

## **Tower Hamlets Standard Conditions (updated 7/2/21)**

1.16 *Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will” is encouraged. Licence conditions:*

- *must be appropriate for the promotion of the licensing objectives;*
- *must be precise and enforceable;*
- *must be unambiguous and clear in what they intend to achieve;*
- *should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;*
- *must be tailored to the individual type, location and characteristics of the premises and events concerned;*
- *should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;*
- *should not replicate offences set out in the 2003 Act or other legislation;*
- *should be proportionate, justifiable and be capable of being met;*
- *cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and*
- *should be written in a prescriptive format.*

### **Crime and Disorder**

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Tower Hamlets Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
2. 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 are 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.
3. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
4. When the designated premise supervisor is not on the premises any or all persons authorised to sell alcohol will be authorised by the

designated premises supervisor in writing. This shall be available on request by the Police or any authorised officer.

5. A minimum of (X) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business
6. On any occasion that regulated entertainment is provided, not less than (X) SIA registered door supervisors will be engaged to control entry
7. At least (X) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
8. At least (X) female door supervisor(s) shall be engaged at the premises at such times as door supervisors are required to be provided.
9. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times they are on duty.
10. When the premises is carrying on licensable activities after XX:XX hours, at least (X) door supervisor(s) is (are) to be on duty at each door used for entry or exit.
11. No patrons shall be admitted or re-admitted to the premises after (XX.XX) 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.
12. 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.
13. A written search policy that aims to prevent customers or staff bringing illegal drugs, weapon or other illegal items onto the premises at any time shall be in place and operate at the premises.
14. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any 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.

15. 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.
16. There must be at the premises a lockable drugs box to which no member of staff, save the DPS and /or XX, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.

### **Public Nuisance**

17. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
18. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
19. All windows and external doors shall be kept closed after (XX:XX) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
20. There shall be no admittance or re-admittance to the premises after (XX:XX) except for patrons permitted to temporarily leave the premises to smoke.

21. There shall be no sales of alcohol for consumption off the premises after (XX:XX).
22. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. All outside tables and chairs shall be rendered unusable by (XX:XX) each day.
25. All tables and chairs shall be removed from the outside area by (XX:XX) each day.
26. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
27. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
28. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (X) persons at any one time.
29. 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.
30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
31. 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.
32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (XX.XX) hours and (XX.XX) hours on the following day.
33. 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.

34. No collections of waste or recycling materials (including bottles) from the premises shall take place between (XX.XX) and (XX.XX) on the following day.
35. 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.
36. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

### **Public Safety**

37. No drinks shall be served in glass containers at any time.
38. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate 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.
39. Notwithstanding 38 above, with the written agreement of the Tower Hamlets 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).

### **Protection of Children from Harm**

40. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
41. 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.
42. 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 at all times whilst the premises is open.

### **Online delivery**

43. Every third party courier delivery box shall be labelled with the words "Age Restricted Product".
44. The premises licence holder will ensure that an age verification policy will apply whereby all delivery drivers/riders will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
45. Alcohol shall only be delivered to a residential or business address and not to a public place.
46. All off sales to be in sealed containers.
47. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she aged 18 or over. *If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld*
48. The Licence holder shall notify the Licensing Authority of the digital platform(s) used for the sales of alcohol and any changes to those platforms.

### **Touting**

49. No person shall be employed to solicit for custom or be permitted to solicit for custom for business for the premises in any public place within a 500 meters radius of the premises as shown edged red on the attached plan. (marked as Appendix- X)
50. Clear Signage to be placed in the restaurant windows stating that the premises supports the Council's 'No Touting' policy.

### **General**

51. The premises shall only operate as a restaurant:
  - a) in which customers are shown to their table;

- b) where the supply of alcohol is by waiter or waitress service only;
- c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery;
- d) which do not provide any take away service of food or drink for immediate consumption;
- e) which do not provide any take away service of food or drink after 23.00, and
- f) 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.

52. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

53. The supply of alcohol shall be by waiter or waitress service only.

54. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.

55. 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.

56. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.

57. No more than (XX)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

58. All sealed containers of alcoholic drinks offered for sale for consumption off the premises must be clearly labelled or marked with the name and postcode of the premises.

59. The number of persons permitted in the premises at any one time (including staff) shall not exceed (X) persons.

60. Patrons 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.

61. 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).

