



City of Westminster

# **Licensing Act 2003 - Model Conditions**

Amended: 24<sup>th</sup> March 2021

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# 1. Introduction

- 1.1 When deciding to grant or vary a premises licence under the Licensing Act 2003, the licensing authority may do so subject to conditions which it considers are appropriate for the promotion of the licensing objectives.
- 1.2 In carrying out its licensing functions the City Council must have regard to Guidance issued under the Act by the Secretary of State. Revised Guidance states that conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. Licensing authorities should be satisfied that it is appropriate to impose conditions to promote one or more of the four licensing objectives. Conditions should be tailored to the particular circumstance of an individual licensed premises and determined on a case-by-case basis. Standardised conditions which ignore these individual aspects should be avoided. Under no circumstances should licensing authorities regard pools of conditions as standard conditions to be automatically imposed in all cases. Guidance also urges partnership working to promote the licensing objectives.
- 1.3 Conditions which are appropriate to promote the licensing objectives should emerge initially from the prospective licence holders risk assessment and be translated to form part of the operating schedule for the premises. This basket of model conditions has been produced to assist prospective licence holders where they consider that they would promote the licensing objectives in the circumstances of their application.
- 1.4 Once an application has been made, the police, Environmental Health service, other responsible authorities, and other persons are encouraged to engage with the applicant if they are considering making a representation to the application. This basket of model conditions has been produced to assist all parties and promote a consistent approach when proposing conditions on a premises licence.
- 1.5 **This basket of model conditions is not an exclusive or exhaustive list of conditions which may be included on a premises licence. It does 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 condition on a licence it considers appropriate for the promotion of the licensing objectives.**
- 1.6 Model conditions are listed numerically and an index is included for ease of reference. This version of the model conditions supersedes all previous versions and will continue to be updated as required and published on [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing).
- 1.7 Also included, for information, is a list of the current Mandatory conditions prescribed by the Licensing Act 2003 as amended.

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### 3. Model Conditions in Numeric order

- MC01 (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
- (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
- MC02 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- MC03 There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
- MC04 No drinks shall be served in glass containers at any time.
- MC05A A minimum of **(X)** SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
- MC05B At least **(2)** SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
- MC05C All door supervisors will correctly display their SIA licence so as to be visible when on duty at the premises.
- MC06 The licensee shall ensure that:
- (a) All licensed SIA door staff on duty at premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team.
- (b) All recordings shall be stored for a minimum period of 31 days with date and time stamping, and
- (c) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- MC07 No patrons shall be admitted or re-admitted to the premises after **(21.00)** hours unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.

- MC08 All persons entering or re-entering the premises shall be searched by a SIA licensed member of staff and monitored by the premises CCTV system.
- MC09 All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
- MC10 Customers shall not enter or leave the premises from / by (*insert specific entrances or exits*), except in the event of an emergency.
- MC11 A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
- (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
  - (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
  - (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
  - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
  - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- MC12 No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- MC13 Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
- MC14 All windows and external doors shall be kept closed after **(21:00)** hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- MC15 There shall be no admittance or re-admittance to the premises after **(23.00)** hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
- MC16 There shall be no sales of alcohol for consumption off the premises after **(23.00)** hours.
- MC17 All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- MC18 Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- MC19 All outside tables and chairs shall be rendered unusable by **(23.00)** hours each day.
- MC20 All tables and chairs shall be removed from the outside area by **(23.00)** hours each day.

- MC21 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- MC22 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to **(X)** persons at any one time.
- MC23 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- MC24 A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
- MC25 An attendant shall be on duty in the cloakroom during the whole time that it is in use.
- MC26 The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
- MC27 All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
- MC28 Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
- MC29 No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
- MC30 No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
- MC31 No more than **(15)**% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
- MC32 There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
- MC33 Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
- MC34 All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- MC35 No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **(23.00)** hours and **(08.00)** hours on the following day.

- MC36 Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to food that is available to take-away for immediate consumption [and/or delivery].
- MC37 The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (**X**) persons.
- MC38 The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

- MC39 The supply of alcohol shall be by waiter or waitress service only.
- MC40 Admission to the (*specified function room*) shall be through the premises lobby area only
- MC41 Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- MC42 During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
- MC43 No collections of waste or recycling materials (including bottles) from the premises shall take place between (**23.00**) and (**08.00**) hours on the following day.
- MC44 [Other than in hotel bedrooms] There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
- MC45 No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
- MC46 There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
- MC47 A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

MC48 A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

MC49 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

MC50 No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority.

