol and/or the provision of regulated entertainment.

PCH 2

No person under the age of 12 years, unless they are accompanied by a person over 18 years, shall be permitted on the premises at any time between 10.00 p.m. and 7.00 a.m. when the premises are being used for the purposes of a licensable activity other than the supply of alcohol.

PCH 3

No person under the age of (specify age) shall be permitted on the premises between the hours of (specify hours, days).

Age restrictions – cinemas

PCH 4

The admission of children to a film exhibition shall be restricted in accordance with Section 20 of the Licensing Act 2003.

PCH5

The film classification body for the purposes of this licence shall be the British Board of Film Classification.

PCH6

Where any film has not been classified by the film Classification body then such film shall be submitted to the Licensing authority not less than 28 days before it is proposed to show it to enable the Authority to classify it and attach such age restrictions as it considers appropriate.

PCH7

No film exhibition shall be shown at the premises unless it has been classified by the British Board of Film Classification or by the Licensing Authority and only the following classifications shall be applied:-

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 years and over,

18 – Passed only for viewing by persons aged 18 years and over.

PCH 8

Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.

PCH9

Where a programme includes a film recommended by the Licensing Authority as falling into the 12A, 15 or 18 category no person appearing to be under the age of 12 and unaccompanied, or under 15 or 18 as appropriate, shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:-

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART

OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction. This condition shall not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parent or legal guardian has first been obtained.

Age restrictions - Theatres

PCH10

Where the performance of a play is to be provided at the premises which contains material of an adult nature, no person under the age of *[Insert age]* shall be admitted to those premises.

Performances especially for children

PCH11

Where unaccompanied children are present on the premises then if those children are on a floor or tier which is above the ground floor of the premises no standing shall be allowed at any time during a performance.

Children in performances

A child is a person under the age of 16 years.

PCH12

The backstage facilities shall be large enough to accommodate safely the number of children taking part in any performance.

PCH13

All persons involved in any way in the production of that performance or in the chaperoning of the children or in relation to safety shall be fully trained in all procedures relating to fires or any other emergency before the children are allowed on the premises. Details of such training shall be recorded in writing in a logbook kept for that purpose.

CH14

Where any premises are to be used for any performance which includes the participation of children, such children shall at all times when they are on the premises remain under the supervision of an adult.

PCH15

Where any premises are to be used for any performance which includes the participation of children, a written list shall be kept of all children on the premises. That list shall contain the full name, address, telephone number and details an adult contact for each child, a record of the time at which each child entered the premises and the time at which each child left the premises. That list shall be retained in the possession of a responsible adult at all times when children are on the premises and shall be immediately available to a member of the emergency services following any evacuation of the premise as a result of a fire, emergency or for any other reason.

The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

PCH16

The Premises licence and the designated premises supervisor shall at all times comply with the Portman Group Code of Practice and with the requirements or recommendations of any Portman Group Retailer Alert Bulletin.

PCH17

(Where any premises is used for the supply of alcohol on behalf of a club or to the order of members of a club). The Committee shall at all times comply with the Portman Group Code of Practice and with the requirements or recommendations of any Portman Group Retailer Alert Bulletin.

Proof of Age cards

Please see conditions CD 18, 19 and CD 20

Public Entertainment Conditions

The conditions below are ones that have been used in relation to Public Entertainment Licences issued by the Authority.

In relation to conversion applications, unless a variation was applied for, these conditions would automatically transfer over to the new Premises Licence.

In respect of new Premise Applications these conditions could be considered, in line with the Licensing Policy, and other conditions detailed in this guide.

Conditions

The licensed premises shall be closed for the public entertainments herein permitted on Sundays and Christmas Day unless the Council issues a written consent to vary this condition.

The licensed premises shall not be kept or used for the purpose of public entertainments except between the hours of _____ without the written consent of the Council.

