



**Regulatory Committee**

**Thursday, 3 April 2008 6.00 p.m.  
Council Chamber, Runcorn Town Hall**



**Chief Executive**

**COMMITTEE MEMBERSHIP**

<b>Councillor Ged Philbin (Chairman)</b>
<b>Councillor Pamela Wallace (Vice-Chairman)</b>
<b>Councillor Bob Bryant</b>
<b>Councillor Carl Cross</b>
<b>Councillor Philip Drakeley</b>
<b>Councillor Harry Howard</b>
<b>Councillor Alan Lowe</b>
<b>Councillor Diane Inch</b>
<b>Councillor Steff Nelson</b>
<b>Councillor Ernest Ratcliffe</b>
<b>Councillor Kevan Wainwright</b>

*Please contact Gill Ferguson on 0151 471 7395 or e-mail [gill.ferguson@halton.gov.uk](mailto:gill.ferguson@halton.gov.uk) for further information.  
The next meeting of the Committee is on Monday, 16 June 2008*

**ITEMS TO BE DEALT WITH  
IN THE PRESENCE OF THE PRESS AND PUBLIC**

**Part I**

<b>Item No.</b>	<b>Page No.</b>
<b>1. DECLARATION OF INTEREST</b>	
Members are reminded of their responsibility to declare any personal or personal and prejudicial interest which they have in any item of business on the agenda, no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item.	
<b>2. APPLICATION TO REVIEW THE NEW YORK CAFÉ BAR 2-4 HIGH STREET RUNCORN PREMISES LICENCE</b>	<b>1 - 15</b>

***In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.***

**REPORT:** Regulatory Committee

**DATE:** 3 April 2008

**REPORTING OFFICER:** Chief Executive

**SUBJECT:** Application to Review the New York Café Bar  
2-4 High Street Runcorn Premises Licence

**WARDS:** Mersey

### **1. PURPOSE OF REPORT**

To hold a hearing to consider an application for the review of a premises licence under Section 51 Licensing Act 2003. Cheshire Constabulary have requested the review because of alleged contraventions of 3 of the Licensing Objective namely the Prevention of Crime and Disorder, Public Safety and the Protection of Children from Harm.

### **2. RECOMMENDATION**

**That the Committee determines the Section 51 application.**

### **3. SUPPORTING INFORMATION**

- 3.1** An application has been made under Section 51 Licensing Act 2003 ("the 2003 Act") to review the Premises Licence in relation to the above property.
- 3.2** This hearing is held in accordance with the 2003 Act and the Licensing Act 2003 (Hearings) Regulations 2005.
- 3.3** The procedure to be followed has been circulated to all parties and will be repeated at the beginning of the hearing.
- 3.4** The hearing is solely concerned with the Section 51 application.

### **4 THE APPLICATION**

- 4.1** An application for the review of the premises licence was received on 8 February 2008 from Cheshire Constabulary and relates to alleged contravention of the following Licensing Objectives:- Prevention of Crime and Disorder, Public Safety and The Protection of Children from Harm.
- 4.2** The Premises Licence holder is David Owen
- 4.3** The review was requested on the following grounds:-

David Owen has been the owner/operator of these premises since November 2004 and subsequently the premises Licence Holder since 11 November 2005. Michael Dowling has been both the holder of the

Justices' Licence and the Designated Premises Supervisor over the same period.

The New York Bar (NYB) has never enjoyed a good reputation and has always attracted a constant amount of Police attention. However, over the last 18 months standards have been allowed to fall until they have quite simply become unacceptable.

In brief over the last 24 months there have been 21 arrests at or near the premises for offences of violent disorder and a total of 130 reported incidents that have required Police attendance. These have accounted for approximately 30% of the total number of incidents that have been reported for the whole of the remainder of High Street over a similar period.

This is compounded by evidence of underage customers being allowed to frequent the venue, violent behaviour of Doorstaff, an established drugs culture there and a constant inability or unwillingness to get to grips with the problems and issues manifested at this venue.