62. 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 table meal there and for consumption by such a person as ancillary to their meal.
63. 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 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.
64. 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.
65. All staff whose responsibilities include the retail sale of alcohol shall receive training about the prevention of underage sales on induction and then every XX months thereafter/XX times a year. This training shall be recorded and the records to be available on request to the Police or any authorised officer. The training to include:
- a) the operation of the challenge XX scheme;
  - b) types of acceptable ID;
  - c) the method of recording challenges;
  - d) the likely consequences of making an underage sale;
  - e) refusing sales to persons who appear to be drunk;
  - f) proxy sales.
66. The premises licence holder must submit to the relevant police officer on request a completed risk assessment form as prescribed at least 14 days before any event that is promoted/advertised to the public at any time before the event and features DJ's, MC's or equivalent performing to recorded music.
67. No more than (XX) customers will be permitted to enter or remain in (XX) the outdoor areas of the premises at any one time after the hours of (XX:XX).
68. The outdoor area shall not be used by patrons after (XX:XX)
69. Where the premises provide late night refreshment for consumption off the premises sufficient waste bins must be provided at or near the exits.

## **Large Outdoor Events**

70. The premises licence holder must comply with the Event Management Plan as submitted to and approved by the Licensing Authority and no changes will be made to the Event Management Plan without the written consent of the Licensing Authority.
71. No alcohol shall be taken off the licensed area.
72. Any mobile dispensing servers (MDS) will be accompanied by persons not involved directly in serving alcohol. These other persons ('shepherds') will be responsible, jointly with the sellers and security personnel, for ensuring that mobile units comply with the Challenge 21 policy used on site, including preventing proxy sales; and for the prevention of sales to intoxicated customers.
73. The licensee must ensure that all staff involved in MDS operations are fully aware of and understand the requirements of the Licensing Act 2003 and all related conditions applicable to the event.
74. MDS operators must carry a clear indication that a Challenge 21 or Challenge 25 protocol is in operation.

## **Premises in the Vicinity of West Ham United FC and other major sporting venues**

It is recommended by the Police that applications for the supply of alcohol within a one mile radius of West Ham United Football Club or in any other area which Police intelligence shows that football supporters congregate should include in their application form that on match days the following will apply on match days :-

75. For premises licensed for the supply of alcohol for consumption on the premises:
  - a) Drinks shall only be supplied in polypropylene or toughened glass vessels and all bottled drinks shall be poured into such drinking vessels before being handed to the customer
  - b) Registered door staff shall be employed to control the entry and exits to the premises and to prevent the taking of alcohol off the premises (e.g. for consumption on the adjoining foot-way)
  - c) If so instructed by the Police Matchday Commander the premises shall be closed if it is considered that violence and/or disorder may take place

76. For premises with consumption on and off:

No off sales on match days

77. For premises licensed for the supply of alcohol for consumption off the premises:

- a) Registered door staff shall be employed to control the entry and exits to the premises.
- b) If so instructed by the Police Matchday Commander the premises shall be closed if it is considered that violence and/or disorder may take place.

Failure to include the above matters in an application from may result in representations being made by the Police on the grounds of crime and disorder. It is also recommended that applicants for licences in the vicinity of other major sporting venues (whether for football or other sports) also consider including similar steps in their application form for the days that the venue is being used for large scale sporting or other events.

### **Smuggled goods**

7.12 The Licensing Authority will exercise its discretion to add a standard condition as follows:-

- 1) The premises licence holder and any other persons responsible for the purchase of stock shall not purchase any goods from door-to-door sellers other than from established traders who provide full receipts at the time of delivery to provide traceability.
- 2) The premises licence holder shall ensure that all receipts for goods bought include the following details:
  - i. Seller's name and address
  - ii. Seller's company details, if applicable
  - iii. Seller's VAT details, if applicable
  - iv. Vehicle registration detail, if applicable
- 3) Legible copies of the documents referred to in 2) shall be retained on the premises and made available to officers on request.
- 4) The trader shall obtain and use a UV detection device to verify that duty stamps are valid.
- 5) Where the trader becomes aware that any alcohol may be not duty paid they shall inform the Police of this immediately.

### **Olympic Park – Football Ground**

7.13 Premises where Police intelligence shows that football supporters congregate within the borough should consider in their application form the following conditions:

- 1) On Match Days for premises licensed for the supply of alcohol for consumption on the premises:
  - a. Drinks shall only be supplied in polypropylene or similar plastic and all bottled drinks shall be poured into such drinking vessels before being handed to the customer. These should be made of recyclable materials.
  - b. Registered door staff shall be employed to control the entry and exits to the premises and to manage any licensed outside area(s).

**Shadow Licences:**

This licence does not have effect until the existing licence has lapsed or been surrendered or is outside the period of 28 days in order for a transfer application to be made.