

## **APPENDIX 4**

### **LOCAL CONDITIONS**

## Local Conditions – Occasional Licences

### The Aberdeenshire Licensing Board

#### Local Conditions - Occasional Licences

Licensing Objectives		
	Preventing Crime and Disorder	PCD
	Securing Public Safety	SPS
	Preventing Public Nuisance	PPN
	Protecting and Improving Public Health	PIPH
	Protecting Children and Young Persons from Harm	PCYPFH

General Management - All Occasional Licences		
<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
1	The Licence Holder or a Responsible Person <b>must</b> be present at the event and <b>must</b> ensure that all staff, volunteers and stewards comply with the requirements of the Licensing (Scotland) Act 2005. This includes awareness of policies and procedures relating to the event and the contents of Appendix 1 to the Licensing Board's current Policy Statement.	PCD, SPS, PPN
2(a) <b>OR</b>	Where the Licence Holder is not in attendance at the event, the Licence Holder <b>must</b> ensure there is a person in charge of the bar at the event who has completed training to the same standard as that required to obtain a personal licence under the 2005 Act. Evidence of this must be available for inspection by Police Scotland and the LSOs on request.	PCD, SPS, PPN
2(b)	The Licence Holder <b>shall</b> ensure there is a person in charge of the bar and on duty at the event for the duration of the event who has a personal licence under the 2005 Act. The Full personal Licence (including Annexes A, B and C) <b>must</b> be available for inspection by Police Scotland and the LSOs on request.	PCD, SPS, PPN
3	The Licence Holder <b>must</b> ensure that all staff employed in the sale or supply of alcohol have received staff training to the standard provided for in Paragraph 3 of Schedule 3 to the 2005 Act. Evidence of this <b>must</b> be available for inspection by Police Scotland and the LSOs on request. Training <b>must</b> be delivered by a person who holds a personal licence or who is an accredited trainer only.	PCD, SPS, PPN
4	Alcohol <b>shall</b> only be displayed and sold in	SPS, PPN, PIPH,

	accordance with the layout plan submitted with the application for a licence and consulted on.	PCYPFH
5	All refreshments <b>shall</b> be decanted into safe alternatives to glass at the point of sale.	SPS
6	Bar Staff <b>must</b> be able to identify and refuse service of alcohol to intoxicated/drunken persons.	PCD, PIPH
7	The Licensed area must be delineated, and signs erected to say that alcohol is not to be removed from the licensed area.	PCD, SPS, PPN
8	The Licence Holder <b>must</b> ensure that any general authorisation for the sale of alcohol, as required by Schedule 4 to the Licensing (Scotland) Act 2005, required within the area covered by the Occasional Licence is – (i) in writing, (ii) available for inspection by Police Scotland and Licensing Standards Officers on request, (iii) brought to the attention of and signed by all parties and (iv) enforced by a Personal Licence Holder.	PCD, SPS, PPN, PIPH. PCYPFH

#### Byelaws Prohibiting the Consumption of Alcohol in Designated Places

<b>Number</b>	<b>Condition</b>	<b>Licensing Objectives</b>
9	The Licence Holder <b>must</b> take care to clearly mark on the plans for the event the boundary of the venue to be included in the occasional licence.	PCD, PPN, PIPH
10	The Licence Holder <b>shall</b> take reasonable steps to inform customers of the existence and effect of the Byelaw.  The Licence holder <b>must</b> display visible signage to this effect, at exit points from the licensed area, the minimum size of which will be A4.	PCD, PPN, PIPH