The Licensee shall not admit any member of the public to the licensed premises between the hours of 1.00am and 2.00am on any day of the week. *(this only applies to premises open after 12 midnight)*

Any authorised Officer of the Council, the Fire Authority or any Police Constable may, on production if so required of his authority, at the times permitted under the Local Government (Miscellaneous Provisions) Act 1982 enter the premises and inspect them with a view to seeing whether the terms, conditions or restrictions of this licence are being complied with.

The Licensee shall be fully responsible for the carrying, out of each and every one of these terms and conditions and for the safety of the public and employees in the event of fire or panic, and shall ensure that he complies with all relevant legislation relating to the use of the premises.

For every breach of the terms of the licence or those Regulations, the Licensee is liable on summary conviction to a fine not exceeding level five and the licence may be revoked.

The Licensee or some other responsible person nominated by the Licensee in writing shall be in charge of and upon the licensed premises during the whole of the time that they are being used for the purpose aforesaid and there shall also be during that time sufficient staff of competent attendants on duty on the premises. The person in charge shall not be engaged in any duties which will prevent him from exercising general supervision.

On the licensed premises whilst the said premises are being used for the public entertainment there shall be installed a telephone to which the person in charge of the licensed premises shall have access at all times and a notice must be prominently displayed above the telephone stating "FIRE - DIAL 999"

The total number of persons to be accommodated in the premises whilst the premises are used for public entertainment shall not exceed _____ and a notice shall be prominently displayed in the entrance to the premises which clearly indicates the maximum number of persons allowed on the premises at any one time.

The Licensee shall ensure that all persons entering and leaving the premises are counted by his employees or agents using counting machines or other methods approved by the Licensing Authority. The total recorded on each counting machine shall at all times be available for inspection by an Officer of the Licensing Authority, the Fire Authority, or the Greater Manchester Police.

The Licensee shall employ an employee or agent as an attendant at each exit door in normal use from the licensed premises from 11.00pm until all persons have left the premises.

Any exhibition, demonstration or performance (hereafter referred to as a "performance") of hypnotism (as defined in the Hypnotism Act 1952) on any person will require the express written consent of the licensing authority and must comply with the following conditions. The Authority may consent either under the terms of a public entertainments licence or under the provisions of the Hypnotism Act 1952.

Publicity

(a) no poster, advertisement or programme for the performance which is likely to cause public offence shall be displayed, sold or supplied, by or on behalf of the licensee either at the premises or elsewhere;

(b) every poster, advertisement or programme for the performance which is displayed, sold or supplied shall include, clearly and legibly, the following statement:

"Volunteers, who must be aged 18 or over, can refuse at any point to continue taking part in the performance".

(c) the performance shall be covered to a reasonable level by public liability insurance. The hypnotist must provide evidence of this to the local authority if requested; and it must be available for inspection at the performance;

Physical arrangements

(d) the means of access between the auditorium and the stage for participants shall be properly lit and free from obstruction;

(e) a continuous white or yellow line shall be provided on the floor or any raised stage at a safe distance from the edge. This line shall run parallel with the edge of the stage for its whole width. The hypnotist shall inform all subjects that they must not cross the line while under hypnosis, unless specifically told to do so as part of the performance;

Treatment of audience and subjects

(f) before starting the performance the hypnotist shall make a statement to the audience, in a serious manner, identifying those groups of people who should not volunteer to participate in it; explaining what volunteers might be asked to perform; informing the audience of the possible risks from embarrassment or anxiety; and emphasising that subjects may cease to participate at any time they wish. The following is a suggested statement, which might be amended as necessary to suit individual styles so long as the overall message remains the same:

"I shall be looking for volunteers aged over 18 who are willing to be hypnotised and participate in the show. Anyone who comes forward should be prepared to take part in a range of entertaining hypnotic suggestions but can be assured that they will not be asked to do anything which is indecent, offensive or harmful. Volunteers need to be in normal physical and mental health and must ask that no-one volunteers if they have a history of mental illness, are under the influence of alcohol or other drugs or are pregnant".

