

Licensing Sub-Committee Report

Item No:	
Date:	5 July 2018
Licensing Ref No:	18/05005/LIPN - New Premises Licence
Title of Report:	Woods Quay Savoy Pier Victoria Embankment London SW1A 2HR
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 May 2018		
Applicant:	Woods River Cruises Limited		
Premises:	Woods Quay		
Premises address:	Savoy Pier Victoria Embankment London SW1A 2HR	Ward:	St James's
		Cumulative Impact Area:	No
Premises description:	The applicant proposes to operate a new reception pier and berthing pontoon that will serve three vessels. The pier and pontoon are newly constructed; the pier will consist of three rooms that include a bar and a tasting kitchen that will both be available for private hire. The remaining area will be used as a reception area for Woods River Cruises Ltd customers.		
Premises licence history:	This is an application for new premises licence and therefore no licence history exists.		
Applicant submissions:	There are no submissions from the applicant.		
Current planning permission:	The premises benefits from the following planning permission (15/06373/FULL) for the continued use of floating pontoon with access from Victoria Embankment for embarkation and landing of passengers on the River Thames until December 2017.		

1-B Proposed licensable activities and hours							
Regulated Entertainment: Live Music, Recorded Music and Anything of a similar description				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:				At the start of British Summertime, and on that day only, the terminal hour for all licensable activities shall be extended by one hour. On New Year's Eve from the end of normal permitted hours until the start of permitted hours on New Year's Day.			

Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:			<p>At the start of British Summertime, and on that day only, the terminal hour for all licensable activities shall be extended by one hour.</p> <p>On New Year's Eve from the end of normal permitted hours until the start of permitted hours on New Year's Day.</p>				

Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:			<p>At the start of British Summertime, and on that day only, the terminal hour for all licensable activities shall be extended by one hour.</p> <p>On New Year's Eve from the end of normal permitted hours until the start of permitted hours on New Year's Day.</p>				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	02:00
Seasonal variations/ Non-standard timings:			<p>At the start of British Summertime, and on that day only, the terminal hour for all licensable activities shall be extended by one hour.</p> <p>On New Year's Eve from the end of normal permitted hours until the start of permitted hours on New Year's Day.</p>				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Sandy Russell
Received:	15 May 2018
<p>Dear Mr Woods,</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application at this stage in the application process. The venue is situated outside Westminster's Cumulative Impact Area, however it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>Myself, my colleague PC Boon and Sally Fabbriatore from EH would like to arrange a meeting to discuss this application further, we would also like to visit the premises. Please can this be arranged over the next couple of weeks?</p> <p>I am free on the following dates: 24/25 May or 6/7/8/14/15 June.</p> <p><u>Further correspondence between the Police and the Applicant:</u></p> <p>Thank you for taking the time to arrange the meeting and link up with us this morning, we found the meeting very useful.</p> <p>I have gone through the application and the conditions proposed by yourselves are acceptable. We do not feel it supports the Westminster Licensing policy document for there to be any alcohol sales prior to 08.00hrs, I have proposed a suitable condition below. We also, propose the following further conditions for your client to consider.</p> <p><i>Conditions proposed by the Police can be found at Appendix 4.</i></p>	
Responsible Authority:	Environmental Health Service
Representative:	Mrs Sally Fabbriatore
Received:	18 May 2018
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted the following plans, drawing number 12097/1100 rev 03 and dated 03/08/16 (pontoon and pier) and drawing number 067-PR001 rev A and dated April 18 (pier rooms).</p> <p>This representation is based on the plans and Operating Schedule submitted.</p> <p>The applicant is seeking the following licensable activities:</p>	

1. The Supply of Alcohol for consumption on the premises Monday to Sunday 06:00-02:00 hours.
2. To provide the following Regulated Entertainment both indoors and outdoors: Live Music, Recorded Music, and anything of a similar description on Monday to Sunday 06:00-02:00 hours.
3. To provide Late Night Refreshment both indoors and outdoors Monday to Sunday 23:00-02:00 hours.
4. To allow the above provisions for an extra hour on the start of British Summer Time and to allow from the end of permitted hours on New Year's Eve and New Year's Day.

