

PREMISES LICENCE REVIEW

**UNDER SECTIONS 51-52 OF THE LICENSING ACT 2003
IN RELATION TO PREMISES T/A:**

RUTHIN CASTLE

73-77 New Street, Mold, Flintshire, CH7 1NY

**HEARING BEFORE THE LICENSING
SUB-COMMITTEE OF FLINTSHIRE COUNTY
COUNCIL HELD ON 16 OCTOBER 2023**

DETERMINATION

The matter was heard by:

Councillor Rosetta DOLPHIN (Chair)

Councillor Rob DAVIES

Councillor Richard LLOYD

In attendance:

- Maureen Potter – Committee Officer
- Jacqui Dale & Lorraine Baxendale – Licensing Officers
- Gary Grant – Barrister, Legal Advisor to licensing sub-committee.
- Gemma Potter – Applicant for review, Licensing Team Manager
- Richard Taylor – Solicitor for premises licence holder (Gosschalks)
- Paul Wright – Licensing Director for premises licence holder (Ei/Stonegate)
- Dave Jones – Pollution Control
- Charlotte Carr – North Wales Police
- Philip Jones – spokesperson for residential representors

SUMMARY OF DECISION

1. Having considered all of the written and oral representations in this review hearing, the licensing sub-committee has determined to take the following appropriate and proportionate steps in order to promote the licensing objectives, particularly the prevention of public nuisance and crime and disorder.
2. The permitted hours for all permitted licensable activities (and closing hours) are modified as follows:
 - a) Sunday- Thursday: 10:00 – 23:00hrs (with closing at 23.30hrs).
 - b) Friday-Saturday: 10:00 – midnight (with closing at 00:30hrs)
3. In relation to special occasions/non-standard hours, these are modified to permit only the following extended hours:
 - a) New Year's Eve: 10:00 until 01:00 on New Year's Day (with closing at 01:30hrs)
 - b) Eve of Bank Holidays and Xmas Eve: 10:00 until 01:00 (with closing at 01:30hrs)
4. Live music is removed as a licensable activity from the licence and the de-regulation of entertainment provisions are disapplied in relation to both live music and recorded music under the provisions of section 177A of the Licensing Act 2003. This means that there shall be no live music permitted at any time under this premises licence, and recorded music shall be subject to all of the relevant conditions at all times.
5. The full set of conditions are set out in Schedule A to this determination. In the main, these follow those proposed by the licence holder following engagement with the responsible authorities, save for these further additions:
 - a. Customers shall not be permitted to remove any glassware or glass bottles from inside the premises to the front outside of the premises.

- b. The premises licence holder shall draw up and implement a taxi and private hire vehicle policy to ensure that vehicles dropping off or collecting customers do not create a nuisance to residents or other road users. The policy shall be made available for inspection by authorised local authority and police officers on request.
 - c. No customer is permitted to enter, or re-enter, the premises any later than 30 minutes before the terminal hour for the sale of alcohol.
 - d. A condition ensuring the noise limiter is kept in a locked cupboard and is tamper proof.
6. The full determination and reasons are set out below.

THE PROCEEDINGS

- 7. On 16 October 2023, the licensing sub-committee of Flintshire Council (“LSC”) heard a standard premises licence review application relating to Ruthin Castle, a public house located at 73-77 New Street, Mold, Flintshire, CH7 1NY (“the premises” or “the pub”).
- 8. The review was instigated on 22 August 2023 by Ms Gemma Potter, Licensing Team Manager, on behalf of the Licensing Authority acting as a responsible authority (“LA”). The proceedings were conducted under sections 51 to 53 of the Licensing Act 2003. The hearing was held remotely by the use of video conferencing technology with no objection raised by any party.
- 9. The Premises Licence Holder is Ei Group Plc (“PLH”), which is part of the Stonegate Pub Company Group (“Stonegate”). The premises licence permitted the sale of alcohol (for consumption on and off the premises) until a terminal hour of midnight (Sunday to Thursday) and until 01:00 (Friday to Saturday). Regulated entertainment was permitted until 00:15hrs (Sunday to Thursday) and until 01:30hrs (Friday to Saturday). Late night refreshment was permitted until 00:30hrs (Sunday

to Thursday) and 02:00hrs (Friday to Saturday). The start time for all these licensable activities is 10:00hrs. The opening hours were 10:00 to 00:30hrs (Sunday to Thursday) and 10:00 to 02:00hrs (Friday to Saturday). (The licence also permits some non-standard extensions to these hours on a number of special occasions).