During the past 12 months, great efforts have been made to intervene and help the management come to terms with these problems. An Action Plan was devised by the Police Licensing Officer and this highlighted a range of problems and in turn suggested an appropriate course of action to remedy each issue. This Action Plan dealt with issues such as drunkenness on the premises, violent disorder, underage drinking, dress code, drugs and door supervisors. Further Police experts in security and CCTV spent considerable time and effort there providing help and advice in their particular area of expertise.

According to the Police, there was little further that could have been done to offer help and advice to the management of this venue: help and advice that would appear to have been ignored on a wholesale scale. It is now felt that given this and evidence contained within the Police file there is no longer any alternative but to seek a Review of the Premises Licence.

## **5 REPRESENTATIONS FROM RESPONSIBLE AUTHORITIES**

### **5.1 CHESHIRE CONSTABULARY**

The Police will call the following officers to give evidence:

- 1 PCSO Paula Davies will give evidence as to the early issues and offences recorded against this venue, the Action Plan dated 22 November 2006 and give details of one particular night when she had occasion to visit the venue whilst off duty
- 2 Mr Mark Antrobus – Force Architect and CCTV Liaison Officer will give evidence as to the level of assistance given with the two key areas of CCTV and general security and the subsequent reaction from the venue management.

- 3 P.S. Graham Elliot will give evidence of his attendance at the premises on 26 October 2007 when he was called there to investigate a number of incidents including a robbery, an assault and an incident possibly involving firearms. He will give details of the lack of co-operation and the state of sobriety of the management.
- 4 P S Mike Rimmer will give evidence of the details of another sample incident that occurred on 12 January 2008 and will give details of the level of help and co-operation given by the management to his enquiries.
- 5 Inspector Richard Hill will give evidence as to the details of the events and arrests that took place on 1 February 2008 when a full scale Licensing visit to execute a Search Warrant was conducted at the club

In addition to the above the Police intend to show a video recording of the premises made on 1 February 2008 as part of their evidence and provide background information.

## **6 REPRESENTATIONS RECEIVED FROM INTERESTED PARTIES**

Representations have been received from Karl Barry on behalf of his clients Mr David Critchley, the Dog House Pub Company Limited and Mr Keith Alan Hesketh.

Mr Critchley is the current freeholder and has notification of an interest on the premises. The Doghouse Pub Company has applied for the transfer of the premises licence and Mr Hesketh has consented to be the Designated Premises Supervisor in an application to vary the premises

## **7 BACKGROUND INFORMATION**

- 7.1** The New York Café Bar have a Premises Licence issued under the Licensing Act 2003. The Licence allows the following:

Category B – Films, C – Indoor Sporting Events, E - Live Music, F – Recorded Music, G – Performance of Dance, H – Similar to e f or g, I – Making Music, J – Dancing and M -Sale of Alcohol between the hours of:

Sunday to Thursday 08.00 to 00.30

Friday and Saturday 08.00 to 02.30

Category L – Late Night Refreshment between the hours of

Sunday to Thursday 23.00 to 00.30

Friday and Saturday 23.00 to 02.30

Category O – Hours the premises are open to the public

Sunday to Thursday 08.00 to 01.00

Friday and Saturday 08.00 to 03.00

**7.2** In addition there are various conditions attached to the Premises Licence and a copy of the conditions are set out at Appendix A to this item

## **8 ADDITIONAL INFORMATION**

### **8.1 TRANSFER OF PREMISES LICENCE/VARIATION OF DPS**

An application to transfer the New York Café Bar Premises Licence from David Owen to The Doghouse Pub Company Limited was received by the Council on 27 February 2008.

An application to vary the Designated Premises Supervisor of the New York Café Bar from Michael Dowling to Keith Alan Hesketh was received by the Council on 3 March 2008

### **9.0 OPTIONS AVAILABLE TO THE COMMITTEE**

**9.1** Section 52 of the Licensing Act 2003 states that the Council must, having regard to the application and any relevant representations, take such of the following steps (if any) as it considers necessary for the promotion of the Licensing Objectives.

**9.2** The steps are

- To modify the conditions of the licence
- To exclude a licensable activity from the scope of the licence
- To remove the Designated Premises Supervisor
- To suspend the licence for a period not exceeding 3 months
- To revoke the licence.