I wish to make the following representations in relation to the above application:

1. The Supply of Alcohol may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.
2. The provision of Regulated Entertainment may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.
3. The provision of Late Night Refreshment may have the likely effect of causing an increase in Public Nuisance in the area.
4. The non-standard timings may have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has proposed conditions within the operating schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

The granting of the new Premises Licence as presented may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

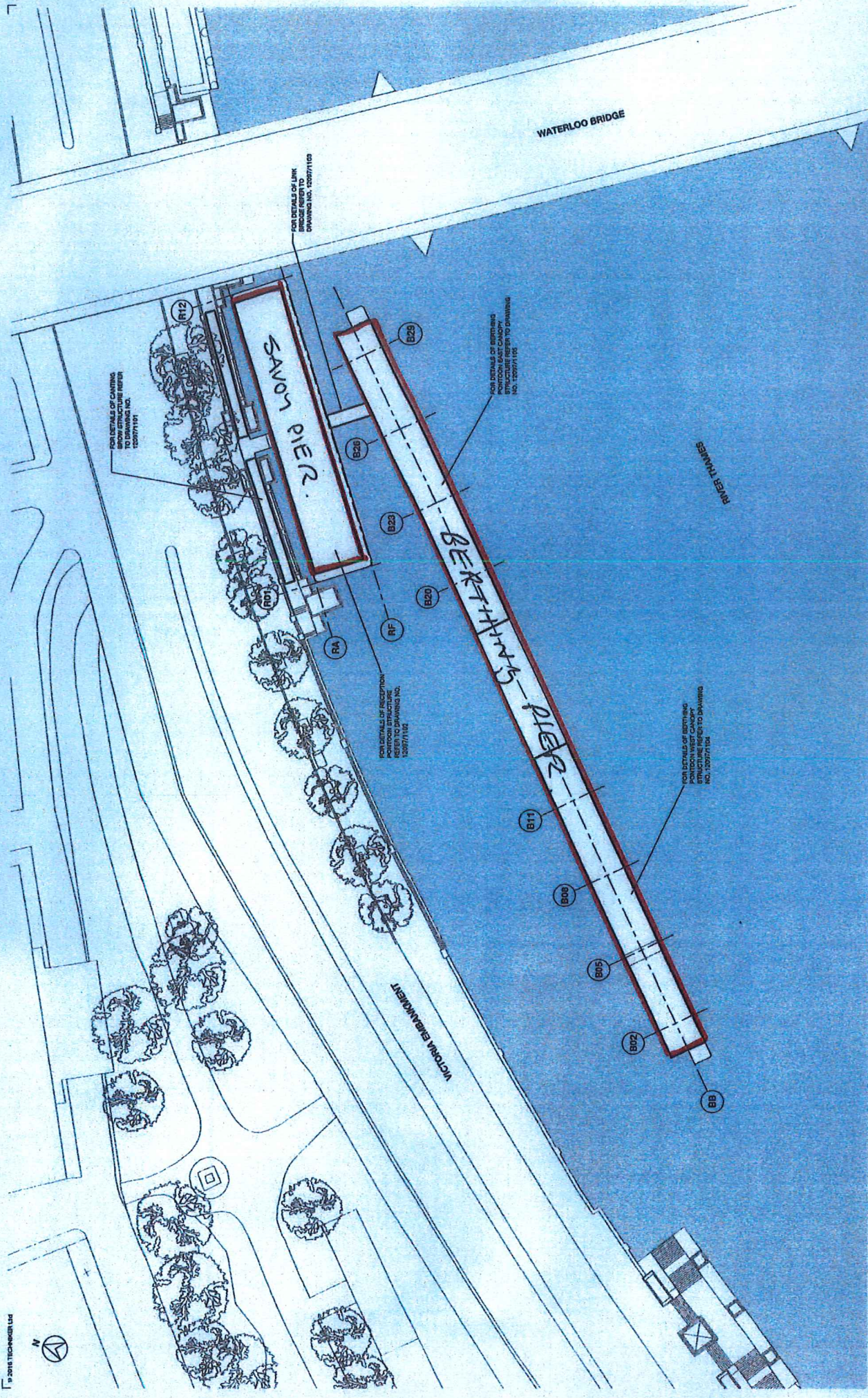
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Mrs Shannon Pring Senior Licensing Officer	
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk	
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.		
Background Documents – Local Government (Access to Information) Act 1972		
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	15 May 2018
5	Email from Environmental Health to Applicant	06 June 2018
6	Environmental Health Service Representation	18 May 2018

Premises Plans

Appendix 1

The proposed plans are enclosed.