10. After the review application was lodged, but prior to the hearing, on 4 September 2023, the Designated Premises Supervisor (“DPS”) and the pub’s tenant, Laura Millington, gave notification to the licensing authority that she was resigning as DPS (having indicated the same to North Wales Police on 1 September). The premises have remained voluntarily closed since then.
11. The LA’s review application engaged three of the four licensing objectives: the prevention of crime and disorder, public safety, and prevention of public nuisance. Further representations have been received from North Wales Police (“the police”), Flintshire County Council’s Pollution Control Section, local residents, a local ward councillor, the Town Council and the Mayor of Mold.

FACTS & FINDINGS:

12. In addition to the helpful oral representations made by all the parties to these proceedings at the review hearing, and viewing of the submitted videos and photographs, the LSC has considered the written representations and documentary evidence provided by the parties and PLH as contained in the Agenda Pack and supplemental papers. The LSC also considered a number of revised and additional conditions proposed by the PLH as an alternative to revocation of the premises licence.
13. The PLH does not dispute or take issue with any of the factual allegations made in relation to the pub’s operation, or its detrimental impact on local residents, as set out in the Agenda Papers. In our view the premises has been the subject of many

justified complaints made by nearby residents due to noise emanating from both the premises and its beer garden since April 2023. The complaints also relate to customers shouting, talking loudly and fighting outside the premises both while the premises is open and after it has closed. Loud music was frequently heard by residents playing until the early hours of the morning. Anti-social behaviour in and around the premises, caused by customers of the premises, was not being effectively controlled or managed and caused a serious disturbance to people living nearby. This behaviour included property damage, noise nuisance from car doors slamming (including taxis), customers shouting and urinating on the streets and on nearby properties, drug use, litter and the congregation of large groups of customers at anti-social hours disturbing residents' ability to sleep and waking up young children.

14. Some of this activity has been witnessed by Council officers. On one night-time visit on 19 May 2023, an observing officer could clearly hear music emanating from the pub 200 yards away in New Street car park. Officers could also hear music at a very high volume from inside the homes of nearby residents when they were called out. Customer noise from the beer garden of the pub was extremely loud. Officers assessed that residents in the area would not be able to reasonably enjoy the use of their own gardens and yards due to the level of noise.
15. Officers witnessed the condition on the premises licence requiring windows to be kept closed after 11pm when regulated entertainment was taking place being breached.
16. Extensive efforts have been made by Council officers to engage with those responsible for managing the premises to bring about the required changes in a stepped approach. We commend the officers for their professionalism and efforts to work in partnership with the licence holder. A multi-agency intervention meeting was held with the management of the pub (Laura Millington, the DPS) and a manager representing Stonegate on 25 May 2023. The management committed to take steps detailed in an Action Plan as set out in a letter to the DPS (with

Stonegate's Area Manager copied in) dated 30 May 2023. The Action Plan comprised of these requirements (in summary):

- a. No admittance to the premises after midnight.
- b. Maximum number of 10 people in the beer garden after 10pm.
- c. No drinks to be allowed in the beer garden after 10pm.
- d. An SIA registered door supervisor to monitor the beer garden from 21:45hrs.
- e. To reduce the volume of recorded music at the premises.
- f. The volume of the karaoke to be reduced to a level that did not cause a nuisance to local residents and this entertainment to end earlier.
- g. Improved CCTV coverage to cover the front of the pub and its beer garden.
- h. A commitment to improve and build relationships with local residents.
- i. Staff training on these changes.

