

Premises Licence

(Licensing Act 2003 - Part A)

CRAWLEY BOROUGH COUNCIL

Licensing Section, Town Hall, The Boulevard, Crawley,
West Sussex. RH10 1UZ
01293 438289



PREMISES LICENCE NUMBER

22/02663/LAPRE

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Gate Gourmet
Viking House
Perimeter Road South
Gatwick
West Sussex
RH6 0PE

Post Town

Crawley

Post Code

RH6 0PE

Telephone number

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence

Sale by Retail of Alcohol
Off The Premises

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol

Standard days & Timings

Monday to Sunday

00:00 - 23:59 hours

The trading hours of the premises

Standard days & timings:

The Premises is not open to the general public

Monday to Sunday:

00:00 to 23:59 hours

Where the licence authorises supplies of alcohol whether these are on the and/or off supplies

OFF THE PREMISES

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Gate Gourmet London Limited
Ash House
Littleton Road
Ashford
TW15 1TZ

Registered number of holder, for example company number, charity number (where applicable)

0345526889

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Matthew Shore

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Licensing Authority: Royal Borough Of Windsor And Maidenhead - PA 1-8016

State whether access to the premises by children is restricted or prohibited: Premises not open to the Public

Annex 1 - Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

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.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (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 disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (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 licences 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.
6. 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; and
 - (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.

Minimum Drinks Pricing

1. 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.
2. For the purposes of the condition set out in paragraph 1 –

(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.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and
“film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision
except theatres, cinemas, bingo halls and casinos**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

Additional conditions nos 1-3 agreed by the application and Sussex Police 08.03.22

Conditions for alcohol delivery service:

1. Alcohol deliveries will only be made to a residential or business address and not to a public place.
2. The age verification policy (including Challenge 25) shall clearly be advertised at each stage of the order and on all advertising. All forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly state that alcohol should only be purchased for delivery to intended recipients (or persons who will accept delivery on behalf of the named recipient) who are aged over 18. Customers will be reminded that it is a criminal offence for a person under 18 to purchase or attempt to purchase alcohol and that it is also an offence to purchase alcohol on behalf of a person aged under 18.
3. At the time the order is placed a declaration will be required from the person placing the order that that person is aged over 18 years of age, and that the intended recipient is over 18 years of age. This process will be documented, (tick box before proceeding, record of verbal acknowledgement or similar). These records must be retained for no less than twelve months and produced on request to an officer of a Responsible Authority.
 - a. For deliveries where the alcohol is delivered by a third party, the alcohol is concealed in a secure sealed package, and the Designated Premises Supervisor (DPS) has no direct

supervision or control over the delivery (such as an independent courier or Royal Mail), there cannot be an age verification challenge on delivery, but the above conditions will be followed.

b. For deliveries made directly by the Designated premises Supervisor (DPS) or their employees, staff or agent or persons instructed by the Designated Premises Supervisor (DPS) or Premises Licence Holder (PLH), the person accepting the delivery must be aged 18 years or over. Where the person accepting delivery appears to be under 25, a recognised photographic identification (ID) must be produced prior to delivery. No ID, no delivery.

C. Where the premises contracts a third party to deliver alcohol on their behalf and the person collecting the alcohol from the premises delivers it directly to the customer within a short timescale (such as Deliveroo, Just Eats), the premises will ensure that the third party:

- only employs delivery employees or agents aged 18 or over;
- is aware that alcohol is included in the delivery;
- that the delivery person actively engages with the person receiving delivery and operates a Challenge 25 policy rather than just handing the delivery over;
- that in the event that the recipient of the alcohol is challenged for ID (recognised photographic identification) and does not provide appropriate and valid ID, the delivery person will retain the alcohol and return it to the premises.

4. All staff shall be suitably trained for their job function for the premises the training shall be written into a programme of ongoing review and will be made available to a responsible authority on reasonable request.
5. Noise from alcohol deliveries from the premises will not cause a public nuisance.
6. Deliveries to customers who have placed orders via the company website will be limited to the hours of 08:00h and 00:00h on any day.
7. The premises licence holder will have a return and refund policy for non-deliveries.
8. The premises shall not be open to the public at any time.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable -

Annex 4 – Plans

This licence is issued subject to the attached approved plan which was submitted as part of the application process and now forms part of the 'authorisation' under the Licensing Act 2003

Any alternation made to the premises or a substantial change to the approved plans which are currently in the possession of the Council may require a variation of the licence. You are advised to consult with this Licensing Authority before you make any proposed changes.

IMPORTANT:

This licence is issued subject to the relevant (Licensing Act 2003, the Act) legislation and does not constitute an authorisation for any other purpose administered by Crawley Borough Council (the Council) and it may not be construed that the grant of this premises licence shall indicate the approval of any other authorisation administered by the Council.

This licence forms an authorisation which indicates the approved licensable activities applicable to the premises so mentioned, the times of these activities, the approved layout of the premises and the conditions by which the premises may lawfully operate.

You are advised that in accordance with Section 136 of the Licensing Act , a person commits an offence if they carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation or knowingly allow a licensable activity to be so carried on.