(g) no form of coercion shall be used to persuade members of the audience to participate in the performance. In particular, hypnotists shall not use selection techniques which seek to identify and coerce onto the stage the most suggestible members of the audience without their prior knowledge of what is intended. Any such of such selection techniques (e.g. asking members of the audience to clasp their hands together and asking those who cannot free them again to come onto the stage) should only be used when the audience is fully aware of what is intended and that participation is entirely voluntary at every stage,

- (h) if volunteers are to remain hypnotised during an interval in the performance, a reasonable number of attendants as agreed with the licensing authority shall be in attendance throughout to ensure their safety;

Prohibited Actions

- (i) the performance shall be so conducted as not to be likely to cause offence to any person in the audience or any hypnotised subject;
- (j) the performance shall be so conducted as not to be likely to cause harm, anxiety or distress to any person in the audience or any hypnotised subject. In particular, the performance shall not include:
- (ii) any suggestion that the subject has lost something (e.g. a body part) which, if it really occurred, could cause considerable distress;
- (iii) any demonstration in which the subject is suspended between supports (so-called "catalepsy),
- (iv) the consumption of any harmful or noxious substance;
- (v) any demonstration of the power of hypnosis to block pain (e. g. pushing a needle through the skin);
- any suggestion involving the age regression of a subject (i.e., asking the subject to revert to an earlier age in their life; this does not prohibit the hypnotist from asking subjects to act as if they were a child etc);
- (k) the performance shall not include giving hypnotherapy or any other form of treatment,

Completion

- (l) all hypnotised subjects shall remain in the presence of the hypnotist and in the room where the performance takes place until all hypnotic suggestions have been removed;
- (m) all hypnotic or post-hypnotic suggestions shall be completely removed from the minds of the subjects and the audience before the performance ends. All hypnotised subjects shall have the suggestions removed both individually and collectively and the hypnotist shall confirm with each of them that they feel well and relaxed (the restriction on post-hypnotic suggestions does not prevent the hypnotist telling subjects that they will feel well and relaxed after the suggestions are removed);
- (n) the hypnotist shall remain available for at least 30 minutes after the show to help deal with any problems which might arise. (Such help might take the form of reassurance in the event of headaches or giddiness but this condition does not imply that the hypnotist is an appropriate person to treat anyone who is otherwise unwell).

Authorised Access

- (o) where:
- (i) a constable; or
- (ii) an authorised officer of the licensing authority; or
- (iii) an authorised officer of the fire authority

has reason to believe that a performance is being, or is about to be, given he may enter the venue with a view to seeing whether the conditions on which approval for the performance was granted are being complied with.

19. No public entertainment which is obscene, offensive to public decency or calculated to excite any breach of the peace shall be allowed.

20. Whilst the premises are being used for the public entertainment drunkenness or other disorderly conduct shall not be [permitted in](#) case any disorderly conduct should occur the licensee shall assist in the capture, expulsion and conviction of the offenders.
21. i) No person engaged in vetting customers, maintaining public order, or engaged in the care and control of customers, (hereinafter referred to as security staff), whether it be permanently or occasionally, can be engaged as security staff until they have been registered by the Security Industry Authority (SIA).*
- *As amended by The Private Security Industry Act 2001 (Modifications of Local Enactments Order 2004)
- ii) The licensee must ensure that all security staff shall, whilst so employed, wear an identification badge issued in accordance with the SIA Scheme.
- iii) Where the licensee or his employer engages any person(s) at any premises licensed by Oldham Metropolitan Borough Council for Public Entertainment in the capacity of security staff, the licensee shall maintain a log in a form approved by the Council, showing in respect of each period of duty of that person:
- (a) the name, date of birth and residential address of that person and registration number.
- (b) the time at which he/she commenced that period of duty with a signed acknowledgement by that person;
- (c) the time at which he/she finished the period of duty with a signed acknowledgement by that person;
- (d) any times during the period of duty when he/she was not on duty;
- (e) if that person is not an employee of the licensee or his/her employer, the name of the person by whom that security person is employed or through whom the services of that person were engaged.