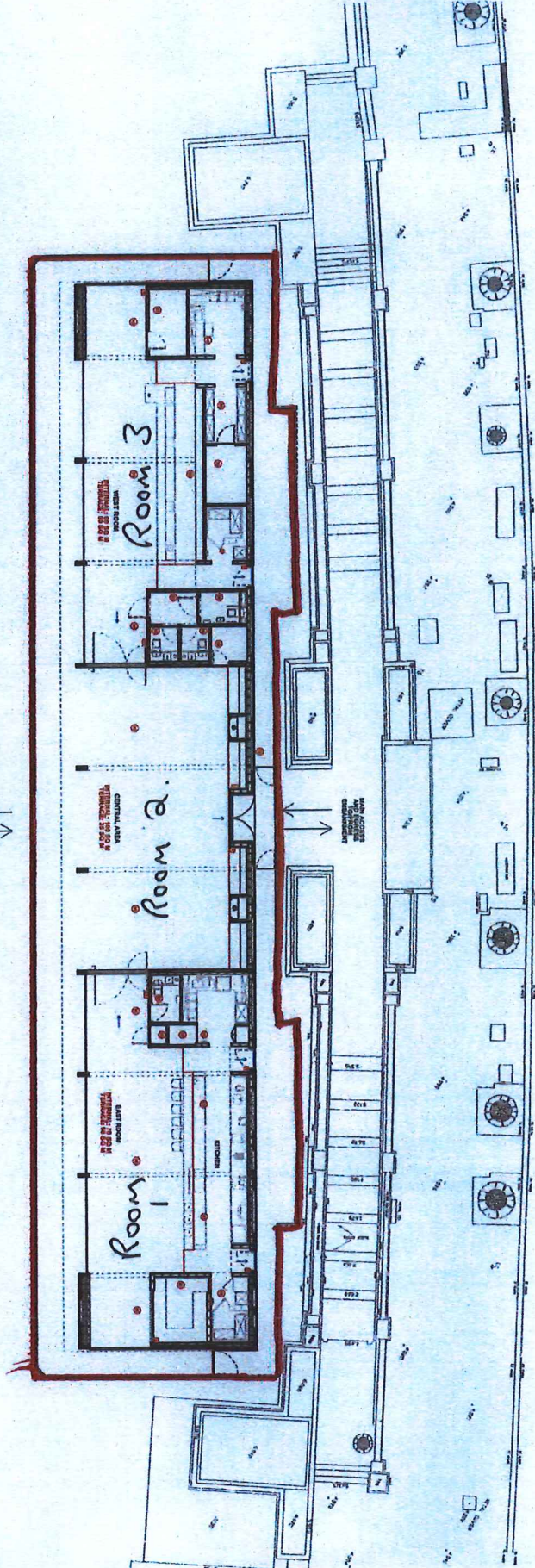
<p>TECHNIKER</p> <p>SAVOY PIER</p> <p>SITE PLAN</p> <p>DATE: 03/08/16</p> <p>SCALE: 1:300</p> <p>BY: SHIM</p> <p>NO: 12097/1100</p>		<p>2009/16 AA 02</p> <p>03/08/16 AA 02</p> <p>03/08/16 AA 02</p>	<p>03 ISSUED FOR STAGE E.</p> <p>02 ISSUED FOR STAGE E.</p> <p>01 ISSUED FOR STAGE E.</p>	<p>STAGE E</p>
<p>NOTE:</p> <ol style="list-style-type: none"> 1. THE DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS AND ENGINEERS DRAWINGS AND SPECIFICATIONS. 2. DO NOT SCALE THIS DRAWING. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR THE WORK SHOWN. 4. IMPOSED LOAD RESTRICTIONS APPLY. REFER TO SECTION 1.3.2 ON DRAWING 12097/001. 5. THE CONTRACTOR IS RESPONSIBLE FOR GETTING OUT AND ACCURACY OF WORK SHOWN. 6. THESE DRAWINGS SHOW THE PRIMARY SUBSTRUCTURE IN BLACK AND SECONDARY SUBSTRUCTURE IN GREY FOR THE LEFT OF CENTRE. 7. THESE DRAWINGS SHOW THE PRIMARY SUBSTRUCTURE IN BLACK AND SECONDARY SUBSTRUCTURE IN GREY FOR THE RIGHT OF CENTRE. <p>SECTION 2.1.2 ON DRAWING 12097/001, ARE NOT SHOWN ON THESE DRAWINGS AND DO NOT FORM TECHNICAL PACKAGE OF INFORMATION.</p> <p>2009/16/16/17</p>				