17. Noise monitoring equipment had been placed in the home of a residential complainant from 25 to 30 May, and then again on 23-27 June 2023. These recordings showed that the problems associated with the late licensing hours were continuing, albeit that the recorded music noise had lessened by a small degree and was mostly audible when the pub's door or windows were opened. Nevertheless, noise from the DJ was often audible. In addition, noise from customers using the outside spaces (either at the rear or queuing up to enter) was causing significant disturbance to residents. The pub's security team were ineffectual at controlling this and even contributed to the noise themselves. This appeared to the noise pollution officers to be a regular occurrence late at night and could be linked to customers from other venues migrating to Ruthin Castle due to its later opening hours. It was a destination venue for people in Mold, sometimes intoxicated, wanting to continue a raucous night out after other licensed venues closed. Officers evidence other noise disturbances keeping residents awake including noise from taxis and other vehicles servicing the pub's customers, customers knocking on residents' doors and loudly congregating in front of the pub. Customers of the pub loiter and continue to socialise outside the pub well after closing its closing time. This was found to be

occurring every Friday and Saturday and Bank Holiday Mondays. Sundays were also found to be noisy but to a slightly lesser degree.

18. Further residential complaints were made on various dates in June 2023, particularly anti-social behaviour associated with the pub's customers at weekends between 02:00 – 04:00hrs.

19. On 7 July 2023, police and licensing officers visited the premises to inspect compliance with the agreed Action Plan. This Action Plan was not being fully adhered to. Customers were being permitted to enter the premises after midnight and more than 10 people were being permitted into the beer garden contrary to the Action Plan.

20. Further incidents of disorder and complaints about noise issues were received by the Council in mid to late July 2023.

21. The Council's licensing manager contacted Stonegate's Area Manager on 25 July 2023 to explain that the Action Plan was not being adhered to and complaints were still being received, particularly in relation to noise outside the premises. A warning was given that a premises licence review would follow unless the Action Plan was followed. The Area Manager agreed to contact their pub tenants and Licensing Manager. However, further complaints were received that weekend in late July 2023.

22. On 29 July 2023, licensing officers observed the pub in operation from 22:00 to 02:15hrs. By 22:30hrs they had to dial 999 to report a fight between at least three males who had emerged from the rear of the premises. Significant numbers of customers were being let into the pub after midnight, some via the front door, but most via an alley into the beer garden, contrary to the Action Plan agreement. Customers were still being let into the premises up to 01:18hrs even though the sale

of alcohol had to end at 01:00hrs on this night. Customers remained in the premises after its closing hours of 02:00hrs.

23. A further complaint was received on 30 July 2023 relating to anti-social behaviour, drug taking and dealing, urinating on the street and crowds gathering.
24. The Council's Licensing Manager made contact with the DPS and manager, and Stonegate's Area Manager, requesting a meeting which took place on 4 August 2023 at the pub. The PLH's Area Manager and a manager of the pub, although not the DPS, attended. The breaches of the Action Plan were set out. At one point the pub's manager denied there had been an incident outside on 29 July requiring a police call out, and had to query the terminal hour for alcohol sales on their own licence. A request was made of the pub's management for provision of CCTV arising from the incident on 29 July and to scrutinise the use of the beer garden and entry times of customers.
25. By 16 August, despite chasing, the CCTV footage had not been provided. The former DPS emailed the Council claiming she had "forgotten the password" and, as a result, all the CCTV recordings were lost. Whilst convenient to the pub's management, the LSC is unconvinced this explanation trespasses on the truth.
26. It is clear to us that the pub's tenant and the licence holder failed to fully and properly engage at other meetings designed to achieve compliance. The DPS has failed to fulfil her role at the premises to supervise its activities in a manner that promotes the licensing objectives.
27. The licence holder accepted that their tenant had failed to promote the licensing objectives. They also accepted failings in their own Area Managers and internal processes which meant that the complaints and issues were not dealt with appropriately or with due expedition. Whilst we acknowledge the tenant was in day

to day control of the pub at the time the issues arose, we do not accept that this excuses the premises licence holder. The ultimate responsibility to promote the licensing objectives lies firmly with the licence holder. This responsibility cannot be delegated by the licence holder to their tenant. In our view the licence holder has failed to promote the licensing objectives since the new tenant took over the running of the pub in or around April 2023.

28. In a supporting representation on behalf of the police, Ms Charlotte Carr, set out a number of incidents of public disorder, assaults and anti-social behaviour associated with the pub and its customers from April through to July 2023. She pointed out a glassing incident that occurred on 7 July. With a focus only on the crime and disorder licensing objective, the police invited the LSC to consider taking the following steps:

- a. To modify the opening hours of the premises, noting that most of the crime and disorder occur after midnight;
- b. To add two conditions relating to CCTV:
 - i. CCTV must be installed and it must be digital, colour and maintained in good working order and cover the entrances and exits to the premises. Recordings to be kept for a minimum of 28 days and made available for inspection by the Police or local authority upon request.
 - ii. A member of staff must be trained in the use of the CCTV system with the knowledge and capability to download footage at the request of the Police or Local Authority.

