

### City of London Licensing Act 2003 - Pool of Model Conditions

#### 1. Introduction

- 1.1. This document sets out the general principles on licence conditions that can be included on premises licences or club premises certificates issued under the provisions of the Licensing Act 2003 (the Act).
- 1.2. In conducting its licensing functions, the City of London Corporation (the City) must have regard to S182 Guidance (the Guidance) issued under the Act by the Secretary of State. The Guidance states that conditions on a licence set out the parameters within which premises can lawfully operate and that failure to comply with a condition is an offence under the Act.
- 1.3. Conditions must therefore be precise and straightforward for a licence holder to observe. They must be clear in what they intend to achieve and appropriate. Conditions must also be proportionate for the promotion of the licensing objectives, expressed in a prescriptive format that is unambiguous, and they must be enforceable.
- 1.4. This document contains a pool of model conditions drawn up by the licensing authority and the relevant responsible authorities. They are not a standard set of conditions but a source of example conditions that are enforceable. They can be used to encourage a consistent approach by applicants, responsible authorities, other persons, and licensing sub-committee members when proposing or imposing conditions on a licence. They must not be applied universally to licences, and any proposed or imposed condition must be appropriate and proportionate to the activities taking place at the premises. The wording of any condition may be amended where necessary.
- 1.5. The model conditions are not exclusive or exhaustive and do not restrict any applicant, responsible authority, or other person from proposing any alternative conditions nor would it restrict a licensing sub-committee from imposing any reasonable alternative enforceable condition on a licence it considers appropriate and proportionate for the promotion of the licensing objectives.

#### 2. Applicants

- 2.1. When applying for a new premises licence or club premises certificate, or to vary an existing licence, the applicant must ensure that when licensable activities are taking place the four licensing objectives are promoted. Conditions that are appropriate to promote the licensing objectives should initially emerge from a risk assessment completed by an applicant which can be translated into their operating schedule. In preparing their operating schedule, an applicant should consider the City's Statement of Licensing Policy and the City's Code of Good Practice for Licensed Premises. An applicant can propose appropriate conditions from this pool of model conditions. The wording of any condition may be amended where necessary.

2.2. Applicants are advised to contact the licensing team at [licensing@cityoflondon.gov.uk](mailto:licensing@cityoflondon.gov.uk) for a pre-application meeting. The licensing team will liaise with the relevant responsible authorities including the City of London Police and Environmental Health to coordinate a site visit, where expert advice can be offered on the City's policies, and any site-specific concerns relating to the four licensing objectives that need to be considered in the operating schedule. This will assist the applicant in proposing appropriate conditions.

### **3. Responsible Authorities and other persons**

3.1. Responsible authorities can propose appropriate conditions from this pool of model conditions to address any concerns identified during a pre-application meeting. The wording of any condition may be amended where necessary.

3.2. Once an application is received, all parties are expected to work in partnership for the collective promotion of the licensing objectives. If a responsible authority or other person is considering making a representation, they may propose a condition to the applicant from this pool of model conditions, where it is appropriate to promote the licensing objectives. This may lead to the matter being resolved without the need for a hearing if all parties agree.

### **4. Licensing Sub-Committee**

4.1. Where relevant representations are made in relation to an application and not withdrawn, a licensing sub-committee will hear the application. Having had regard to the representations, the licensing sub-committee may decide to grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application, modified to such extent as the authority considers appropriate for the promotion of the licensing objectives. Conditions are modified if any of them are altered, omitted or any new condition is added. For consistency, members of the sub-committee may propose appropriate conditions from this pool of model conditions.

4.2. The model conditions are listed under the licensing objective headings.

## The Prevention of Crime and Disorder

<b>MC1</b>	<b>CCTV</b>	The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall always be present on the premises when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.
<b>MC2</b>	<b>No promoted events</b>	Promoted events will not be held at the premises. A promoted event is an event where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licence holder, and the event is promoted to the general public independent of the licensee.
<b>MC3</b>	<b>Where promoted events are permitted</b>	Promoted events shall be notified to the Police at least 14 days in advance of the event by way of a documented risk assessment by the licence holder. A promoted event is an event where the musical entertainment is provided by persons other than the licence holder or an employee of the licence holder, and the event is promoted to the general public independent of the licensee.
<b>MC4</b>	<b>Incident management</b>	An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log shall record the following with the date and time of the incident/refusal: (a) all crimes reported to the venue (b) all ejections of customers (c) all refusals of entry (d) all refused sales of alcohol to persons under the age of 18, or appearing under the age of 25 without valid ID (e) any incidents of disorder (disturbance caused either by one person or a group of people) (f) any seizures of drugs or offensive weapons
<b>MC5</b>	<b>Door supervisors: minimum number</b>	A minimum of (x)SIA registered door supervisors shall be on duty at the premises on (day(s)) from (start time) until close of business.
<b>MC6</b>	<b>Door supervisors: female staff</b>	A minimum of (x) female SIA registered door supervisor(s) shall be on duty at the premises on (day(s)) from (start time) until close of business.

<b>MC7</b>	<b>Door supervisors: ratio / risk assessment</b>	When the premises is carrying on licensable activities after (x) hours, a minimum of (x) registered door supervisor(s) is(are) to be on duty. (a) The number of door supervisors will be employed on a ratio of (1:x); or (b) The number of door supervisors shall be determined by a risk assessment completed by the licence holder. A copy of the risk assessment shall be retained on the premises and made available for inspection by a police officer and/or an authorised officer of the licensing authority on request.
<b>MC8</b>	<b>Search policy</b>	A written search policy that aims to prevent customers or staff bringing illegal drugs, weapons, or other illegal items onto the premises at any time shall be in place and operate at the premises. A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
<b>MC9</b>	<b>No single sale of cans/bottles</b>	No single cans or bottles of beer or cider [or alcopops] [in unsealed containers] shall be sold for consumption off the premises.
<b>MC10</b>	<b>No self-service of spirits</b>	There shall be no self-service of spirits on the premises.