Note that the above reference to modifying conditions includes any alteration, omission or the addition of any new condition.

## **10 POLICY IMPLICATIONS**

None.

## **11 OTHER IMPLICATIONS**

None.

## **12 IMPLICATIONS FOR THE COUNCILS PRIORITIES**

### **12.1 Children and Young People in Halton**

None

### **12.2 Employment Learning and Skills in Halton**

N/A

### **12.3 A healthy Halton**

N/A

- 12.4 **A Safer Halton**  
None
- 12.5 **Halton's Urban Renewal**  
N/A

**13 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Application Documents	Legal Services	John Tully/Kay Cleary

**APPENDIX A**

Premises Licence No. **LPA 0256**

Premises. **New York Café Bar 2-4 High Street Runcorn**

Definitions:

“Act” means the Licensing Act 2003

“Application” means the Application for this Licence submitted by or on behalf of the Holder

“Holder” means the Licence Holder named on this Licence

“Licensing Authority” means Halton Borough Council

“Operating Schedule” means the Operating Schedule accompanying the Application

**THIS LICENCE CONSTITUTES A PREMISES LICENCE GRANTED  
PESUANT TO AN APPLICATION MADE UNDER SECTION 34 TO THE  
ACT**

The Holder shall comply with the following conditions:

**A Alteration of details relating to this Licence**

No details set out on this Licence shall be altered without the consent of the Licensing Authority<sup>1</sup>

**B Compliance with the Operating Schedule**

The Holder shall comply with the Operating Schedule and the details set out in the Application except as varied or inconsistent with anything set out in this Licence

**C Conditions agreed by the Holder during the Licence application process**

**Cheshire Constabulary**

1 Toughened glasses to be used and no unsealed containers allowed in or out of the premises – Public Safety and Prevention of Crime and Disorder (CD10, 11 and 12)

**Conditions**

CD 10

No person in possession of a drink in a sealed or unsealed container shall be allowed to enter the premises except for the purposes of deliver.

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<sup>1</sup> This does not only relate to altering the document: it includes any details, for example, change of name of premises



## CD11

No drink shall be sold from a bar or by staff service or consumed in or on the premises other than in a container made from non splintering plastic, paper or shatterproof glass.

## CD12

No drink shall be removed from the premises in an unsealed container

## 2 Challenge 21 Proof of Age Scheme.

Adoption of this initiative not only helps prevent underage drinking from which NO venue is immune but provides an extra measure of safety and protection for the licensee, which can only be regarded as a good thing. As this particular venue is situated in the town centre and frequented by a younger clientele this factor is of particular value.

## **CONDITION**

### CD17/PCH

The licence holder shall ensure that anyone who appears to be under 21 years of age who is consuming alcohol or attempting to purchase alcohol will be asked to prove their age. Accepted methods of proof of age are: passports, photo driving licences and PASS accredited proof of age cards e.g. Validate, Connexions, Citizen Card, Prove It Card. If any such person fails to satisfy the licence holder by means of such proof of age that they are 18 years old or older that person shall be ejected from the premises forthwith.

3 All premises that are situated in the town centre area, and have previously operated a Special Hours Certificate have been required to employ door staff. As this application creates an identical situation this will also be a requirement here. This is also designed to protect the venue its staff and customers as any troublemaking elements will 'target' venues who do not have this visible level of security. Minimum of 2 Doorstaff on all days when service of alcohol goes beyond midnight. Prevention of Crime and Disorder (CD6 and 8)

## **CONDITIONS**

### CD6

There shall be provided at the premises door supervisors who are registered with the Security Industry Authority to such a number as the management of the premises consider are sufficient to control the entry of persons to the premises and for the keeping of order in the premises when they are used for a licensable activity

### CD8

A written record shall be kept on the premises by the Designated Premises Supervisor of every person employed on the premises as a door supervisor in a register kept for that purpose. That record shall contain the following details:-

- (i) the door supervisor's name, date of birth and home address;
- (ii) his/her Security Industry Authority licence number;
- (iii) the time and date he/she starts and finishes duty;

Premises Licence Continuation Pages  
THESE PAGES FORM PART OF A PREMISES LICENCE

- (iv) the time of any breaks taken whilst on duty;
- (v) each entry shall be signed by the door supervisor.