29. A supporting representation has also been made Mr Dave Jones of the Pollution Control team of Flintshire County Council. Mr Jones, outlined the steps taken to engage with the pub's management and set out officers' observations at night-time visits to the pub and from noise monitoring equipment. This evidence strongly supported the Licensing Manager's reasons for applying for the review (as summarised above) as well as the experiences described in the representations from residents and their elected representatives. The officer concludes that the disturbances flow from inadequate controls at the pub and especially from its late hours given its very close proximity to residential premises. The late hours are said to be particularly incongruous as it makes Ruthin Castle the last destination for late night drinking in Mold thereby attracting an already intoxicated customer base.
30. Mr Jones also states that the pub's building is inadequate to contain live music from breaking out, and given the pub is attached on the northern end to residential property, those residents are susceptible to the transmission of sound and bass noise. The Pollution Team called for the Council to reduce the late licensing hours, to remove live music from the licence and for the deregulation of regulated entertainment provisions to be disapplied under s.177A of the Live Music Act. At the hearing, the PLH agreed to a section 177A declaration being made in relation to live music and recorded music disappling the deregulation provisions.
31. A number of residents living near to the pub, and their elected representatives, have also made representations in support of the review application.
32. One resident speaks of problems arising since April 2023 when the current landlord took over the pub. Loud music was heard "blasting through the walls" and loud shouting/swearing was witnessed together with drug dealing in the alleyway he shares with the pub. He speaks of anti-social behaviour and fighting that wakes him up at night. He tried to reach out to the landlord but was ignored and then blocked from contacting them. He provides a nuisance record form of issues in May 2023.

33. A number of other residents who live nearby point out that the previous landlord/tenant had not used their later licensing hours and the problems have arisen since the new landlords did just that. They set out the repeated late night nuisance, anti-social behaviour and crime and disorder problems they have suffered since April 2023 associated with the pub's activities and customers and call for the hours to be reduced.
34. In the hearing Mr Phillip Jones, a resident who has lived next to the pub for some 20 years spoke on behalf of the residents. Mr Jones stated that the pub had not been a problem when it operated to earlier hours under the previous tenant who did not make use of the longer hours their licence permitted. These operating hours were usually restricted at weekends to 23:30hrs with everyone off the premises by midnight or 00:15hrs at the latest. Mr Jones indicated that he did not want to see an empty pub but wanted a return to the family friendly pub it was before. He also indicated problems arose on New Year's Eves in the past given it enjoyed a 24 hour extended licence on that day.
35. Cllr Sarah Taylor, the Deputy Mayor of Mold Town Council, states in her representation that the town council have received "numerous complaints" since March/April 2023 concerning incidents of anti-social behaviour emanating from the Ruthin Castle pub and its customers. The Council have had to move one of their CCTV cameras to cover the front of the pub. Even though the current landlord has moved on, they call for the licensing hours to be reduced to prevent a recurrence.
36. Cllr Teresa Carberry, the local ward councillor for Broncoed Ward, Mold (and the current Mayor of Mold), also supports the review application and summarises the complaints she has received from residents since the "well-loved pub" re-opened under the new landlord.

37. On behalf of the PLH, we have considered the statement and submissions of Mr Paul Wright, the licensing director of Stonegate Pub Company who wholly own the company that holds the licence.
38. Mr Wright himself, and his experienced legal representative Mr Richard Taylor, accept that what happened was wrong, and the company is embarrassed about how they dealt with the issues. They offer their apologies to residents and the authorities for their failings. Mr Wright accepts, as he must, that ultimately it is the premises licence holder, and not their tenant, that is responsible for ensuring the licensing objectives are promoted.
39. The PLH points out that the pub was not a significant problem until it was let out to Stowford Pub Company in March 2023 and Laura Millington took over the operation of the pub in May 2023. This echoed the residents' experience.
40. They state that internal process failures meant Stonegate/Ei were unaware of the issues until the review application was received in September 2023. We are concerned at this given that their Area Manager was present at the multi-agency intervention meeting in May 2023 and a second Area Manager also become involved in the engagement process but to little avail.
41. Mr Wright instructed the premises to close as soon as possible after receiving the review application. Laura Millington was removed as DPS and he states she will have nothing to do with the premises moving forward. We accept this will be the case. The regional manager is no longer responsible for this pub. Mr Wright accepts that the licence holder failed to ensure their new tenants were suitable publicans. He described them as "rogue tenants". It is apparent to the LSC that the licence holder's due diligence processes were insufficiently diligent in relation to Ruthin Castle.

