

HIGHLAND LICENSING BOARD – PREMISES LICENCE LOCAL CONDITIONS

Any of the following local conditions may be applied to premises licences for the purposes of one or more of the licensing objectives. These objectives are:

1. Preventing crime and disorder
2. Securing public safety
3. Preventing public nuisance
4. Protecting and improving public health
5. Protecting children and young persons from harm

	Condition	Licensing objective
Children		
a.	Children under the age of 16 are excluded from any room where there is a bar counter after 2200 hours except during private functions or for the purpose of viewing live entertainment or where the child is in the room for the purpose of taking a meal. This condition does not apply to any child who is in the bar solely for the purpose of passing to or from some other part of the premises being a part to or from which there is no other convenient means of access or egress.	5
b.	Whilst in any room with a bar counter all children must be in the company of, or supervised by an appropriate responsible adult. This condition does not apply to children of the licence holder or children who are resident on the premises.	5
c.	Notwithstanding conditions (a) and (b) children must not sit or remain at the bar counter at any time.	5
d.	Children aged 12 or over who are permitted to enter the premises unaccompanied by an adult must be seated in a designated area of the premises distanced away from, and/or separated from, any bar counter and any “vertical” drinking area where customers stand while consuming alcohol. <i>(This condition may be applied at youth-friendly restaurants where the Board have expressly permitted entry by children aged 12 or over unaccompanied by an adult for the purpose of buying food or soft drinks)</i>	5

Early opening

e.	Premises opening for the sale of alcohol for consumption on the premises prior to 1100 hours shall have available a selection of hot and cold food and shall advertise this within the premises. <i>(This condition may be applied when early opening is being permitted on an application for extended hours for a particular special event or occasion.)</i>	4
f.	Alcohol may be sold on the premises prior to 1100 hours only to persons taking table meals. <i>(This condition may be applied when early opening is being permitted on a permanent basis to premises which are food-led operations.)</i>	4
g.	Alcohol may be sold prior to 1100 hours for consumption on the premises only during a formal or tutored tasting session and only to customers taking part in such a tasting sessions. <i>(This condition may be applied when early opening is being permitted on a permanent basis at distilleries or other alcohol producing premises which are also visitor attractions and at specialist off-sales premises)</i>	4

Late opening

h.	Premises open for the sale of alcohol after 0100 hours shall have available a selection of hot and cold foods and shall advertise this within the premises.	4
i.	On any day for which the terminal hour specified in this licence is later than 0100 hours the following day, alcohol may be sold on the premises after 0100 hours only while entertainment as detailed in the operating plan is being provided in the premises and has been provided continuously from no later than 2200 hours.	4
j.	On any day for which the terminal hour specified in this licence is later than 0100 hours the following day, alcohol may be sold and consumed on the premises after 0100 hours (a) only in that part of the premises identified in the operating plan as the part of the premises in which significant entertainment is to be provided, (b) only while such entertainment is being provided in that part of the premises, and (c) only where the entertainment has been provided continuously from no later than 2200 hours. <i>(This condition may be applied where significant entertainment is provided only in part of the premises and late opening beyond 0100 hours is permitted only in that part of</i>	4

	<i>the premises)</i>	
k.	<p>The licence holder shall submit to the Board and to Police Scotland, prior to 1 December each year, notice of the dates within the festive period on which it is intended that the premises remain open until the festive period terminal hour stated for that category of premises in the Board's Policy Statement. The premises may remain open until the festive period terminal hour only on those dates for which notice has been given by the licence holder to the Board and to Police Scotland in accordance with this condition.</p> <p><i>(This condition will apply only where the operating plan includes a statement that the premises will open during the festive period for the hours agreed under the Board's festive period policy)</i></p>	1 & 2

Outdoor drinking areas

l.	<p>The boundaries of any outside area will be effectively demarcated to the satisfaction of the Licensing Standards Officer.</p> <p><i>(This condition will not be applied if the outdoor area requires a pavement permit from The Highland Council or if the LSO advises it is unnecessary)</i></p>	2 & 3
m.	<p>After hours, alcoholic or non-alcoholic drinks shall not be consumed in any outdoor drinking area</p> <p><i>(Appropriate hour to be determined on a case by case basis)</i></p>	3
n(i).	<p>No live or recorded music shall be played in any outdoor drinking area.</p> <p><i>or</i></p>	3
n(ii).	<p>The playing of live or recorded music in any outdoor drinking area shall be restricted to between the hours of and</p> <p><i>(Appropriate hours to be determined on a case by case basis)</i></p>	
o.	<p>The licence holder shall ensure that consumption of drinks (alcoholic or non-alcoholic) in any outside drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing in that area.</p>	1, 2 & 3
p.	<p>The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.</p>	1, 2 & 3
q.	<p>Within 15 minutes of the conclusion of permitted hours for any</p>	1, 2 & 3

	outside drinking area situated on a public footpath, all tables, chairs, parasols and other moveable furniture will be removed.	
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Prevention of misuse of drugs

r.	The licence holder shall have in place and ensure that all staff working in the premises are aware of, understand and adhere to, a written policy for the prevention of misuse of drugs on the premises. This policy must accord with the terms of the specimen policy set out at Appendix 11 of the Board's Policy Statement, unless otherwise agreed in writing by the Licensing Standards Officer.	1, 2, 3 & 4
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Duty of care

s.	The licence holder shall have in place and ensure that all staff working in the premises are aware of, understand and adhere to, a duty of care policy to reduce the vulnerability of patrons on the premises through intoxication, however and wherever attained. The aim of this policy should be to ensure that a standard approach is taken by staff when any patron appears to be displaying signs of excessive intoxication. All staff must receive training in identifying signs of excessive intoxication and advancing their awareness of vulnerability through intoxication. This training should include material such as the "Who are you?" video www.whoareyou.co.nz or similar. All related training should be recorded and records kept available for inspection by Police Scotland and the Licensing Standards Officers.	1, 2 & 4
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Miscellaneous

t.	After hours, alcoholic and non-alcoholic drinks may only be sold or served in plastic or polycarbonate glasses. <i>(This condition may be applied where considered appropriate following a review of a premises licence)</i>	1, 2, 3 & 4
u.	Any music or live performance in the premises will cease at hours. <i>(Appropriate hour to be determined on a case by case basis)</i>	3
v.	After hours, the licence holder shall ensure that there is adequate stewarding at all relevant entrances and egresses to the premises and within the premises.	1, 2 & 3

w.	The licence holder shall ensure the provision of an effective means of recording the number of patrons on the premises during the premises hours of operation to ensure that the capacity stated in the operating plan for the premises is not exceeded.	2
x.	Dartboards and any pool table will be situated in a location of the premises approved by the Licensing Standards Officer.	2