That register shall be available for inspection on demand by an Authorised Officer of the Council, the Security Industry Authority or a Police Constable

4 Support of local Pubwatch Scheme. This venue is part of a scheme that encompasses EVERY public house in the town. Its strength lies in this and we would expect town centre venues such as yourselves to encourage support – Prevention of Crime and Disorder.

## **CONDITION**

CD26

The licence holder and/or the designated premises supervisor or a person nominated by them shall be a member of and regularly attend at meetings of the Pub and Club watch scheme for the area within the premises listed.

5 Halton is committed to the alcohol Harm Reduction Strategy for England and encourages a responsible approach to in particular late night drinking. Consequently venues in the town centre area have all agreed to support this by adoption of the following anti binge drinking and customer migration conditions

- Non alcoholic drinks including water to be available at all times
- Any charge for admission shall not include the provision of intoxicating liquor.
- No promotion shall be offered that entails the provision of an unlimited amount of intoxicants.
- No cocktails or spirits will be supplied for consumption by customers in 'goldfish bowls' or jugs.

These conditions are aimed at the reduction of binge drinking and migration drinking which are the very antitheses of the new Act and again we would look to the industry leaders to demonstrate their support in a tangible fashion.

## **CHESHIRE FIRE AUTHORITY**

The maximum occupancy shall not exceed 300 persons.

## **ENVIRONMENTAL HEALTH**

- The use of any outside area shall cease at 23:00 hours.
- Noise from any regulated entertainment (B – films C – Indoor Sporting Events E – Live Music F – Recorded Music G – Performance of Dance H – Anything Similar to e f or g I – Making Music J – Facilities for Dancing & L – Late Night Refreshment) shall be inaudible at the nearest noise sensitive property at any time.
- All licensed entertainment shall cease a minimum of 30 minutes prior to the closure of the premises.
- No external speakers shall be used outside the building; this will include any beer gardens or outside drinking area or car park.

**D Conditions consistent with the Operating Schedule<sup>2</sup>**

**CD 27/PS/PCH – Exhibition of Films**

The film classification body applicable to this licence is the British Board of Film Classification and admission of persons aged under 18 must be restricted in accordance with any recommendation made by that body provided that where the Council had notified the holder of the licence that section 20(3)(b) Licensing Act 2003 applies to any film admission of persons aged under 18 must be restricted in accordance with any recommendation made by the Council.

And as of the date of issue of the licence only the following classifications shall be applied:-

U – Universal. Suitable for audiences aged four years and over,

PG – Parental Guidance. Some scenes may be unsuitable for young children,

12A – Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult,

15 – Passed only for viewing by persons aged 15 years and over,

18 – Passed only for viewing by persons aged 18 and over.

**CD 28/PS/PCH – Exhibition of Films**

No film exhibition shall be shown at the premises unless it has been classified by the British Board of Film Classification or by the Licensing Authority.

**CD 29/PS/PCH – Exhibition of Films**

Where any film has not been classified by the film Classification body than such a film shall be submitted to the Licensing authority not less than 28 days before it is proposed to show it to enable the Authority to classify it and attach such age restrictions as it considers appropriate.

**CD 36/PCH - Controlled Dancing**

In this condition “controlled dancing” means lap-dancing, striptease or any similar dancing.

Controlled dancing shall not take place at the licensed premises without the written consent of the Council.

In deciding whether to grant permission for controlled dancing the Council will take into account the suitability of the premises and the location of the premises.

If the Council grants consent for controlled dancing such consent shall be subject to the following standard conditions and to any other special conditions which may be so specified:

No person under the age of 18 shall be at the premises when controlled dancing is taking place.

The licensee shall ensure that controlled dancing shall not comprise or result in any offence arising by statute or at common law.