MC51 Any special effects or mechanical installations shall be arranged, operated and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the licensing authority where consent has not previously been given:

- dry ice and cryogenic fog
- smoke machines and fog generators
- pyrotechnics including fireworks
- firearms
- lasers
- explosives and highly flammable substances.
- real flame
- strobe lighting.

MC52 No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

MC53 In relation to the (***specified function room***) there shall be no admission after (***midnight***) other than to:

- (1) residents of the hotel and their bona fide guests, or
- (2) persons attending a pre-booked function.

- MC54 Licensable activities at events in the (specified function room) shall only be provided at pre-booked ticketed events.
- MC55 With the exception of residents and their bona fide guests, no alcohol shall be consumed more than **(30)** minutes after the permitted terminal hour for the supply of alcohol
- MC56 There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
- MC57 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
- MC58 No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited within the specified area.

For the purpose of this condition: 'Directly' means - employ, have control of or instruct.  
'Indirectly' means - allowing / permitting the service of or through a third party.  
'Specified' Area' means - the area encompassed within (insert name of boundary roads.)

- MC59 Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that;
- (i) Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person for a minimum of four hours before the commencement of the relevant designated sporting event;
  - (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated sporting event;
  - (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event;
  - (iv) On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event;
  - (v) All members of staff working at the premises are informed of this condition prior to taking up employment;
  - (vi) On the day of the relevant designated sporting event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the police or until the relevant designated sporting event has finished.

- MC60 Notwithstanding condition (MC 38 / MC66), alcohol may be supplied and consumed prior to their meal in the bar area (**designated on the plan**), by up to a maximum at any one time, of [**Enter number of persons or percentage of persons** ] persons dining at the premises.
- MC61 No licensable activities shall take place at the premises until premises licence **xxxx/xxxxxx/xxxx** (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].
- MC62 As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
- MC63 Queuing outside the premises shall be restricted to a designated area located at (**specify location**)
- MC64 No deliveries to the premises shall take place between (**23.00**) and (**08.00**) hours on the following day.
- MC65 No deliveries from the premises, either by the licensee or a third party shall take place between (23:00) and (08:00) hours on the following day.
- MC66 The premises shall only operate as a restaurant,
- (i) in which customers are shown to their table or the customer will select a table themselves,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
  - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
  - (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

- MC67 Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as (**specify location**).
- MC68 All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.

- MC69 (a) All drinking vessels used in the venue shall be made from a sustainable material other than glass. All drinks in glass bottles are to be decanted into a non-glass containers or non-glass carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
- (b) Notwithstanding (a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the (*specified area*).

MC70A The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed at the outside tables and chairs shown on the licence plan, shall be by waiter or waitress service, served only to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

MC70B The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed by persons who are seated in an area appropriately authorised for the use of tables and chairs on the highway and bona fide taking a substantial table meal there, and where the consumption of alcohol by such persons is ancillary to taking such a meal, and where the supply of alcohol is by waiter or waitress service only.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

MC71 The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

MC72 The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

MC73 The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

- MC74 All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- MC75 All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- MC76 The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- MC77 Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- MC78 All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
- MC79 The certificates listed below shall be submitted to the licensing authority upon written request.
- (a) Any permanent or temporary emergency lighting battery or system
  - (b) Any permanent or temporary electrical installation
  - (c) Any permanent or temporary emergency warning system
- MC80 Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
- MC81 No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
- MC82 The variation of this premises licence (***state the licensing reference number***) to include the (***state the works requested and plans reference***) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
- MC83 The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
- MC84 On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00 hours.
- MC85 No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
- MC86 The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the (premises/building) as (offices / delicatessen / museum / theatre / hairdressers / etc).

- MC87 No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
- MC88 Alcohol may only be sold for consumption by members of a private club and their bona fide guests (not exceeding **(4)** guests per member). No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
- MC89 A list of the names and addresses of members of the Club shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by members. Both the list and the book shall be produced on demand for inspection by the police or an authorised officer of the Council.
- MC90A No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
- MC90B The number of persons accommodated at the premises (excluding staff) shall not exceed **(insert number)**. Subject to the sanitary accommodation being improved to the satisfaction of the Council's Environmental Health Officer, the capacity may be increased to such number as may be agreed with the licence holder. The actual capacity will only increase when an appropriate condition to that effect has replaced this condition on the licence.
- MC91 The areas hatched on the layout plan may not be used for licensable activities until those areas have been assessed as satisfactory by the Environmental Health Consultation Team, at which time a new plan is submitted, and this condition is removed from the licence by the licensing authority.
- MC92 In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
- (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
  - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
- MC93 The consumption of alcohol on the premises shall cease at **(insert hour)**.
- MC94 Alcohol shall only be sold for consumption by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept for a minimum period of 31 days at the premises and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period.

