






## APPENDIX 2

### Local Conditions – Premises Licences

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#### The Aberdeenshire Licensing Board

#### Local Conditions - Premises 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 Premises		
Number	Condition	Licensing Objectives
1	The provisions relating to the management of licensed premises contained within the Board's current Policy Statement, particularly Appendix 1 thereto, must be complied with.	PCD, SPS, PPN, PIPH, PCYPFH
2	Premises Licence Holders must ensure that the premises internally and externally, are maintained in good, clean and tidy conditions at all times.	SPS, PPN
3	Premises Licence Holders must ensure that Refusal Registers and Daily Incident Logs are accessible for inspection by Police Scotland and Licensing Standards Officers on request.	PCD, SPS
4	The Licence Holder must ensure that any general authorisation for the sale of alcohol required within the premises 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 the Premises Manager.	PCD, SPS, PPN, PIPH, PCYPFH

Noise – All Premises		
Number	Condition	Licensing Objectives
5	Noise from amplified and non-amplified music, singing and speech sourced from licensed premises shall not be audible in adjoining properties after 11.00 p.m.	PPN

### Lockfast Store – All Premises

Number	Condition	Licensing Objectives
6	All alcohol not on display within the premises must be kept within a designated lockfast store on the premises, and shown on the layout plan attached to the premises licence.	PCD, SPS

### Children and Young Persons – On-Sales Premises

Number	Condition	Licensing Objectives
7	Children under the age of twelve years, shall not have direct access to pool tables, darts boards or gaming machines in any part of the premises to which they have access or are allowed entry.	SPS, PCYPFH
8	The Licence Holder shall provide safe high chairs for the use of young children.	SPS, PCYPFH
9	The Licence Holder shall provide heating facilities for baby/toddler's food at no cost to the customer.	SPS, PCYPFH
10	The Licence Holder shall provide containers for the disposal of soiled nappies.	SPS, PPN, PCYPFH
11	The Licence Holder shall ensure that heating sources are adequately protected.	SPS, PCYPFH

### Premises Providing Late Night Entertainment – On-Sales Premises

Number	Condition	Licensing Objectives
12	Alcohol shall be provided for consumption on the premises only.	PCD, SPS, PPN
13	The entertainment to be provided shall be XXX (to be defined by the Board on a case-by-case basis).	PCD, SPS, PPN
14	The entertainment provided shall be on a continuous basis with breaks of not more than 15 minutes in any one hour.	PCD, SPS, PPN
15	All public notices of advertisements including social media shall contain the following information:  (a) The name and address of the premises; (b) The entertainment to be provided on the premises; (c) The commencement time of the entertainment; (d) The price of entry; (e) The terminal hour for the premises and (f) The time of the curfew, where operated, must be advertised.	PCD, SPS, PPN
16	The Licence Holder shall display a notice at the entrances to the venue clearly defining the policy of the venue relating to the use of illegal substances	PCD, SPS, PPN, PIPH

	and weapons within the venue and stating that criminal offences will be reported to Police Scotland.	
17	The premises shall have a dispersal policy to ensure patrons are not put in vulnerable situations after leaving the premises. The policy must be in writing. All members of staff shall be informed of the policy. The policy shall be made available to customers, and for inspection by Police Scotland and the LSOs on request. The policy shall be reviewed regularly, and a detailed record of reviews kept.	PCD, SPS, PPN, PIPH

### Adult Entertainment – On-Sales Premises

Number	Condition	Licensing Objectives
18	Children and young persons are not permitted to attend any event involving adult entertainment.	PCYPFH

### Vulnerability - All Premises

Number	Condition	Licensing Objectives
19	<p>The Licence Holder must 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 must 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 shall ensure that staff training records are made accessible for inspection by Police Scotland and Licensing Standards Officers.</p>	PCD, SPS, PPN, PIPH, PCYPFH

### Door Supervisors – On-Sales Premises

Number	Condition	Licensing Objectives
20	The Premises Licence Holder must ensure that sufficient numbers of Security Industry Authority licensed stewards are on duty to ensure a safe and responsibly run premises. Such persons must 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 Premises Licence Holder. They must be responsible, capable, aware of their duties and not	PCD, SPS, PPN, PIPH

drink alcoholic liquor for the duration of their active employment. Their duties are to:

- (a) Confirm that persons who seek access to the premises have paid for admission or have appropriate passes/invitations;
- (b) Identify and refuse entry to drunken persons;
- (c) Identify and refuse entry to any persons banned through pubwatch or by any other means;
- (d) Actively police the premises and to perform all activities in line with their role under the Private Security Act 2001;
- (e) Supervise entrance doors/access points at all times to ensure that no fire or other exits are blocked;
- (f) Be aware of the fire safety precautions and procedures and all other policies and practices;
- (g) Be aware of the premise's drug prevention policy;
- (h) Provide assistance to patrons, including customer care, directions to facilities and health and safety;
- (i) Ensure that no patron removes glasses, or open or closed vessels from the premises when exiting for any reason;
- (j) 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;
- (k) Be aware of the provisions of the Licensing (Scotland) Act 2005 which impact on the running of the premises
- (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.
- (m) Stewards shall report all criminal and relevant matters to Police Scotland.