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<sup>2</sup> These can be imposed by the Licensing Authority directly but will be more relevant on non-variation applications

Performers of controlled dancing shall be provided with changing room facilities at the premises to which the public have no access and which are patrolled by an adequate number of attendants of the same sex as the performers

Otherwise than inside the premises (and from a position which cannot be seen from outside the premises) no photographs or other pictorial representation on posters at the premises or on any other advertisement or promotional material shall be permitted which relate to controlled dancing or the performers of controlled dancing if they can be seen from outside of the premises

## **PS 61 - Special Effects**

The use of special effects involving the use of lasers, strobes, pyrotechnics, bomb tanks, storage of explosives, dry ice effects, smoke machines, firearms and fireworks, or other similar devices, shall not be permitted without the prior written consent of the Council, who may impose additional conditions. Written application for consent must be made to the Council at least 28 days prior to the performance to allow time for consultation with the Fire Officer.

### **ADDITIONAL CONDITIONS FOR SPECIAL EFFECTS**

Where the Council grant consent for the use of special effects, the following conditions shall apply as appropriate.

#### **SMOKING AND NAKED FLAMES**

No smoking or naked flames shall be permitted on any part of the stage during any entertainment unless that use has been notified to the Licensing Authority and is provided in accordance any guidance given by the Cheshire Fire Service.

#### **LASERS**

##### **INFORMATION**

The Licensee shall obtain from the laser manufacturer or operator sufficient information, sketches, calculations, radiometric measurement data etc., to demonstrate that the system can be used safely and without risk to health together with the classification of the proposed system. This information shall be submitted to the Council with the application for consent.

##### **EQUIPMENT**

All display laser equipment shall be so designed, constructed and maintained as to be safe for use.

##### **CONTROL AGAINST UNAUTHORISED USE**

All display laser products shall be provided with a key operated ON-OFF switch to secure the laser against unauthorised use.

##### **DEMARCATON OF LASER DISPLAY AREA**

Each effect from a display shall take place within a predetermined and defined display area. The emission of laser radiation shall be terminated automatically immediately the laser effect beam leaves the boundaries of this display area.

##### **SITING OF LASER CONTROL CONSOLE**

The control console for each display laser product shall be secure and sited in such a position that the operator is able to view the whole of the display area. Where this is not practicable, alternative effective arrangements shall be made whereby the operator is able to assess the situation and be aware of any malfunction etc.

##### **EMERGENCY CUT OFF FOR LASER RADIATION**

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All display laser products shall be provided with one or more readily accessible controls which will immediately terminate the emission of any laser radiation. In the event that a laser system is not required to be under the continuous supervision or control of an operator, a person at the display shall be designated to be responsible for the immediate termination of the laser radiation in the event of equipment malfunction audience unruliness or other unsafe conditions.

### DETERMINATION OF LASER RADIATION EXPOSURE LEVELS

The accessible emission levels of radiation shall be measured and/or calculated by the operator at all positions where the audience, general public, operators or performers may be exposed to the primary beam (s), or to reflections from targets and scattering materials.

### MARKING OF AREA BOUNDARIES

Any area where the levels of laser radiation exceed the accessible emission limit for Class 1 laser products shall be clearly identified, appropriate warning notices posted and barriers erected to prevent the entry of unauthorised persons. Entry into these areas shall be undertaken only by authorised persons if necessary and wearing the appropriate protective equipment.

### PERMISSIBLE EXPOSURE LEVELS FOR AUDIENCE/MEMBERS OF THE PUBLIC

The level of laser radiation shall not exceed the maximum permissible exposure level at any point where the public is permitted during the display. In addition unless effective means are employed to prevent access to the laser beam(s) the maximum permissible exposure level shall not be exceeded at any point:

Less than 3m above any surface upon which the audience/general public is permitted to stand; or

Less than 2.5m in lateral separation from any position where a person in the audience/general public is permitted during the display.

### PERMISSIBLE EXPOSURE LEVELS FOR OPERATORS/PERFORMERS

The accessible exposure level of laser radiation to operators/performers shall not exceed the maximum permissible exposure if such radiation is intended to be viewed by them in order to perform their functions. In the event that such radiation is not intended to be viewed by them then the accessible exposure level shall not exceed the accessible exposure limit specified for Class 3A laser products.

### USE OF SCANNING DEVICES

The use of scanning devices, including mirror balls, shall incorporate a means which shall automatically prevent exposure to levels in excess of those specified in the event of scan failure or other failure.