The log shall be so kept that it can be readily inspected at any time during which the premises are licensed for Public Entertainment or at any other reasonable time, by **an** authorised officer of the Council or a Police Officer and once a log has been completed, it must be retained on the premises for at least twelve months.

- iv) The Licensee, shall, as soon as is reasonably practicable, notify the Oldham Metropolitan Borough Council of any security staff dismissed or warned by the licensee for serious misconduct which might reasonably affect the continuation of, or renewal of such security staffs' registration e.g. serious misconduct will include, but is not limited to, unprovoked attack on any customer or abusive or aggressive behaviour, drinking on duty and/or being unfit through drink or drugs, repeated failure to comply with the conditions off the Doorsafe Registration
- A licensee, when requested, shall identify by name those persons employed by him to a police Officer or Authorised Officer of the Council.
- v) The licensee shall ensure that all security staff are given adequate oral and written instruction in respect of their duties under the Doorsafe Registration Scheme.
- vi) No licensee shall employ security staff in circumstances where their Doorsafe Registration, whether provisional or full, has been suspended or revoked or where any licence has expired.
22. The Licensee shall take reasonable precautions to ensure that noise does not emanate from the licensed premises such as to cause persons in the neighbourhood to be unreasonably disturbed.
23. The Licensee shall take reasonable steps to ensure that persons leaving the licensed premises conduct themselves in an orderly manner and do not cause annoyance to local residents and/or passers-by.

24. Whilst the premises are being used for the public entertainment, electrical installations must comply with any applicable Rules and Regulations affecting the use of electricity for the time being in force and every two years the Licensee must obtain a certificate of safety provided by a registered electrical contractor or competent electrical engineer on behalf of the Licensee indicating that the installation is maintained in a safe and satisfactory condition. This certificate shall be submitted to the Council on request. Applications for FIRST grant of a licence shall be accompanied by the Electrical Certificate.
25. All parts of the licensed premises whilst being used for the public entertainment shall be properly and sufficiently heated and ventilated.
26. The ceilings of premises used for the public entertainment must be inspected and examined at least every five years, by a competent architect or surveyor on behalf of the licensee and his report shall be submitted to the Executive Director, Environmental Services within seven days of such examination.
27. The noise from the premises whilst being used for the public entertainment shall not exceed the level that may be prescribed by the Council.
28. The premises shall be provided with such means of escape in case of fire for all persons resorting thereto as may be reasonably required by the Council and shall be maintained in an efficient manner at all times. The means of ingress and egress and the passages and gangways shall during the whole time that the licensed premises are used for the public entertainment be kept free and unobstructed.
29. The general fire precaution arrangements shall be approved by the Council and shall at all times be maintained to a standard satisfactory to the Council and all persons employed in the premises shall be given instructions and training in the procedure to adopt in case of fire.
30. Such portable fire extinguishers as may be considered by the Council to be required shall be provided at approved positions in the premises and shall be maintained in an efficient state in good working order and repair.
31. The whole of the premises to which the public have access (including toilet areas) shall be provided with an emergency (battery) supply of illumination, arranged to come into operation automatically on the failure of the main supply. Such system shall be capable of maintaining the necessary level of illumination for a period of three hours from the time of failure or disconnection of the normal supply and may be either self-contained battery powered lighting units incorporating their own charger, or powered from a central source within the premises. In the latter case, all wiring to be in M.I.C.C. or P.V.C. insulated copper cable in screwed metal conduit. The whole installation to be in accordance with B.S. 5266 : Part 1: 1988.
32. The premises shall be provided with adequate sanitary accommodation which shall be effectively maintained, cleansed, ventilated, disinfected and supplied with all proper requisites.
33. The Licensee, before installing any laser equipment or pyrotechnic device in the premises shall notify the Executive Director, Environmental Services of his intention to do so. Thereafter, such equipment shall be installed, maintained and operated in accordance with a Code of Practice to be specified by the Executive Director, Environmental Services.
34. Reasonable provision be made to cater for the needs of the disabled by way of access and egress to and from the premises, internal circulation, and the provision of appropriate toilet facilities.
35. All doors which are normally used as emergency exits only should be fitted with an alarm or other such device as shall be approved by the Council, which is activated whenever the doors are opened. The alarm must be clearly distinguishable from any fire alarm within the building and should sound in an area permanently manned by management/staff whilst the premises are occupied.
36. One of the following protective measures shall be used for all socket outlets which may be used for the connection of lighting, video or sound amplification equipment and display models.
 - (a) Each socket outlet circuit shall be protected by a residual current device having rated residual operating current not exceeding 30mA.