#### Children and Young Persons

<b>Number</b>	<b>Condition</b>	<b>Licensing Objectives</b>
11	The Licence Holder <b>shall ensure</b> that Children (0 – 15 years) are accompanied by a responsible person over the age of 18.	SPS, PPN, PCYPFH
12	The Licence Holder <b>shall ensure</b> that Young Persons (16 & 17 years) are accompanied by a responsible person over the age of 18.	SPS, PPN, PCYPFH
13	The Licence Holder <b>must</b> employ a system to identify and distinguish between those attending the event who are under or over 18 years of age from the six approved forms of ID. The Licence Holder shall consider the use of wrist bands to distinguish those under and over 18 years, identifying different	PCD, SPS, PCYPFH

	age demographics.	
14	The Licence Holder shall make alternative provisions for those under 18 to purchase non-alcoholic refreshments. This should include the provision of free water as set out in the mandatory conditions attaching to occasional licences.	PIPH, PCD, PCYPFH
15	<b>No</b> under 18s are permitted in the main bar area.  The Licence holder <b>must</b> display visible signage to this effect, the minimum size of which will be A4.	PCD, PCYPFH

#### Vulnerability - All Occasional Licences

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
16	<p>The Licence Holder <b>must</b> have in place a Duty of Care policy to ensure a standard approach is taken when any patron appears to be displaying signs of excessive intoxication or distress.</p> <p>The Licence Holder <b>must</b> ensure that all staff, volunteers and stewards have additional training in identifying signs of excessive intoxication and an enhanced awareness of vulnerability through intoxication.</p> <p>The Licence Holder <b>shall</b> ensure that staff training records are made accessible for inspection by Police Scotland and LSOs on request.</p>	PCD, SPS, PPN, PIPH, PCYPFH

#### Noise

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
17	Noise from amplified and non-amplified music, singing and speech sourced from licensed premises <b>shall not</b> be audible in adjoining properties after 11.00 p.m.	PPN

#### Off Sales Stalls in Markets or at Events

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
18(a) or	Tastings of alcohol are permitted in a quantity commensurate with a reasonable sample of product on offer. All samples <b>must</b> be served in safe alternatives to glass.	PCD, SPS
18(b)	Tastings of alcohol are permitted in a quantity commensurate with a reasonable sample of product on offer.	PCD, SPS

19	The Licence Holder <b>must</b> display a notice in a prominent position at the point of sale indicating that alcohol purchased <b>must not</b> be consumed within the venue.	PCD, SPS
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### Occasional Licences - Events

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
20	No tickets for the event are to be sold within any structure erected on the site. All tickets are to be sold outside at the entrance to the site where the sobriety of the patrons <b>must</b> be established before they are permitted entry to the event.	SPS
21(a) or 21(b)	Entry to the event must be ticket only, purchased prior to the day of the event.	SPS
22	Entry to the event must be by ticket only purchased by XXX hours on the day of the event.	SPS
23	The Licence Holder <b>must</b> provide an appropriate counting method to ascertain the number of attendees within the event at any particular time.	SPS
24	The main bar <b>must</b> be situated in a suitable place separate from the dance floor at the event OR <b>must</b> be partitioned off from the dance floor.	PCD, SPS
25	The Licence Holder shall ensure that alcohol is only consumed within a designated bar area.	PCD, SPS, PPN, PCYPFH
26	The Licence Holder shall ensure that no glass, cans or other containers are taken into the licensed areas of the event by attendees. The Licence Holder must provide suitable receptacles for these items at the entrance to the licensed area.	PCD, SPS
27	The Licence Holder <b>must</b> ensure there is a close down period between day time and evening events being held in the licensed area, where the licensed area <b>must</b> be cleared of all patrons.	PPN. SPS
28	The Licence Holder <b>must</b> ensure that a zero drugs policy is in place and that all staff, volunteers and stewards are aware of this Policy.	SPS, PCYPFH, PIPH
29	The Licence Holder <b>must</b> ensure that an evacuation procedure, policy and briefings are in place and ensure that all staff, volunteers and stewards are aware of this policy.	SPS
30	The Licence Holder <b>must</b> ensure that there is a procedure in place to conduct toilet checks and ensure that all staff, volunteers and stewards are	SPS. PPN, PCYPFH

	aware of this policy and that the necessary checks are undertaken.	
31	The Licence Holder <b>must</b> ensure that a dispersal policy is in place, that all staff, volunteers and stewards are briefed and aware of this Policy and assist with a swift, safe and quiet dispersal of patrons at the end of the event.	SPS PCD, PPN