42. Mr Wright and his legal representative made a number of proposals to the LSC including the removal of live music from the permitted licensable activities and additional conditions. He also proposed these reduced licensable hours so that they are no later than the nearest pubs in Mold:

- a. Monday-Thursday : 10:00 to midnight (with closing at 00:30)
- b. Friday – Saturday : 10:00 to 01:00 (with closing at 01:30)
- c. Bank Holidays/Xmas Eve/Boxing Day: 10:00 to 01:00 (with closing at 01:30)
- d. New Year’s Eve: 10:00 to midnight (with closing at 00:30)
- e. New Year’s Day: midnight to 10:00 and noon on Sunday (with closing 30 minutes later).

43. In relation to the proposed hours, the Pollution Control officer points out that the pubs used as a yardstick by the PLH are not so close to residential premises as Ruthin Castle. They are also town centre pubs and so are not properly comparable to a pub living cheek by jowl with residential homes. The LSC agrees and approaches this review on a case by case basis in light of its individual circumstances. Given the close proximity of this pub to residential homes, and the serious problems that have arisen, the LSC was unpersuaded that the pub could operate to the hours of town centre pubs without continuing to undermine the licensing objectives.

44. Mr Wright indicated that he would leave the premises closed until his company had identified a new tenant with a proven track record who is acceptable to the police and licensing authority.

RELEVANT LAW

45. We have had regard to the legal framework and relevant extracts of the section 182 Guidance to the Licensing Act 2003. We have also had regard to Flintshire Council's Statement of Licensing Policy.

46. In reaching this determination, the LSC has paid particular regard to these paragraphs of the section 182 Guidance :

a) 9.42: *Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis.*

b) 9.43: *The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve."*

c) 11.19: *Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:*

- modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;*
- exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);*
- remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;*
- suspend the licence for a period not exceeding three months;*

• *revoke the licence.*

d) 11.20: *In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.*

47. The LSC has also been referred to this dicta set out in the Court of Appeal decision in *R(Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court* [2011] EWCA Civ 31 at §42 (with emphasis added):

*Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the "heads or tails" variety. **They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location.** In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.*

48. The LSC is aware that it must only take appropriate steps in order to promote the licensing objectives and those steps must be proportionate. If a lesser step would achieve the same objective then that lesser step would be the appropriate one.

49. The LSC has also had regard to the public sector equality duty ("PSED") set out in section 149 of the Equality Act 2010.

CONCLUSIONS

50. The LSC considered whether to revoke or suspend the licence given the admitted serious failures of the licence holder as well as their tenant. However, given the undertakings of Mr Wright to more closely supervise this pub in the future, as well as the value the community places on the continued existence of this pub, the LSC did not conclude this step was appropriate or proportionate.

51. However, the LSC carefully evaluated what hours and conditions would be appropriate and proportionate in light of the representations received and the specific location of this pub. The LSC concluded that the licensable and opening/closing hours should be reduced to hours more consistent with its proximity to noise sensitive residential addresses. These reduced hours have already been set out at the start of this decision.

52. We have also imposed additional conditions, not in serious issue between the parties, as set out in Schedule A. These conditions all serve to promote the licensing objectives in an appropriate and proportionate manner.

53. The LSC agreed with the PLH and responsible authorities that live music should not be permitted at any time. We also concluded that recorded music should be subject to the relevant noise conditions in order to prevent public nuisance (including those requiring a noise limiter and closure of windows/doors whilst regulated entertainment takes place and a prohibition on karaoke). We expressly declare under section 177A of the Licensing Act 2003 that the deregulation of live and recorded music provisions shall be disappplied. This means that live music shall not be permitted at any time (given it has been removed as a licensable activity) and recorded music shall be subject to relevant conditions at all times.