- (b) Each individual socket outlet shall be protected by an integral residual current device having a rated residual operating current not exceeding 30mA.

The correct operation of all residual current devices shall be checked regularly by pressing the test button. If the device does not switch off the supply, an electrical contractor should be consulted. At the same time, action should be taken to prohibit the use of socket outlets associated with a faulty residual current device.

Oldham MBC Environmental Health

Guide To Noise Management for Licensed Premises

1.0 Introduction

Excessive noise is a major cause of nuisance. One of the key objectives of Oldham's licensing policy is the prevention of public nuisance. This guide has been produced with reference to the Institute of Acoustics 'Good Practice Guide on the Control of Noise from Pubs and Clubs' 2003. Its purpose is to assist licensees and those applying for licences on the management of noise from their premises. All licensees should use this guide to aid the prevention of noise problems. However, it will also be a useful source of information where noise has already been identified as an issue, and a reactive approach is needed.

2.0 Public Relations

It is recommended that licensees take a proactive approach to public relations. Maintaining open communications with residents can prevent noise complaints. For example if an outdoor event is planned, a letter to local residents advising them of the event, its finishing time, and contact details can be helpful. In situations where there is a history of complaint, it can be useful to hold regular liaison meetings with local residents.

3.0 Sources of Disturbance

The main sources of noise that can cause disturbance from licensed premises include:

- Music, singing and speech, both amplified and non-amplified, originating from inside and outside buildings, including recorded or live music, and public address systems/tannoy's.
- Activities in beer gardens and play areas
- Rowdy behaviour, shouting, cheering etc.
- Use of car parks and access roads and arrival/departure of taxis etc.
- Delivery, collection and storage activities (including beer deliveries, collection and storage of recyclables, and also including artist's equipment).
- Plant and machinery (including ventilation systems, air conditioning units and chilling equipment).

There is also the potential for disturbance from patrons who have left the premises.

4.0 Noise Management

The level of noise, which is acceptable, will vary depending on the time of day, the nature of the activity, and the prevailing background noise in the area.

For premises where entertainment frequently takes place, music and associated sources (including DJs, and amplified voices) should generally not be audible inside noise sensitive property at any time. Where entertainment takes place less frequently, such noise should not be audible inside noise sensitive property between 23.00 and 07.00 hours.

The low frequency component of music (bass) can be especially problematic because it can often be heard some distance from the noise source. Quite often the only way to resolve the problem is to reduce the bass level of the music being played.

A noise assessment should be carried out to ensure a preventative approach is taken, and that any potential problems are considered at an early stage. A noise assessment form is included at the end of this guidance to help you carry out the assessment.

As well as appropriate noise control measures, licensees will be expected to put in place arrangements to monitor noise and keep records of this monitoring in a log book. The type of monitoring necessary could range from a simple perimeter survey and listening test by an employee or licensee (without the use of sound measuring equipment) to a full acoustic assessment using competent consultants, taking detailed measurements.

