

Pool of Licence Conditions



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

The following licensing conditions can be applied to different types of premises. They can be used as a guide for applicants, residents, Councillors, agencies and responsible authorities when making, commenting on or considering applications. This list is not exhaustive and should be used as a guide to help promote the four licensing objectives.

Use of beer gardens/external areas
The <i>[front]</i> <i>[rear]</i> <i>[side]</i> outside area shall not be used after <i>[insert times]</i> on <i>[insert days]</i> .
The <i>[external drinking area]</i> shall be kept clear of all customers between <i>[XX:XX p.m.]</i> and <i>[XX:XX a.m.]</i> the following day;
There shall be no customers in the <i>[front]</i> <i>[rear]</i> <i>[side]</i> between <i>[XX:XX]</i> hours and <i>[XX:XX]</i> hours the following day.
No food or drink shall be consumed by customers on the front forecourt area of the Premises after <i>XX:XX</i> hours, unless they are seated at tables and it is ancillary to the consumption of a substantial table meal.
The external doors of the Premises shall be kept closed except for immediate access and egress and the windows shall be locked shut from <i>XX:XX</i> hours until the Premises closes.
The outside tables and chairs shall be rendered unusable by <i>[XX:XX]</i> hours each day.
All tables and chairs shall be removed from the outside area by <i>[XX:XX]</i> hours each day.
All patrons and staff shall only smoke in the designated area for smoking <i>[specify where]</i> at all times
The designated queuing area shall be enclosed within appropriate barriers to ensure the footway is kept clear.
There shall be no more than <i>[insert number]</i> people in/on the <i>[insert area description]</i> at any one time after <i>[insert time]</i> .
Customers permitted to temporarily leave e.g. to smoke and then re-enter the premises shall not be permitted to take drinks or glass containers with them.
Where customers are permitted to smoke immediately outside the premises, smoking bins/ashtrays/receptacles shall be provided.

Signage shall be prominently displayed advising customers that drinks or glass containers are not permitted outside the premises building.
Where customers are permitted to drink alcohol/smoke outside the premises, a minimum of <i>[insert number]</i> registered door supervisors shall be used to monitor and manage those customers from <i>[insert times]</i> on <i>[insert days]</i> .
Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
External lighting for the premises shall be turned off after the premises are closed to the public.
Door supervisors and door entry policies
A minimum of <i>[insert number]</i> SIA licensed door supervisors shall be on duty at the premises during the hours of <i>[insert times]</i> on <i>[insert days of week]</i> .
A minimum of <i>[insert number]</i> SIA door supervisors shall be provided on <i>[insert days of week]</i> to patrol external areas of the premises between the hours of <i>[insert times]</i> .
A minimum of <i>[insert number]</i> SIA door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
A minimum of <i>[insert number]</i> SIA door supervisors shall be on duty at the premises from <i>[insert time]</i> until all customers have left the premises and its vicinity.
At least <i>[insert number]</i> female door supervisor shall be provided where door supervisors are used to search female customers.
Where SIA registered door supervisors are used at the premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty.
All door supervisors shall be provided with a radio which allows communication between all members of the door supervisor team and the premises manager.
When door supervisors are on duty 'Clickers' or other recognised counting devices shall be used. An accurate log of patron numbers shall be maintained by door supervisors.
A copy of the premises licence shall be provided to any company involved in the provision of security services at the premises.
All door supervisors shall wear high visibility vests/jackets.
The door supervisor[s] shall properly control customers outside the Premises so that they leave quickly and quietly and do not congregate on the pavement outside the Premises <i>[causing noise and nuisance to residents living in the vicinity]</i> ;
The door supervisor[s] shall maintain orderly queuing outside of the Premises <i>[and shall ensure that there is no obstruction of the highway]</i> ;
An identification scanning and checking system shall be used and maintained in the Premises and; <ul style="list-style-type: none"> a) a staff member from the premises who is conversant with the operation of the ID scanner shall be on the premises at all times that the premises are open to the public. This staff

member will be able to show police or authorised officers of the Licensing Authority that the ID scanner is working correctly.