**CCTV – All Premises**

<b>Number</b>	<b>Condition</b>	<b>Licensing Objectives</b>
21	Where a CCTV system is installed, this must comply with the required standard and be maintained in working order and staff must be able to operate the system.  Images recorded on CCTV must be kept for at least seven days and must be made available to Police Scotland on request.	PCD, SPS, PPN

**Members Clubs**

<b>Number</b>	<b>Condition</b>	<b>Licensing Objectives</b>
22	Members Clubs must comply with the provisions of Supplementary Policy Statement 7 of the Board's current policy statement.	PCD, SPS, PPN, PIPH, PCYPFH
23	Members Clubs shall adhere to the terms of the Club's constitution or rules attached to their premises licence.	PCD, SPS, PPN, PIPH, PCYPFH
24	Where the Club has submitted draft constitution or rules with their application for a premises licence, they shall submit a copy of the approved constitution or rules to the Clerk to the Board within 28 calendar days of the draft constitution/rules being approved by the Club's governing body.	PCD, SPS, PPN, PIPH, PCYPFH
25	Where the Club revises its constitution or rules in the future, the Club must submit a copy of the proposed revisions to the Board for approval and thereafter submit a copy of the approved revised constitution or rules to the Clerk to the Board, within 28 calendar days of the draft constitution/rules being approved by the Club's governing body.	PCD, SPS, PPN, PIPH, PCYPFH
26	Where there are any changes to the list of connected persons in relation to the Club, the Club must submit details of the names, addresses, postcodes, dates and places of birth of the new connected persons and an updated list of all connected persons, to the Clerk to the Board, within 28 calendar days of the changes to connected persons being approved by the Club's governing body.	PCD, SPS, PPN, PIPH, PCYPFH
27	The Club must ensure that at all times, there at least two members of staff, or Committee Members, or volunteers involved in the management of the Club who are trained to the standard of a Personal Licence Holder. If the persons trained change at	PCD, SPS, PPN, PIPH, PCYPFH

	any time, evidence of an up-to-date training certificate must be submitted to the Clerk within two months of change in personnel.	
28	Any person requiring to hold a training certificate for the purposes of condition 26 above, must complete a refresher training course within a period of 3 months of the 5-year anniversary of the date of the initial training certificate and submit a copy of the refresher training certificate to the Clerk within 28 calendar days of receipt of the updated certificate. Further refresher training will be completed at 5 yearly intervals thereafter in line with this condition.	PCD, SPS, PPN, PIPH, PCYPFH
29	That up to 5 visitors per member shall be permitted in the club premises provided they are signed into the club by that member into a book kept for that purpose by the club. Such visitors must be bona-fide guests of the member signing them in.	SPS, PPN
30	All promotional materials, including the use of social media, must specify that events are open to Members and Guests only, unless an Occasional Licence is in place. Events must be advertised in the press as for "Members and Guests only"	SPS, PPN

### Beer Gardens and Outside Drinking Areas

Number	Condition	Licensing Objectives
31	Beer Gardens and outside drinking areas must 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
32	The Licence Holder must 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
33	The Licence Holder shall 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
34	The Licence Holder shall 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;	PCD, SPS, PPN, PIPH, PCYPFH

	(c) Signage is displayed indicating that alcohol is not to be removed from the area.	
35	Children and Young Persons may be present in the street café, beer garden or outside drinking area for the purpose of the consumption of food.	PCYPFH

### Street Cafes and Licensed Pavement Areas

Number	Condition	Licensing Objectives
36	<p>The Licence Holder shall ensure that there is a Street Café consent in place and shall 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</p> <p>(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

### Hybrid Premises

Number	Condition	Licensing Objectives
37	Premises operating as “other premises” during the day and wishing to operate as Nightclubs thereafter must ensure that the premises are closed down and cleared of patrons, particularly children and young persons, for at least one hour prior to the	PCD, SPS, PPN, PCYPFH

	commencement of operating as a nightclub at the premises.	
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### Festive Season Conditions for Premises Opening After 1.00 a.m.

Number	Condition	Licensing Objectives
38	A person trained to the satisfaction of the Licensing Board in administering first aid must be present on the premises from 1.00a.m. (on any day when the premises are open at that time) until the time at which the premises next close .	SPS, PIPH, PCYPFH
39	A designated person who is the holder of a personal licence must be present on the premises from 1.00a.m. (on any day when the premises are open at that time) until the time at which the premises next close.	PCD, SPS, PPN, PIPH, PCYPFH
40	There must be written policies in existence concerning – <ul style="list-style-type: none"> <li>• The evacuation of the premises; and</li> <li>• The prevention of the misuse of drugs on the premises.</li> <li>• Duty of care ('Vulnerability through Intoxication')</li> </ul>	PCD, SPS, PPN, PIPH, PCYPFH
41	There must be persons responsible for checking on the safety and wellbeing of persons using any toilet facilities on the premises.	PCD, SPS, PPN, PIPH, PCYPFH
42	A person who holds a licence granted under Section 8 of the Private Security Industry Act 2001 must be positioned at every entrance to the premises from 1.00a.m. (on any day when the premises are open at that time) until the time at which the premises next close.	PCD, SPS, PPN, PIPH, PCYPFH

### Alcohol Deliveries, Click and Collect and Internet Sales

Number	Condition	Licensing Objectives
43	The Licence Holder shall ensure that: <ul style="list-style-type: none"> <li>(a) There is an age verification policy for delivery drivers and at click and collect locations where the recipient of the alcohol is believed to be under the age of 25.;</li> <li>(b) Delivery drivers and click and collect staff are trained to the same level as staff who sell or supply alcohol within licensed premises.</li> <li>(c) That the customer signs on receipt of delivery of alcohol.</li> </ul>	SPS, PIPH, PCYPFH



	<p>(d) Delivery drivers and click and collect staff keep refusal registers.</p> <p>(e) That orders are not left in nominated places.</p>	
44	<p>The Licence Holder shall 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 must 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

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

Number	Condition	Licensing Objectives
45	The Licence Holder must 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
46	<p>The Licence Holder shall take reasonable steps to inform customers of the existence and effect of the Byelaw.</p> <p>The Licence holder must display visible signage to this effect, at exit points from the licensed area, the minimum size of which will be A4.</p>	PCD, PPN, PIPH

#### 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.**