As a general rule, a noise assessment should be carried out prior to a license application and where the premises are in a residential area, then a perimeter survey should be carried out whenever entertainment is taking place.

A noise assessment should also be undertaken in the following circumstances:

- If new noise sources and/or control measures are introduced.
- If a new entertainment activity is planned
- When a new entertainment activity is commenced
- When considering alterations to any premises and again, after completion of these alterations
- Before and after the introduction of new machinery
- Before and after extending opening hours
- Following the receipt of a complaint from a member of the public, or the local authority

5.0 Noise Control Measures

New Premises

At the design stage of new premises, or the refurbishment of existing premises, consideration should be given to the site layout, with a view to preventing noise disturbance. In particular, attention should be paid to the location of entrances and exits, windows, car parks, access roads, gardens and play areas, and commercial delivery and collection area. It may be necessary to take advice on the use of screening and some of the more technical source-specific noise control measures from a competent person. It is also advisable to seek the views of the local authority at the design stage.

New and Existing Premises

At the design stage for new premises, when planning the refurbishment of existing premises, or when noise disturbance is occurring from existing premises, the following measures should be considered:

The determination of an appropriate level of sound insulation based on realistic noise levels

The construction of cavity masonry walls, or the addition of sound insulation or independent wall linings to enhance the containment of sound, and to minimise the transmission of structure borne sound.

The provision of lobbies with automatic door-closers for building entrances and exits. Where possible, the distance between the inner and outer doors should be sufficient to ensure that one door set is normally closed as people pass through the lobby. It will also be necessary to ensure that wheelchair access is not hindered;

- The provision of properly sealed acoustic doors on emergency exits;
- The provision of dual acoustic glazing;
- The provision of mechanical ventilation or air conditioning systems that will enable windows and doors to be kept closed, hence reducing noise breakout. However, such plant can also create noise or allow internal noise to breakout through ducting or apertures in the structure, and will often need acoustic treatment.
- The installation of visual or audible alarms to alert staff that doors or windows that should be kept closed, are open
- The control of music noise at source, either by reducing the overall sound level of the music, or by reducing the sound level at individual frequencies which are causing, or have the potential to cause, disturbance;

- The playing of more calming types of music towards the end of an event (this may also help reduce the potential for rowdy behaviour);
- The installation of a noise limiting device (noise limiter), connected to all permanent music and public address equipment and all available mains power sockets within the area around the stage. The limiter should be set at a level agreed with the local authority. It should however be noted that in very noise-sensitive situations, it may be found that such devices have to be set so low that music events are not viable. Alterations to the number, location and mounting of loudspeakers so that internal music levels can be kept as low as possible and the transmission of structure-borne noise is minimised.

Use of Gardens and Play Areas

The use of gardens and external play areas from which noise disturbance has arisen, or may arise, should not commence before the start of normal trading hours and should normally cease at dusk or at 21.00 hours, whichever is the earlier.

Where there are nearby noise-sensitive premises, the use of lighting in garden and external play areas late into the evening can be undesirable, unless required for health and safety or security reasons. The provision of such lighting may encourage patrons to congregate in these areas and cause noise disturbance at this more sensitive later time.

Rowdy Behaviour

This problem can arise at the end of an event, as closing time approaches and afterwards. Posting notices close to the exit doors and in car parks, requesting patrons to leave and disperse quietly, may improve the situation. Relaying a similar message through a PA system, where this is practicable, will reinforce such requests. However care must be taken to ensure the PA system itself is not so loud as to cause a disturbance.

In situations where noise-sensitive premises overlook the main entrance/exit, the use of alternative entrance/exit routes, possibly onto a rear or side street or a car park, may also help to minimise disturbance. Door staff should also assist in minimising disturbance by actively managing entrances and exits.

