

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

05/00021/LAPRE

Part 1 - Premises details

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

Asda Stores
Pegler Way
West Green
Crawley
West Sussex
RH11 7AH

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence:

Sale by Retail of Alcohol - Off the Premises, Late Night Refreshment

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

Sale by Retail of Alcohol - Off the Premises

Standard days & Timings

Monday to Sunday: 00:00 Hours to 00:00 Hours (24 Hours)

Non Standard Timings

An additional hour to the standard and non standard times on the day when British Summer time begins.

Late Night Refreshment

Standard days & Timings

Monday to Sunday: 23:00 Hours to 05:00 Hours

The opening hours of the premises:

Standard days & timings:

24 Hours: 00:00 Hours to 00:00 Hours (24 Hours)

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

Off The Premises

Part 2

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

Asda Stores Limited
Asda House
Southbank
Great Wilson Street
Leeds
LS11 5AD

Head Office Phone Number: 0113243 5425

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

00464777

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

Mr Taimoor Chaudhry

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

Personal Licence number: LBWANDS/05938 Licensing Authority: Wandsworth Borough Council

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

N/A

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

1. At least one door supervisor shall be on duty within the trading area of the premises every day those premises are open for the sale of alcohol between the hours of 11.00pm and 3.00am the next day.

(The following conditions were agreed with Sussex Police by means of a minor variation - 26.06.2014)

2. The premises will operate an age verification policy set at a minimum of 25 years, whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only form of ID that will be accepted are passports, Military ID, driving licences with a photograph or Citizens card or validated proof of age card bearing the "PASS" mark hologram. The list of approved ID may be amended or revised subject to prior written agreement with Sussex Police.
3. Signage advertising the Challenge policy will be displayed in prominent locations in the premises and shall include the point of sale and the area where the alcohol is displayed as a minimum.
4. Closed Circuit Television (CCTV) to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System and shall as a minimum cover the entrance/exit, the alcohol aisle(s) and till points. CCTV 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. It will be the responsibility of the DPS or Duty Manager to ensure that any request from the police for a CCTV recording to be made for evidential purposes is carried out immediately.
5. All staff members engaged or to be engaged in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in relation to age restricted sales, and the refusal of sales to persons believed to be intoxicated. This will take place a minimum of twice a year at 6 monthly intervals between training sessions. Induction training must be completed and fully documented and signed by the employee prior to the sale of alcohol by the staff member.
6. The premises shall at all times maintain and operate an incident log which will be kept on the premises to record all incidents of crime or disorder. These records shall be made available upon request to the Local Authority Licensing Officers and Sussex Police Licensing Officers.
7. The premises will actively participate and adhere to the local shop watch scheme and will not sell alcohol to target street drinkers identified through the scheme.

(In accordance with an application for the variation of the premises licence dated 21.11.08, 'embedded restrictions' under the Licensing Act 1964 were removed)

Annex 3 – Conditions attached after a hearing by the Licensing Authority

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 alteration 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.

Crawley Borough Council Licensing Authority