54. In order to ensure customers do not visit the pub for a last rushed drink of the night (a live issue in the complaint history) we have imposed a last entry/re-entry condition prohibiting customers from attending the premises any later than 30 minutes before the terminal hour for the sale of alcohol.
55. The LSC has also imposed a more stringent noise limiter condition than the one proposed by the PLH. The PLH and other parties were consulted on the wording of this condition prior to it being imposed and raised no objection.
56. The LSC also took into account the single glassing assault and reports of broken glass often being found in the area outside the front of the pub and has imposed a condition prohibiting customers from removing glassware and glass bottles from the pub.
57. We commend Ms Gemma Potter, the applicant in this review, for acting throughout in a professional, proportionate and exemplary manner and for her presentation of the review application. Our thanks are also extended to the other parties who have made representations, both written and oral, in these proceedings.
58. Finally we express the wish that the licence holder will ensure that any new tenants it finds to take over the pub are of a calibre that this important community asset deserves. This would enable the pub to serve the local community without undermining the licensing objectives again.

RIGHT TO APPEAL

59. This determination does not have effect:

- a. until the end of the period given for appealing against the decision, or
- b. if the decision is appealed against, until the appeal is disposed of.

60. The Premises Licence Holder, or any person who made relevant representations, has a right of appeal to Mold Magistrates' Court, Law Courts, Mold, CH7 1AE under Section 181 and Schedule 5 of the Licensing Act 2003.

61. Any appeal must be commenced by notice of appeal within the period of 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against. There are potential costs implications upon the disposal of any appeal and appellants are advised to take legal advice in this regard.

Cllr Rosetta Dolphin (Chair)

Cllr Rob Davies

Cllr Richard Lloyd.

Dated: 16 October 2023

Ruthin Castle

Schedule A: Steps and Conditions imposed at Review Hearing (16.10.23)

(to replace all conditions in Annex 2 of the Premises Licence)

1. The provision of live music shall be removed from the licence and shall not be permitted at any time under the provisions of s.177A of the Licensing Act 2003.
2. In relation to recorded music, under the provisions of section 177A of the Licensing Act 2003, any conditions relating to music shall apply at all times.
3. CCTV must be installed and it must be digital, colour and maintained in good working order and cover the internal public areas, beer garden and entrances and exits to the premises. A camera must also be installed to cover the alleyway at the side of the premises. Recordings to be kept for a minimum of 28 days and made available for inspection by the Police or local authority on request
4. A member of staff must be trained in the use of the CCTV system with the knowledge and capability to download footage at the request of the police or Local Authority and must be available at the premises at times when it is open
5. There will be no consumption of alcohol or other drinks permitted in the beer garden after 22:00hrs
6. No more than 10 customers will be permitted in the beer garden after 22:00hrs
7. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Pollution Control Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,

- (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Pollution Control Officer and access shall only be by persons authorised by the Premises Licence holder,
 - (c) The limiter shall not be altered without prior written agreement from the Pollution Control Officer,
 - (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Pollution Control Officer, and
 - (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
8. The DPS will risk assess the need for door supervision. When the risk assessment requires door supervision, SIA registered door supervisors will be engaged on such dates, between such times and in such numbers as is required by the risk assessment.
 9. All staff whose duties include alcohol sales will receive training on their obligations and responsibilities under Licencing Act 2003. That training will be documented and records made available to officers of responsible authorities on request.
 10. A Challenge 25 age verification policy will be operated. The only acceptable forms of identification are a passport, photocard driving licence, military identification or any other UK/EU government approved form of identification.
 11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
 12. Windows and external doors to remain closed when regulated entertainment is being provided save to permit ingress and egress.
 13. No karaoke will be operated at the premises.
 14. Customers shall not be permitted to remove any glassware or glass bottles from inside the premises to the front outside of the premises.

15. The premises licence holder shall draw up and implement a taxi and private hire vehicle policy to ensure that vehicles dropping off or collecting customers do not create a nuisance to residents or other road users. The policy shall be made available for inspection by authorised local authority and police officers on request.
16. No customer is permitted to enter, or re-enter, the premises any later than 30 minutes before the terminal hour for the sale of alcohol.