Use of Car Parks and Access Roads

At the planning stage, access roads and car parks should be kept as far away as possible from noise-sensitive premises. If natural screening exists, then where possible, its potential for minimising noise disturbance should be used. In addition, the screening provided by nearby existing and proposed non noise-sensitive buildings, should be considered. In some instances, it may also be appropriate to consider the provision of purpose built screening.

Noise from car parks and access roads normally only becomes an issue when patrons are leaving a venue during the later part of the evening or at night. The provision of closed circuit television (CCTV) systems in these areas can provide an effective and safe method of monitoring activities during these periods, and thus allow rapid control or prevention of incidents that may cause noise disturbance.

A specific taxi operator could be nominated for staff use. The company's telephone number could also be advertised to customers at the venue. Steps should be taken to ensure that any such operator, and all drivers, are aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily. In addition, staff should be required to leave as quietly as possible, particularly at night and early in the morning.

Delivery/Collection/Storage Activities

Steps should be taken at the planning stage to minimise the potential for noise disturbance from deliveries and collections. Particular attention should be paid to the siting of loading, unloading and/or storage areas and the need to minimise vehicle maneuvering, especially reversing.

If there are frequent commercial deliveries, and/or collections that are resulting in noise disturbance, those involved in managing the premises should discuss the following issues with their suppliers and implement those that are necessary and appropriate:

- Restricting such activities, for example, to the normal working day;

- Attempting to limit the number and/or frequency of deliveries and collections;
- Using alternative loading and unloading areas;
- Using alternative delivery/collection vehicles; and
- Using alternative methods of delivery/collection/loading/unloading

Where premises are close to noise-sensitive properties, the handling of beer kegs, bottles and other similar items should be avoided in the late evening, at night and during the early morning, particularly outdoors. Similar steps may also be necessary to restrict the use of bottle banks at these times.

Noise from Plant and Machinery

Where possible, any externally located plant and machinery should be positioned in such a way that the building structure provides as much screening as possible for nearby noise-sensitive properties. Alternatively, or additionally, control measures such as acoustic enclosures, acoustic louvres, silencers, or additional acoustic screening may be necessary.

Where plant and machinery are in, or on, premises that are structurally attached to noise-sensitive property, e.g. a flat above a pub or club, this equipment may need to be installed on anti-vibration mounts to minimise the transmission of structure-borne noise.

Regular maintenance should be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

Outdoor Events

An outdoor event should not be held without consultation with the Local Authority's Environmental Health Department. It is generally not advisable to hold regular outdoor events on premises that are close to noise-sensitive properties. However, if such events are planned, advice should normally be sought from a competent person. This advice should be discussed with the local authority well in advance of an event to agree and arrange any noise control measures that may be necessary.

The following noise control measures should be considered:

- Directing loudspeakers away from the most noise-sensitive buildings;
- Locating stages as far away as possible from, and facing away from, noise-sensitive properties; and
- Using screening provided by existing non-sensitive buildings, barriers and topographical features and the erection of purpose built screening.
- Given the particular difficulties in controlling noise from outdoor events, entertainment which could affect noise sensitive properties should finish as early as possible in the evening so as to minimise potential sleep disturbance.
- A proactive approach to managing public relations is recommended.

Glossary of Terms

Audible Sound that can be heard

Inaudible Sound that cannot be heard.

Log book A record kept by the Licensee of all noise monitoring, noise limiter settings, and any technical data pertinent to noise control such as maintenance records. Also details of any complaints received, resulting actions and responses.

Noise sensitive Property These are properties where the occupiers are likely to be sensitive to noise from licensed premises. As well as residential property, such properties include schools, hospitals, hotels, libraries, churches, and other places of worship.

Useful References

Good Practice Guide on the Control of noise from Pubs and Clubs, Institute of Acoustics, March Oldham MBC Licensing Policy, September 2004

Useful Addresses Institute of Acoustics 77a St Peters Street St Albans Herts AL1 3BN

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