LEGEND

Area to be used for assembly includes:

- Fire Exit Door
- Emergency Exit
- Smoke Detector
- Heat Detector
- Heat Smoke Detector
- Glass Break Point
- Fire Control Panel
- Central Alarm Station

* exact location of fire equipment to be agreed



AREA TO BE USED FOR ASSEMBLY INCLUDES

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As prepared by the Architectural Dept. of Gloucester City Council, Gloucester, GLOUCESTER, GLOUCESTER

Applicant Supporting Documents

Appendix 2

There are no supporting documents received from the Applicant.

There is no licence or appeal history for the remises.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

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(i) 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.

- 8(ii) 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.
- 8(iii). 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.
- 8(iv). (1) 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.
- (2) 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.

Conditions consistent with the operating schedule

9. Alcohol shall only be sold for consumption by persons attending:
- (1) a pre-booked ticketed event;
 - (2) bone fide private function or event to which members of the public are not admitted
 - (3) customers of Woods River Cruises Ltd

10. Training for every staff team member and management so the team are aware of the premises licence and requirements to meet the four licensing objectives.
11. Licensing law training for staff, focussing particularly on:
Preventing underage sales/Challenge 25;
Not permitting violent/anti-social behaviour;
Not permitting drunk/disorderly behaviour;
Zero tolerance drugs policy.
12. The premises shall install and maintain a suitable CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light conditions. The CCTV system shall continually record while 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.
13. 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.
14. 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.
15. 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.
16. All external emergency exit doors shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened.
17. 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.
18. 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.
19. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. 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.
22. A 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.
23. 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.

Conditions proposed by the Police

24. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
25. There shall be no admittance or re-admittance to the premises after 23.00hrs except for patrons permitted to temporarily leave the premises to smoke.
26. 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.
27. a) All drinking vessels used in the venue shall be strengthened/toughened glass or polycarbonate. All drinks in glass bottles are to be decanted into toughened/strengthened glass or polycarbonate containers or strengthened/toughened glass/polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl. Staff shall clear all empty champagne and spirit bottles promptly from the licensed area. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.