- b) the installation and/or maintenance of such equipment shall be to the written satisfaction of the Metropolitan Police.
- c) except for guests whose ID has previously been scanned and stored on the ID scanner who may enter by fingerprint recognition, from [XX:XX] hours on [Days of week] and on days when pre-booked events take place until the Premises close, all customers attending the venue must produce identification, which must be scanned into an ID scanning / recognition machine. For the purposes of this condition the only acceptable forms of identification are either a passport, national identity card, photographic driving licence, a PASS approved proof of age card or a UK armed forces identity card.
- d) if a person does not provide identification then they will not be granted admission to the premises.
- e) the details of customers recorded by this system shall be made available to the Metropolitan Police Service [and an authorised Officer of the Licensing Authority] immediately upon request for the provision of preventing and detecting crime.
- f) a sign shall be prominently displayed at all entrances of the Premises, informing customers that a requirement of entry is to provide this identification.
- g) in the event that the ID scanning / recognition machine is not working, all customers entering the venue will have their identification photographed or filmed before they are allowed admission. A copy of the photograph or moving image recording will be retained by the premises for 31 days.
- h) records of any machine failures will be recorded in the premises Incident Log and the police and licensing authority will be informed of the failure and a repair timescale provided.

The premises shall operate a dispersal policy and all staff shall be trained in its implementation.

Customers shall be supervised when leaving the premises and shall be asked to leave quietly.

There shall be no admittance or re-admittance to the premises after *[insert time]*.

Any book used for the signing in of members and guests shall be kept on the premises at all times and made available on request to Police and authorised Council officers.

A maximum of *[insert number]* customers shall be permitted on the premises at any one time.

CCTV

Appropriate signage shall be displayed, in a prominent position, informing customers they are being recorded on CCTV.

There shall be CCTV in operation at the premises and;

- a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
- b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.

- c) all recordings shall be stored for a minimum period of 31 days with date and time stamping.
- d) recordings shall be made available immediately upon the request of a Police or Licensing officer throughout the preceding 31-day period.
- e) the CCTV system shall be maintained according to the current Home Office specification for premises of this type.
- f) should the equipment become faulty then the Metropolitan Police will be notified by e mail and all reasonable efforts made to have any fault rectified within 24 hours.

Training

All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.

Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.

Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 12 months.

Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.

All new members of counter staff shall be trained regarding the sale of alcohol, and the requirements of The Licensing Act 2003. Staff shall receive refresher training at intervals of no more than 12 months.

All staff shall be trained in how to manage a crime scene and crime scene preservation. This training shall be repeated at least once a year and written records of the training kept on the premise and made available to Police and authorised officers of the Licensing Authority on request.

All members of staff who are authorised to sell alcohol shall be properly trained in the legal requirements and restrictions to sell alcohol. A record shall be maintained and kept at the Premises detailing the name of each member of staff trained; the date training was provided; details of the person who provided the training and an acknowledgment that staff have been so trained. The record shall be available for inspection by authorised officers of the Licensing Authority and the Police at all times the Premises are open.

Weapons & Drugs

A metal detection device shall be randomly used by door supervisors to search patrons for weapons.

A search arch shall be used at the entrance to the premises to detect customers who may be carrying weapons.

Any drugs or weapons confiscated from customers shall be stored in a locked and secure container and the Police shall be notified as soon as reasonably practicable.

Signed and dated records shall be kept of weapons or drugs confiscated and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.

<p>The premises shall operate a zero tolerance policy to drug use and posters shall be prominently displayed to this effect.</p>
<p>A drugs policy shall be in effect and all staff shall be trained in the implementation of the policy. The policy should be made available to Police and authorised officers of the Licensing Authority on request.</p>
<p>Toilet cisterns shall be provided with sloping lids or similar to discourage drug use.</p>
<p>Any drugs confiscated from customers shall be stored in a locked and secured container and the Police shall be notified within 24 hours. A log will be maintained and kept with the drugs container. It will contain details of date/time of finding, whom found by, when deposited, when collected by police, and signatures of depositor and collector.</p>
<p>Responsible management</p>
<p>A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following:</p> <ul style="list-style-type: none"> (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) any faults in the CCTV repaired within 24hrs (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service. (h) any lost property found or handed to staff at the premises. (i) any other relevant incidents to be recorded.
<p>A record of complaints shall be maintained on the premises to record details of any complaints received. The information to be recorded shall include the date and time of complaint and subsequent remedial action undertaken and (where disclosed) the complainant's name and location.</p>
<p>The record of complaints shall be kept for 12 months from the date of the last record made and shall be available for inspection on demand by the police or an authorised officer of the Licensing Authority at all times the premises are open.</p>
<p>The Licensee shall ensure that clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.</p>
<p>A telephone number for the premises or a responsible member of staff on duty shall be displayed so that it is visible from the public highway for members of the public to lodge complaints.</p>
<p>The Licence Holder / Designated Premises Supervisor shall organise and accommodate meetings to discuss the operation of the premises with residents at least [<i>insert number</i>] times per calendar year.</p>