### Adult Entertainment

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
32	Children and young persons <b>are not permitted</b> to attend any event involving adult entertainment.	PCYPFH

### Catering and Additional Activities

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
33	The Licence Holder <b>shall ensure</b> that any additional activities, such as catering, <b>must</b> cease trading at least 30 minutes prior to the terminal hour stated on the occasional licence.	PCD, PPN, SPS

### Stewards, Staff and Volunteers

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
34	<p>The Licence Holder <b>must</b> ensure that sufficient numbers of Staff and Volunteers are on duty to ensure a safe and responsibly run event. Such persons <b>must</b> be easily identifiable as such to persons present, display the appropriate identification, and should be made aware of their duties, policies and practices, by the Licence Holder. They <b>must</b> be responsible, capable, aware of their duties and not drink alcoholic liquor for the duration of their active employment. Their duties are to:</p> <ul style="list-style-type: none"> <li>(a) Confirm that persons who seek access to the premises have paid for admission or have appropriate passes/invitations;</li> <li>(b) Supervise entrance doors/access points at all times to ensure that no fire or other exits are blocked.</li> <li>(c) Be aware of fire safety precautions and procedures and all other policies and practices appropriate to the event.</li> </ul>	PCD, SPS, PPN, PIPH, PCYPFH

	<ul style="list-style-type: none"> <li>(d) Provide assistance to patrons, including customer care, directions to facilities and health and safety.</li> <li>(e) Remain on the premises until the end of the permitted hours and all patrons have vacated the premises.</li> <li>(f) Be aware of the provisions of the Licensing (Scotland) Act 2005 which impact on the running of the event.</li> <li>(g) An adequate number of staff, volunteers or stewards shall have knowledge of first aid procedure</li> </ul>	
35	<p>The Licence Holder <b>must</b> ensure that sufficient numbers of Security Industry Authority licensed stewards must be present to address the identified needs/risks of the event. They shall be responsible for controlling the licensed area of the event during licensed hours and until attendees have dispersed from the area at the end of the event. Such persons <b>must</b> be easily identifiable as such to persons present, display the appropriate identification, and should be made aware of their duties, policies and practices, by the Licence Holder. They <b>must</b> be responsible, capable, aware of their duties and not drink alcoholic liquor for the duration of their active employment. SIA stewards <b>must</b>:</p> <ul style="list-style-type: none"> <li>(a) Actively police the premises including fenced area if applicable, to perform all “manned guarding” activity as directed by the event organiser which are in line with their role under the Private Security Act 2001;</li> <li>(b) Supervise entrance doors/access points at all times to ensure that no fire or other exits are blocked;</li> <li>(c) Identify and refuse entry to drunken persons.</li> <li>(d) Identify and refuse entry to any persons banned through pubwatch or by any other means;</li> <li>(e) Be aware of the fire safety precautions and procedures and all other policies and practices;</li> <li>(f) Be aware of the drug prevention policy;</li> </ul>	PCD, SPS, PPN, PIPH, PCYPFH