### SETTING UP/ALIGNMENT OF LASER SYSTEMS

The following precautions shall be taken:-

The setting up/alignment of laser systems shall only be undertaken by a trained laser operator;

Only those persons required to perform relevant functions shall be present during the alignment/setting up of the system (s);

The accessible emission level of laser radiation shall be reduced to the minimum practicable level and in any event shall not exceed the accessible emission limit for Class 3A laser products;

Where necessary for the protection of those employed, appropriate protective equipment shall be worn during the alignment/setting up of the laser equipment.

## FUNCTIONAL CHECKS PRIOR TO EACH PUBLIC OPERATION OF THE LASER DISPLAY

A functional check shall be made before the admittance of the public of all safety devices, interlocks etc., which have been provided to ensure the safety of persons prior to each public use of a display laser product.

## SPECIAL CONSIDERATION OUT OF DOORS

Where display laser products are used outdoors, consideration shall be given and adequate safeguards adopted for those persons liable to view the beam directly within the nominal hazard distance and also those who might view the beam or its reflections using optical aids. In this context special consideration shall be given to the hazards that the use of a display laser product might present to traffic movements including those by air, sea, harbour and road.

## STROBES

Strobe lighting shall not be used or installed within the Premises without the prior written consent of the Council.

As the flashing lights can have a disorientating effect and have been known to induce epilepsy the Licensee shall ensure that they are installed by experts and to reduce the hazard strobe lights shall be operated on a fixed rate of not more than 8 flashes per second. Where more than one strobe light is in use the flashes shall be synchronised.

Where strobes are in use in a theatrical production the Licensee shall provide a warning in the foyer and/or programme to this effect.

## PYROTECHNICS

Pyrotechnical devices must only be operated by a person competent to handle them, who has been adequately trained to the satisfaction of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

The operator must have a direct view of all devices, the surrounding and fall out area.

The firing device must be fired by the use of a control box, such boxes must be fitted with a key operated isolating switch, the key to be in the possession of the operator at all times.

The control box must not be energised until immediately before use.

The device must not be placed where it will endanger the public, staff, attendants or the Premises. Any proposed locations must be discussed with and approved by the Council.

The device must not be fired until all persons are in a safe position. Should the device fail, it must be replaced with a fresh device and the defective item disposed of in a safe manner.

No devices must be stored or used on the Premises without the prior approval of the Council.

Any devices approved for storage on the Premises must be in an enclosure which is fire resisting to the half hour standard in accordance with current British or other approved standard.

## Premises Licence Continuation Pages THESE PAGES FORM PART OF A PREMISES LICENCE

The enclosure must be against an outside wall with direct ventilation to open air. No sources of ignition or other materials must be within the store.

A "NO SMOKING" notice must be displayed on the door and a nine-litre water type extinguisher must be sited adjacent to the enclosure.

Fireworks, maroons and flash powder must be stored separately from percussion caps, safety cartridges, safety fuses and detonators, either in separate stores or if the aggregate weight does not exceed 7 kg, one store subdivided by a fire-resisting compartment.

### BOMB TANKS

All bomb tanks must be constructed of metal and should be sited offstage. They must be sited clear of all persons and combustible items.

When bomb tanks are in use warning notices to read "DANGER – EXPLOSIVES – KEEP CLEAR" must be positioned on the tank so that they are visible from all sides. The notice to be in block letters not less than 50mm high.

If the tank is positioned where it can be approached without warning "NO ENTRY" notices must be placed at strategic points to isolate the tank from unsuspecting staff.

The operator must have a direct view of the tank and surrounding area before firing. Before reloading, the firing box must be isolated.

Only the smallest maroon capable of providing the effect must be used.

In any performance when bomb tanks are to be used, the Licensee shall display throughout the areas used by the public and in any associated programme, a warning of their intended use and their effects.

Bomb tanks must only be used and operated by a person competent to handle them, who has been adequately trained to the satisfaction and prior approval of the Council in the correct method of control and operation by either the manufacturer, importer or their agent.

### STORAGE OF EXPLOSIVES

Storage of explosives will be of two types, receptacles containing small amounts for use in the performance and storage enclosures for the keeping between performances.