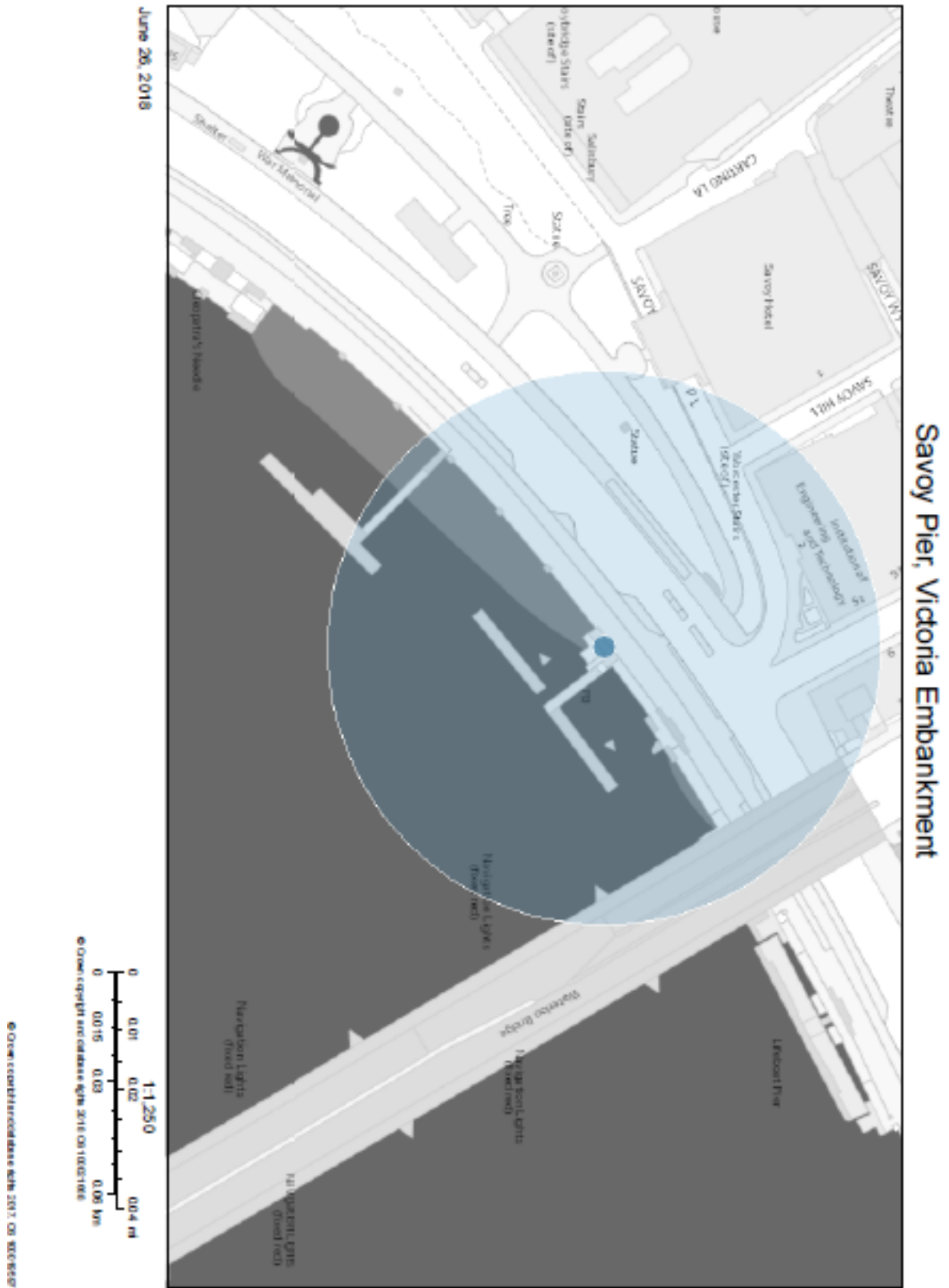
b) Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events.
28. There shall be a minimum of 1 SIA licensed door supervisor on duty at the entrance to the premises from 18.00hrs to close. Prior to and after this time door staff numbers will be at least a 1:100 ratio unless decided otherwise by a risk assessment conducted by a member of the venue's management team. The use of door staff shall only be required whilst the premises are open for licensable activities.
29. The sale and supply of alcohol for consumption within Room 3 (on the Savoy Pier, shown on the plans – the food tasting area) and on the Berthing Pier shall be restricted to alcohol consumed by persons who are seated. Within these areas the supply of alcohol will be by waiter or waitress service only.

30. Alcohol sales between the hours of 08.00hrs and 10.00hrs shall be consumed ancillary to a substantial meal.

Conditions proposed by Environmental Health and agreed by the applicant to form part of the operating schedule

31. No licensable activities shall take at the reception pontoon until the capacity of the reception pontoon 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.
32. The number of persons permitted at any one time (excluding staff) in the in the reception pontoon shall not exceed TBC persons.
33. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
34. 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.
35. There shall be no sales of hot food or hot drink for consumption off the premises after 23:00.
36. A Noise Management Plan shall be produced for events which use the outside area beyond 23:00 hours and followed by the responsible person. This shall be made available on request to the Responsible Authorities and kept for at least one year.
37. 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 Services 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.
38. In the outside areas there shall be no amplified live music beyond 23:00 hours.
39. No music, whether live or recorded, should be audible at the agreed location (to be inserted on the works clearance visit) beyond 23:00 hours.
40. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

41. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
42. All windows and external doors shall be kept closed after (23:00) hours, except for the immediate access and egress of persons.
43. No licensable activities shall take place at the premises until the premises have 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.



Resident count: 0