### Public Safety

<b>MC11</b>	<b>Safe drinking Glasses</b>	All glasses in use at the premises shall be either toughened glass or polycarbonate material.
<b>MC12</b>	<b>No glass bottles</b>	No drinks of any sort are to be supplied to customers in glass bottles.

### The Prevention of Public Nuisance

<b>MC13</b>	<b>Admissions</b>	There shall be no new admissions or readmission of customers to the premises after (x) hours save for customers [using the agreed smoking area at the premises] (or) [who have temporarily left the premises to smoke].
<b>MC14</b>	<b>Customers permitted to temporarily leave the premises</b>	Customers permitted to temporarily leave and then re-enter the premises e.g., to smoke, shall not be permitted to take drinks or glass containers with them [after (x) hours].
<b>MC15</b>	<b>Admission restricted to specified entrance</b>	On occasions where licensable activities are carried on past (x) hours admission of customers will be restricted to <i>[enter restriction e.g., a particular entrance, a particular area of the licensed premises etc.]</i> .

<b>MC16</b>	<b>Admissions: hotel residents / guests</b>	There shall be no admission after (x) hours other than to 1) Residents of the hotel and their bona fide guests 2) Persons who have pre-booked to attend a function at the premises
<b>MC17</b>	<b>Dispersal</b>	A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours. A copy of the policy shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
<b>MC18</b>	<b>Signage</b>	Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
<b>MC19</b>	<b>General noise</b>	All external doors, lobby doors, and windows shall be kept closed after(x) hours save for entry or exit, or in the event of an emergency.
<b>MC20</b>	<b>Music noise: regulated entertainment</b>	All external doors, lobby doors and windows shall be kept closed during the provision of regulated entertainment save for entry or exit, or in the event of an emergency.
<b>MC21</b>	<b>Music noise: loudspeakers</b>	Loudspeakers shall not be located in the entrance lobby, <i>[specify another location if appropriate]</i> or outside the premises.
<b>MC22</b>	<b>Music noise: sound limiter</b>	All music and digital announcements shall be controlled through a digital sound processing unit (DSP) with a limiter, the limits for which shall be set and maintained at a level agreed with environmental health. The sound limiter controls shall be kept locked and only accessed by the licensee or a person authorised by the licensee.
<b>MC23</b>	<b>Noise management plan</b>	A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, pa systems and patrons shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.
<b>MC24</b>	<b>Noise management: contact number</b>	The licence holder shall make available a contact telephone number to nearby residents and the City of London Licensing Team to be used in the event of complaints arising
<b>MC25</b>	<b>Off-sale consumption on the public highway or</b>	[After xx hours], customers will not be permitted to consume off the premises (as delineated by the plan attached to the licence), any drinks (alcoholic or otherwise) sold by the premises in an open container.

	<b>other outdoor area</b>	
<b>MC26</b>	<b>Off-sale consumption in designated outdoor area</b>	There shall be no sale of alcohol in unsealed containers for consumption off the premises, save that consumption in unsealed containers is permitted on [designated outdoor space] or [to customers seated at authorised external furniture] only until (x) hours daily.
<b>MC27</b>	<b>Use of outdoor space covered by on-licence</b>	The [designated outdoor on-licence space, eg. beer garden / roof terrace] shall not be used for licensable activity beyond (x) hours.
<b>MC28</b>	<b>Use of outdoor space covered by on-licence</b>	The [designated outdoor on-licence space] shall be closed to all patrons after [xx hours].
<b>MC29</b>	<b>Windows &amp; doors</b>	Windows and doors accessing the [designated outdoor space] shall be kept closed after (x) hours.
<b>MC30</b>	<b>Obstruction of the highway: queues</b>	Any designated queuing area shall be managed by the licensee [and enclosed within barriers*] to ensure that the highway is kept clear of obstruction. * subject to Highways authorisation

### The Protection of Children from Harm

<b>MC31</b>	<b>Underage sales / Challenge 25</b>	A Challenge 25 Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age ID must bear a photograph, date of birth and a holographic mark or an ultraviolet feature.
<b>MC32</b>	<b>Restriction of children without adult</b>	Children under the age of ** years shall not be allowed on the premises after (x) hours unless accompanied by an adult.

### General

<b>MC33</b>	<b>Alcohol with table meal</b>	Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.
<b>MC34</b>	<b>Alcohol service</b>	Alcohol shall be sold to customers by waiter/waitress service only.
<b>MC35</b>	<b>Alcohol off-sale with meal</b>	Sales of alcohol for consumption off the premises shall only be supplied with a meal.
<b>MC36</b>	<b>Shadow licence: (where more</b>	This licence must not be used to provide licensable activity at the premises at the same time as premises licence [licence number] is in use. The licensee must notify the Licensing Authority and Police

	<b>than one licence exists for the same premises) terms of use</b>	of the intention to provide licensable activity under this licence at least 14 days prior to its use.
<b>MC37</b>	<b>Shadow licence (where more than one licence exists for the same premises): display of summary</b>	When this licence is in use for licensable activity, only the licence summary for this licence must be displayed. There must be no licence summary for an alternative licence displayed at the premises at the same time this licence is in use.