MC95 Notwithstanding the mandatory condition imposed by Section 20 of the Licensing Act 2003 (above) the exhibition of films pursuant to this licence will be restricted to films that have been classified as Universal (U) or Parental Guidance (PG) by the film classification body designated under Section 4 of the Video Recordings Act 1984.

MC96 (a) All customers entering the premises shall have their ID scanned on entry, save for when a biometric scanning system is in place. The details recorded shall include a live facial image capture of the customer and capture the photographic identification produced. The details recorded by the ID scanner system shall be made available to the Police and the local authority upon request.

(b) The requirement in (a) above is subject to the following exceptions, namely that a maximum number of (X) guests per night may be admitted at the Managers discretion without necessarily photo ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure:

(i) The DPS shall approve in writing the names of a maximum of three managers other than him/herself who are authorised to sign in such guests.

(ii) A legible record (the signing in sheet) of those guest's name shall be retained on the premises for inspection by the licensing authority and Police for a minimum period of 31 days. The name of the DPS approved manager authorising the admission will also be recorded by that manager,

(iii) Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and ID scan entry with a live photo shall be created.

(iv) Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Approved Manager may still permit entry. In such circumstance he shall also record the reasons for this in the signing in sheet.

(c) Notwithstanding (a) above, patrons who are attending a pre-booked private event at the premises do not need to have their ID Scanned on entry and instead a written guest list shall be held at reception for the event, and will be retained for 31 days after the event for inspection by the police and responsible authorities upon request.

MC97 The shadow licence will not take effect when the current licence is in operation, or it lapses, is surrendered or revoked.

MC98 Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

MC99 A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

MC100 The Premises Licence Holder shall present the Event Management Plan (upon request) to authorised officers at least 28 days before the first event day. The Event Management Plan shall include but not limited to the following:-

(a) Covid-19 Statement (if appropriate);

(b) Access Management Plan;

(c) Adverse Weather Plan;

(d) Alcohol Management Plan;

- (e) Cancellation Procedure;
- (f) CCTV Plan
- (g) Communications Plan;
- (h) Child & Vulnerable Adults Policy;
- (i) Crowd Management Plan (including Security and Stewarding Plan);
- (j) Egress Management Plan;
- (k) Emergency Evacuation procedures;
- (l) Event Control Statement of Intent;
- (m) Event Medical Plan;
- (n) Event Safety Plan including Risk Assessment;
- (o) Fire Safety Management Plan;
- (p) Ingress Management Plan;
- (q) Lighting Plan;
- (r) Noise Management Plan;
- (s) Public Liability Insurance;
- (t)- Security and Crime Reduction Plan;
- (u) Site Plans;
- (v) Sustainability Statement;
- (w) Terms and Conditions of Entry;
- (x) Trader Food Management Plan;
- (y) Transport Assessment;
- (z) Waste Management Plan.

MC101 So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan.

## 4. Informatives and Mandatory Conditions

The following do not form part of the Model Conditions but are provided to advise on matters related to applications.

### **Informative relating to planning permission**

- i1 The granting of this licence or any variation to it is without prejudice to any requirement to obtain planning permission or a licence for the use of tables and chairs on a street.

### **Mandatory Conditions prescribed by the Licensing Act 2003 as amended**

#### Mandatory conditions where the licence authorises the sale of alcohol

Alcohol sales authorised under a Premises Licences

(Note: Conditions 4, 5, and 7 relate to on-sales only)

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
  
- 5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  
- 6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either –
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
  
- 7. The responsible person must ensure that –
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8.
  - (1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - (2) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (3) Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (4) (i) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (ii) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### Supply of alcohol under a Club Premises Certificate

The mandatory conditions 4 to 8 above will apply. If the club premises certificate authorises the supply of alcohol for consumption off the premises, the following three mandatory conditions must also be included:

1. The supply of alcohol for consumption off the premises must be made at a time when the premises are open for the purposes of supplying alcohol to members of the club for consumption on the premises.

2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any alcohol supplied for consumption off the premises must be made to a member of the club in person.

#### Supply of alcohol from community premises

The following mandatory condition will replace the first three mandatory conditions above when an application is made for a premises licence by the management committee of community premises and the licensing authority also grants an application for this alternative licence condition to be included in the licence:

1. Every supply of alcohol under the premises licence must be made or authorised by the [management committee / management board / board of trustees].

#### Mandatory condition when a premises licence or a club premises certificate authorises the exhibition of films

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

#### Mandatory Condition relating to door supervision which only applies where a premises licence includes a condition that one or more individuals must be at the premises to carry out a security activity

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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