The Licence Holder / Designated Premises Supervisor shall take the minutes of meetings with residents that shall be circulated to all attendees and to the Licensing Authority and copies shall be readily available at the premises upon request.
Noise issues
No music or amplified sound shall be generated within the Premises so as to give rise to nuisance within neighbouring dwellings;
No independent sound system shall be brought on to the Premises and used for entertainment within the Premises so as to give rise to nuisance within neighbouring dwellings;
All music, both live and recorded, generated on the Premises shall be relayed through a sound limiting device linked to a graphic equaliser and set at a level which will not give rise to nuisance to neighbouring residents. The limiter unit shall not be overridden or interfered with at any time;
No noise or vibration associated with the operation of plant at the Premises shall give rise to a nuisance to the occupiers of neighbouring properties;
An acoustic report from an independent suitably qualified Acoustician shall be submitted to the Director for Environmental Health to assess whether any further acoustic works are necessary to protect residents living in neighbouring dwellings from noise and vibration. The works required to be carried out to achieve compliance with the recommendations of that report shall be completed to the written satisfaction of the Council's Director for Environmental Health and shall thereafter be maintained to the same standard.
Clearly legible notices shall be displayed at all exits from the Premises requesting patrons to respect the needs of local residents and to leave the Premises and area quietly;
Clearly legible notices shall be prominently displayed at any area used for smoking outside the premises requesting patrons to respect the needs of local residents and to use the area quietly.
No smells generated from the cooking processes at the Premises shall give rise to nuisance to occupiers of neighbouring properties;
The Premises shall not be used under the [varied] terms of this licence until they have been insulated so as to prevent the transmission of excessive airborne or impact sound to neighbouring residential dwellings. The insulation works shall be installed in accordance with details submitted to and approved in writing by the Council's Director for Environmental Health and shall thereafter be maintained to the same standard;
The forecourt and the pavement immediately outside the Premises shall be kept in a clean condition [and clear of any grease or other stains caused by the operation of the Premises] [to the satisfaction of the Council's Director for Environmental Health];
External doors shall be fitted with a self-closing device that is maintained in a proper working condition.
External doors fitted with a self-closing device shall not be propped open at any time.
There shall be no stereo / television or other audio equipment speakers mounted in the ceiling of the premises to prevent vibration transmission of sound energy to adjoining properties.
All stereo / television or other audio equipment including wall-mounted and / or free-standing / portable speakers shall be mounted on anti-vibration mountings / pads, as appropriate, to prevent vibration transmission of sound energy to adjoining properties.
Rubbish including bottles or cans shall not be deposited outside the Premises between [XX:XX p.m.] and [XX:XX a.m. the following day];
Refuse collections shall not take place between [XX:XX p.m.] and [XX:XX a.m. the following day];