Storage receptacles shall be constructed of substantial construction as required by current legislation, e.g. a japanned or tinned iron or steel box or a wooden box. Any metalwork exposed within the interior shall be either non-ferrous or covered in non-ferrous metal, not readily ignitable or paint of 1mm thickness. A notice in block letters not less than 25mm high stating "DANGER – NO SMOKING – NO NAKED FLAME" shall be provided on the outside of the lid.

The storage enclosure shall be of fire resisting construction and be positioned against an outside wall. It shall be secure, away from public areas and have ventilation direct to open air. It shall contain no combustible or other substances which are not compatible with explosives. There shall be no sources of ignition within the store. A notice "NO SMOKING" shall be provided on the external face of the door in the dimensions referred to for a receptacle.

### DRY ICE SMOKE EFFECTS

The concentration of carbon dioxide must be strictly controlled and monitored. The machine and the effects must not obstruct exits or exit routes.

Dry Ice must only be handled using suitably insulated gloves.

**SMOKE MACHINES**

The machine and its effects must be controlled and be within the sight of the operator at all times.

The smoke produced must be non-toxic and non-flammable. Documentary evidence to this effect may be required by the Council.

The machine must not be sited near combustible materials, smoke detectors or exits and shall be in an approved position.

The machine must be operated for the minimum amount of time to achieve the necessary level of density and be switched off. The operating time may be controlled by the Council following a practical demonstration.

The smoke produced must not obscure exits, exit routes, staircases or changes in level. The amount of smoke entering the auditorium must not adversely affect public safety. Fans and ventilation may be required to control the direction and dispersal of the smoke.

**CD 34 - Display of Licence**

The summary Licence must be clearly displayed in a prominent position within the Premises at all times when the Premises are used for the Licensed Purposes and must be produced upon demand to an authorised officer of the Council, Fire Brigade or Police. All such authorised officers are to have free access to the Premises at all reasonable times.

**CD 21 - Trading Hours and Licensed Activities Signs**

There shall be displayed at the entrance to the premises a sign, which is clearly visible to members of the public visiting those premises containing details of the trading hours under the premises licence, the licensable activities permitted on those premises and any maximum occupancy level set for the premises.

**E Mandatory Conditions<sup>3</sup>**

1. No supply of alcohol may be made under the premises licence-
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

**F Miscellaneous conditions<sup>4</sup>**

Nature of condition	Standard Hours
Extent of condition	The standard hours for categories B films C Indoor Sporting Events E Live Music F Recorded Music G Performance of Dance H Anything similar to e f or

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<sup>3</sup> These depend on which licensable activities apply to the Licence

<sup>4</sup> This section will normally only apply to conditions imposed by the Licensing Authority at a hearing



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g I Provision of facilities for making music J  
 Provision of facilities for and M Supply of alcohol  
 shall be

Sunday – Thursday 08.00 to 00.30  
 Friday & Saturday 08.00 to 02.30

Nature of condition

Standard Hours

Extent of condition

The standard hours for category L (Late Night Refreshment) Hours shall be

Sunday – Thursday 23.00 to 00.30  
 Friday & Saturday 23.00 to 02.30

Nature of condition

Standard Hours

Extent of condition

The standard hours for category O Hours premises are open to the public shall be

Sunday – Thursday 08.00 to 01.00  
 Friday & Saturday 08.00 to 03.00

Nature of condition

Non Standards Hours

Extent of condition

On Christmas Eve and Boxing Day (unless either falls on a Friday or Saturday) for categories B films C Indoor Sporting Events E Live Music F Recorded Music G Performance of Dance H Anything similar to e f or g I Provision of facilities for making music J Provision of facilities for dancing L Late Night Refreshment and M Supply of alcohol the standard terminal hour shall be extended to 02.00

Nature of condition

Non Standard Hours

Extent of Condition

On Christmas Eve and Boxing Day (unless either falls on a Friday or Saturday) for category O Hours premises open to the public the standard terminal hour shall be extended to 02.30

Nature of condition

Entry or re entry to premises

Extent of condition

There shall be no entry or re entry to the premises after 01.00

**G Plans**

The Plan(s) submitted with the Application form part of this Licence