

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

14/01451/LAPRE

Part 1 - Premises details

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

Turtle Bay Restaurants Limited
Unit 1
100 High Street
West Green

Post Town: Crawley **Post Code:** RH10 1BZ

Telephone number: 01293 541101

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence:

Supply of Alcohol, Late Night Refreshment, Live Music, Recorded Music

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

Standard days & Timings: Supply of Alcohol, Live Music, Recorded Music
Sunday to Thursday 10.00 to 01.00 hours
Friday & Saturday 10.00 to 02.00 hours

Non-standard timings:

From the end of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day.
On the day that British Summer Time commences, one additional hour to disapply its effect.

Standard days & Timings: Late Night Refreshment
Sunday to Thursday 23.00 to 01.00 hours
Friday & Saturday 10.00 to 02.00 hours

Non-standard timings:

From the end of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day.

The opening hours of the premises:

Standard days & timings:
Sunday to Thursday 10.00 to 01.30 hours
Friday & Saturday 10.00 to 02.30 hours

Non-standard timings:

From the end of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day.
On the day that British Summer Time commences, one additional hour to disapply its effect.

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

On & Off the Premises

Part 2

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

Turtle Bay Hospitality Limited
8 Broad Quay
Bristol
BS1 4DA

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

07127647

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

Mr Kieron McRoberts



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: Wokingham District Council - 14/00020/PERSON

State whether access to the premises by children is restricted or prohibited:

No children under the age of 18 years shall be on the premises unaccompanied by an adult after 21:00 hours.

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

(Conditions 1-16 have been agreed between the applicant and Sussex Police 03.03.14)

(Conditions 18 – 19 have been agreed between the applicant and Environmental Health 24.08.22)

1. The premises will adopt a proof of age scheme with a minimum of minimum age of 21. Signage advertising the scheme will be advertised in prominent locations in the premises including the bar area.
2. The only Identification Document (ID) that will be accepted are Passports, UK driving licences, or proof-of-age cards bearing the 'PASS' mark hologram.
3. All staff involved in the sale of alcohol will be given training prior to engaging in any sales. Refresher training will take place at a minimum of every 16 weeks. A log of all training will be maintained and made available upon reasonable request by Sussex Police and the Local Authority Licensing Officers.
4. Closed-Circuit Television (CCTV) to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems. Any breakdown or system failure will be notified to the Police and the Licensing Authority immediately & remedied as soon as practicable. CCTV will cover all public areas including the entrance/exit and bar area.
5. Images shall be retained for at least 31 days and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the Police and/or the Licensing Authority where it is necessary to do so for the prevention or detection of crime; for the prosecution or apprehension of offenders; the protection of the public including children from harm, or where the disclosure is required by law. Any such images must be supplied to the relevant authority as soon as possible.
6. The Premises will be an active member of a local Pubwatch scheme or similar Group where there is one in operation. The premises shall be represented at 75% of all meetings as a minimum. The premises shall comply with all decisions collectively made by the group.
7. No customer shall be admitted or readmitted to the premises after 01:00 hours each day, with the exception only of persons using the external smoking area.
8. Security Industry Authority (SIA) trained & licensed Door Supervisors shall be employed at the premises from 22:00 hours until 15 minutes after closing time every Friday and Saturday evening. There shall be a minimum of one Door Supervisor during this period.
9. Those performing the role of Door Supervisor will not perform any other role when engaged for the purpose of Door Supervision activities.
10. SIA trained and licensed Door Supervisors shall be employed on occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police. (A minimum of 48 hours written notice required from the Police Licensing Team).
11. Door Supervisors will also be employed from 22:00 hours until 15 minutes after closing time on Christmas Eve, Christmas Day, Boxing Day, New Year's Eve, New Year's Day, Good Friday, Easter Saturday, Easter Sunday, Easter Monday and all other Bank Holidays, plus the day preceding a Bank Holiday. On all other days when Door Supervisors are not employed, documented, suitable and sufficient risk assessment must be completed, identifying the activities undertaken at the premises and the controls necessary to minimise the risk of crime and disorder occurring in accordance with the licensing objectives. This shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.

12. On occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police, glass vessels shall not be used in any area of the premises open to the public.
13. An Incident Management Policy to include a search, drugs, and refusals policy, shall be drawn up in agreement with Sussex Police and shall be implemented while the Premises is conducting licensable activities until 15 minutes after the terminal hour of the premises. A logbook will be maintained which will include all refusals of sales and entry, ejections and incidents of crime and disorder. It will be the responsibility of the Designated Premises Supervisor to check, sign & ensure this record is maintained and made available to Sussex Police and Local Authority staff upon reasonable request and in accordance with the Data Protection Act.
14. 75% of the public floor area shall be given over to tables and chairs for seated customers only.
15. Customers will be reminded that Alcoholic drinks shall not be removed from the premises in opened containers other than to patrons of the restaurant seeking to take away a bottle of wine.
16. No children under the age of 18 years shall be on the premises unaccompanied by an adult after 21:00 hours.
17. All staff to be trained in the prevention of underage sales to a level commensurate with their duties. All such training to be updated as necessary, for instance when legislation changes, and should include training on how to deal with difficult customers. The training should be clearly documented and signed and dated by both the trainer and a member of staff receiving the training. The documentation shall be available for inspection on request by an authorised officer of the Licensing Authority or a Constable.
18. Speakers on the outside of the premises shall not be operated between the hours of 21:00 hours and 10:00 hours. Between the hours of 10:00 hours and 21:00 hours speakers shall only be operated for the playing of amplified music; and they are set at such a level that, at any time, the sound is not audible within the nearest noise sensitive property with the windows open in a manner for normal ventilation. The test for this is that the sound shall be no more than barely audible at the boundary of the nearest noise sensitive property* or the nearest point thereto. Noise sensitive property includes residential property and any non-residential property where any room is used for the purpose of accommodation as well as places of worship.

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 as signed and dated, and now forms a very important part of the 'authorisation'.

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 Licensing Act 2003, 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 2003, 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.