Deliveries to the Premises shall not take place between [XX:XX p.m.] and [XX:XX a.m. the following day];
Cleaning of the Premises shall not take place between [XX:XX p.m.] and [XX:XX a.m. the following day];
The external doors and windows of the Premises shall be kept closed except for immediate access and egress [from [XX:XXp.m.] until the Premises closes to the public] [and] [at all times [after XX:XX p.m.] during the performance of any live entertainment or the generation of loud music on the Premises];
The external doors and windows [at the side and rear] of the Premises shall be kept closed at all times except in the case of an emergency;
The entrance to the Premises opening on to [XXXXXX] shall not be used [after XX:XX p.m.] except in the case of an emergency;
All ventilation and extraction systems and ducting shall be correctly installed, operated, maintained and regularly serviced, all in accordance with the manufacturer's instructions, to ensure that they are operating correctly and efficiently so as not to cause a nuisance to neighbours arising from noise or odour.
Litter
A responsible member of staff shall carry out proactive litter patrols outside the premises at least [<i>insert times</i>] throughout the premises' opening hours and specifically at the end of trading hours to ensure that there is no litter associated with the premises in the immediate vicinity and any such litter found shall be collected and returned to the premises for disposal with the premises' normal waste / refuse collection.
After the premises closes to the public the area outside the premises and up to XXX metres away from the premises shall be cleared of litter and other refuse connected with the operation of the premises.
The pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the refuse arrangements.
A written record of proactive external litter patrols shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on request by authorised officers of the Licensing Authority at all times the premises are open.
Where customers are permitted to drink alcohol outside the premises, regular litter, and glass collections shall be carried out in all areas where customers are congregating.
Signs shall be prominently displayed at the exits from the premises asking patrons to dispose of their [<i>waste in litter bins</i>].
Selling alcohol
Alcohol shall only be sold [after XX:00 hours] [for consumption on the Premises] to persons taking [substantial] table meals in the Premises [in a part of the Premises usually set apart for the service of such persons] and for consumption by such a person [in that part of the Premises] as an ancillary to his meal;
Alcohol shall only be sold [by waiter or waitress service] for consumption by customers seated at tables or in the bar area;

The Premises shall be bona fide used for the purpose of habitually providing the customary main meal at midday or in the evening, or both, for the accommodation of persons frequenting the Premises;
Alcohol shall not be sold on the Premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal;
Substantial food and non-alcoholic beverages, including drinking water, shall be available to customers throughout the permitted hours for the sale of alcohol;
Alcohol shall not be sold in an open container or consumed in the licensed Premises.
All sales of alcohol for consumption off the Premises shall be in sealed containers only, and shall not be consumed on the Premises .
The consumption of alcohol on the premises shall cease, the Premises shall close to patrons and all patrons shall be off the Premises, no later than XXX minutes after the end of the permitted hours for the sale by retail of alcohol on the Premises.
Alcohol shall not be sold or supplied to known vagrants or street drinkers at any time.
No 'super strength' beer or cider above 6.0% ABV shall be stocked.
A minimum of two members of staff to be on duty at any time between XX:XX hours – XX:XX hours when the premises are open for licensable activities.
All authorisations of staff for the supply of alcohol by the Designated Premises Supervisor or Personal Licence Holders shall be recorded in writing and kept available for inspection at the premises.
There shall be a minimum of [<i>insert number</i>] personal licence holder(s) on duty on the premises at all times when the premises are authorised to sell alcohol.
All alcohol to be clearly priced and labelled so that is clearly identifiable to the premises.
A “Challenge 25” age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and staff shall be trained in respect of the policy. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age. The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union.
Posters shall be displayed in prominent positions around the premises advising customers of the Challenge 25 policy in force at the premises.
A till system shall be installed, which incorporates an age challenge reminder for all age restricted products.
A record shall be maintained recording every occasion when the sale of alcohol has been refused. The record shall; <ul style="list-style-type: none"> a) give the date and time of the occasion; a brief description of the customer and the name of the member of staff who refused to sell the alcohol. b) be kept at the Premises and available for inspection by authorised officers of the Licensing Authority and the Police at all times the Premises are open.
The Designated Premises Supervisor shall regularly check the refusals record to ensure it is being consistently used by all staff.