	<p>(g) Provide assistance to patrons, including customer care, directions to facilities and health and safety;</p> <p>(h) Ensure that no patron removes glasses, or open or closed vessels from the premises when exiting for any reason;</p> <p>(i) Remain on the premises until the end of permitted hours and all patrons have vacated the premises, including patrolling the vicinity outside the premises to assist dispersal from the premises after the premises close;</p> <p>(j) Be aware of the provisions of the Licensing (Scotland) Act 2005 which impact on the running of the event.</p> <p>(k) An adequate number of stewards shall have knowledge of first aid procedure</p> <p>(l) All SIA Stewards must wear radios to allow for clear communication with one another and the reporting of any incidents with the Head Steward and, in respect of the licence, the responsible persons on duty.</p> <p>(m) Stewards shall report all criminal and relevant matters to Police Scotland</p>	
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Beer Gardens, Street Cafes and Outside Drinking Areas		
<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
36	Beer Gardens and outside drinking areas <b>must</b> not be used for activities linked to the sale or consumption of alcohol after 10.00pm. These areas may be used after 10.00pm for the purposes of smoking only.	PCD, SPS, PPN, PIPH, PCYPFH
37	The Licence Holder <b>must</b> take reasonable steps to ensure that litter and, where used, glass and bottles are removed from street cafes, beer gardens and outside drinking areas on a regular basis.	SPS, PPN, PIPH, PCYPFH
38	The Licence Holder <b>shall</b> consider the use of safe alternatives to glass containers and bottles in street cafes, beer gardens and outside drinking areas.	PCD, SPS, PPN, PIPH, PCYPFH

	The Licence Holder <b>shall</b> ensure that: -  (a) No amplified music or noise emitted from the use of microphones, speakers or other forms of music entertainment shall be played within the area; (b) The area is delineated by a physical barrier; (c) Signage is displayed indicating that alcohol is not to be removed from the area.	PCD, SPS, PPN, PIPH, PCYPFH
40	Children and Young Persons may be present in the street café, beer garden or the outside drinking area for the purpose of consumption of food.	PCYPFH

#### Street Cafes and Licensed Pavement Areas forming part of a Market or Licensed Event

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
41	<p>The Licence Holder <b>shall</b> ensure that there is a Street Café consent in place and <b>shall</b> comply with the street café consent conditions including (but not limited to) the following conditions:</p> <p>(a) Barriers, Tables and Chairs are only allowed on the pavement/road between 0900 hrs and 2100hrs and must be removed from the area promptly at 2100 hrs, and            (b) Alcohol may only be consumed within the street café when it accompanies food* served at the premises.</p> <p>**"Food" is defined as being an item that needs a plate and implements to be used to prepare an item for consumption such as scones, cakes etc, or an item that requires to be delivered on a plate and requires utensils for consumption. It does not include snack items such as crisps or nuts.</p>	PCD, SPS, PPN, PIPH, PCYPFH

#### Alcohol Deliveries, Click and Collect and Internet Sales forming part of a Market or Licensed Event

<u>Number</u>	<u>Condition</u>	<u>Licensing Objectives</u>
42	<p>The Licence Holder <b>shall</b> ensure that, in respect of non-trade sales:</p> <p>(a) There is an age verification policy for delivery</p>	SPS, PIPH, PCYPFH

	<p>drivers and at click and collect locations where the recipient of the alcohol is believed to be under the age of 25.;</p> <p>(b) Delivery drivers and click and collect staff are trained to the same level as staff who sell or supply alcohol within licensed premises.</p> <p>(c) That the customer signs on receipt of delivery of alcohol.</p> <p>(d) Delivery drivers and click and collect staff keep refusal registers.</p> <p>(e) That orders are not left in nominated places.</p>	
43	<p>The Licence Holder <b>shall</b> ensure compliance with Section 119 of the 2005 Act which requires the following in relation to delivery of alcohol from vehicles –</p> <p>(a) A daybook kept on the premises from which the alcohol is dispatched, and</p> <p>(b) A delivery book or invoice carried by the person delivering the alcohol.</p> <p>Information referred to above <b>must</b> include –</p> <p>(i) The quantity, description, and price of the alcohol, and</p> <p>(ii) The name and address of the person to whom it is to be delivered to.</p>	SPS, PIPH, PCYPFH

**Note:**

**Additional Conditions specific to individual licensed premises may be attached by the Board to premises licences depending on the circumstances of the particular application, over and above the pool conditions listed in this document.**