All alcohol kept in the public part of the premises shall be kept in display units.
All display units for alcohol shall have lockable shutters.
Shutters shall be closed and locked at the end of the permitted hours for the sale of alcohol, and shall not be unlocked again whilst the premises is open until the start of the permitted hours on the following day. All alcoholic drinks, not behind the counter, are to be locked in cabinets.
All alcohol shall be stored and displayed behind the service counter and not in aisles or other areas accessible to the public.
Any alcohol sold for consumption off the premises shall be sold in a sealed container.
Theft and security
The premises shall provide 'chelsea clips'/or similar devices on all tables.
A free cloak room shall operate on [<i>insert days</i>] from [<i>insert times</i>] until the premise is closed. The cloakroom shall be staffed when open.
Notices shall be displayed throughout the premises to advise customers of the potential for thefts.
Any personal belongings of patrons which appear to be “unattended” by any patron will be removed for safe-keeping to the cloakroom.
The premises shall use chip and pin covers on all payment devices.
The premises shall maintain a lost property record. As a minimum this will include details of type of property, imei numbers of mobile phones, personal details attainable and restoration efforts. This will be available to police officers or an authorised officer of the Licensing Authority on request.
Notting Hill Carnival
On the Sunday and Monday of the Notting Hill Carnival: There will be no sale of alcohol in glass vessels from the premises. There will be no external advertisement of alcohol promotions at the premises. There will be no off sales between 1900 to 2100.
Burlesque/Cabaret Dancing
Nudity shall not be permitted at the Premises [except on the XXX floor and during the course of the dance performances and the nudity shall not include the display of nipples or genitalia];
No audience participation shall take place with any of the dance performance involving nudity or anything similar;
During the performance of dance involving nudity there shall be no physical contact between members of the audience and performers, with notices advising the same clearly displayed where the performance of dance takes place;
No sex acts or anything similar shall take place during the performance of dance.

During the performance of dance involving nudity there shall be a minimum of XXX door supervisor on duty.
No persons under the age of 18 shall be admitted to the (XXXX floor) or any other area where the performance of dance involving nudity is taking place.
Promotions or events
The Licence Holder / DPS shall take all reasonable steps to ensure that there is no unauthorised advertising of events to be held at the premises.
A Noise Management Action Plan detailing control measures for anything associated with the event, for example (but not necessarily limited to), amplified sound levels at source and the facades of residential properties likely to be affected, stage erection / dismantling times, generator locations and operating levels / times, vehicle movements for each event / function shall be submitted for approval by the Noise and Nuisance Team at least [insert number] days/weeks prior to the event.
The approved Noise Management Action Plan shall be implemented and adhered to prior to and during the event.
A Waste Management Action Plan shall be submitted to and approved by the Council's Waste Management department for any event generating above [insert number] visitors.
A Traffic Management Scheme shall be submitted to and approved by the Council prior to any event generating above [insert number] visitors.
Match day conditions
On days when [insert club] Football Club are playing at home or on days when a [insert club] victory parade takes place there shall be a minimum of [insert number] door supervisors on the premises from 3 hours before the advertised kick off time until three hours after the match has been completed.
On days when [insert club] Football Club are playing at home or on days when a [insert club] victory parade takes place, the premises shall not allow any drinking, or provision of food, in any area outside the premises for three hours before the advertised kick off time until three hours after the match has been completed.
On days when [insert club] Football Club are playing at home or on days when a [insert club] victory parade takes place, there shall be a minimum of [insert number] personal licence holder(s) on duty from three hours before the advertised kick off until three hours after the match has been completed.
On days when [insert club] football club are playing at home, or a [insert club] victory parade takes place, the premises shall keep all alcohol behind locked shutters from [insert times] hours before the advertised kick off time until [insert times] hours after the match has been completed.
Signs shall be clearly displayed at prominent positions in the premises informing patrons that alcohol is not for sale during [insert club] Football fixtures.
Illicit tobacco & alcohol

No alcoholic drinks shall be purchased by the store from unannounced sellers calling at the store.
No spirits shall be purchased in resealed boxes.
The licensee shall immediately report to Trading Standards and the Police any instance of a caller to the shop attempting to sell alcohol.
An ultra-violet light shall be available at the premises for the purpose of checking UK duty stamp on spirits during operating times.
The licensee shall notify Trading Standards and Her Majesty's Revenue and Customs of any suppliers who have supplied the premises with spirits which require UK Duty stamps, which do not fluoresce under ultra-violet light, or which are otherwise suspicious.
All alcoholic products shall be purchased from established and bona fide VAT registered traders who provide invoices or receipts.
Invoices or receipts for all stock bought shall be kept on file for a minimum of 12 months and shall be kept available for inspection at the premises.
Prominent signs shall be displayed at the main street entrance to the premises stating the premises will only buy alcohol from authorised wholesalers.

Conditions should only be added where considered appropriate and proportionate to the promotion of the licensing objectives.