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 **05/00085/LAPRE**

Part 1 - Premises details

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

Frogshole Farm
Maidenbower Drive
Maidenbower
Crawley
West Sussex
RH10 1BS

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence:

Sale by retail of alcohol for consumption on and off, Live Music, Recorded Music, Provision of facilities for entertainment of a similar description to that, Late Night Refreshment.

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

Sale by retail of alcohol for consumption on and off

Standard days & Timings

Friday to Saturday:	09:00 Hours to 23:30 Hours
Sunday to Thursday:	09:00 Hours to 23:00 Hours
New Years Eve:	09:00 Hours to Start of permitted hours on New Years Day.

The standard permitted hours for the supply of alcohol may be extended by up to one hour on up to 12 occasions per calendar year on either Friday, Saturday, or Christmas Eve. The Licensing Authority and Police must be notified 10 days in advance on each occasion.

Live Music, Recorded Music,
Provision of facilities for entertainment of a similar description to that.

Standard days & Timings

Monday to Sunday:	10:00 Hours to 23:00 Hours

Regulated entertainment shall not take place on more than 29 occasions per year and on not more than 2 occasions in any 7-day period. If one of the 29 days selected is New Years Eve regulated entertainment may extend until 01.00 New Years Day.

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Late Night Refreshment

Standard days & Timings

Friday to Saturday:	23:00 Hours to 00:00 Hours
Sunday to Thursday:	23:00 Hours to 23:30 Hours

The standard permitted hours for late night refreshments may be extended by up to one hour on up to 12 occasions each calendar year, on either Friday or Saturday, or on Christmas Eve. The Licensing Authority and the Police must be notified 10 days in advance of each occasion on which such extension is proposed.

The opening hours of the premises:

Standard days & timings:

Monday to Thursday:	09:00 Hours to 23:30 Hours
Friday:	09:00 Hours to 00:00 Hours
Saturday:	09:00 Hours to 00:00 Hours
Sunday:	09:00 Hours to 23:30 Hours

Non-standard days & timings: Non Standard Timings

New Year's Eve:	09.00 Hours to Start of permitted hours on New Year's Day.

The standard permitted hours the premises are open to the public may be extended by up to one hour on up to 12 occasions each calendar year on either Friday or Saturday or on Christmas Eve – the Licensing Authority and the Police must be notified 10 days in advance of each occasion on which such extension is proposed.

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

FOR CONSUMPTION ON & OFF THE PREMISES
Off Sales of alcohol shall not be sold in an open container or be consumed on the licensed premises.

Part 2

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

Mitchells And Butlers Leisure Retail Limited
27 Fleet Street
Birmingham
B3 1JP

Electronic Mail: licensing.admin@mbplc.com

Registered number of holder, for example company number, charity number (where applicable):
01001181

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

[redacted]

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

[redacted]

State whether access to the premises by children is restricted or prohibited: RESTRICTED.
Children remain the responsibility of the accompanying adult at all times when using the premises, and/or exterior area.

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).

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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 –

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(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 + (DxV)

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

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(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. Text and/or radio pagers, where already used will continue to be used throughout the times that the premises are open for licensable activities, and will be monitored by a responsible member of staff.

2. Children remain the responsibility of the accompanying adult at all times when using the premises and/or exterior area.

3. If a disc jockey is used on any night, he/she will make announcements asking customers to leave the premises and surrounding area quietly.

The following conditions were agreed with Sussex Police

4. A digital Closed-Circuit Television (CCTV) system shall be installed at the premises, and maintained in good working order, and used at all times when the premises are open for licensable activities. Any CCTV footage shall be kept for at least 28 days and shall be available to the Licensing Authority or Police on request.

5. Where Pubwatch exists, covering the area of which the premises is situated, then the Designated Premises Supervisor (DPS) or other nominated employee shall participate in Pubwatch.

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6. We will at all times ensure that the manager and staff are trained in the importance of their responsibilities in ensuring that customers who request alcohol are over 18.

7. The premises will adopt a “Challenge 21” and any person wishing to purchase alcohol who appears to be under 21 shall be asked to produce an acceptable form of identification photographic driving licence, passport PASS accredited and/or armed forces card.

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

1. The licensing authority and the Police must be notified 10 days in advance of each occasion on which regulated entertainment is to be provided.

2. The Designated Premises Supervisor shall arrange for a responsible person to check noise levels at the boundary of nearby noise sensitive premises several times throughout the course of the provision of any form of regulated entertainment to ensure that noise emanating from the licensed premises is no more than barely audible. This must occur at least once within the first two hours of regulated entertainment starting and at least once within the final two hours of the regulated entertainment.

3. Doors and windows shall be kept shut at all times that public regulated entertainment is taking place except as required for access or escape in emergency.

4. The use of the beer garden shall cease at 2300 hours.

5. Prominent, clear and legible signage shall be displayed at all exits requesting patrons to respect the right of local residents to a peaceful night and to leave the premises and the area quietly and warn patrons that anyone who regularly leaves in a noisy fashion will be banned from the premises. Announcements to the same effect shall be made to patrons at appropriate times.

6. Kitchen doors to be kept closed at all times except as required for access or escape in emergency.

7. All refuse shall be disposed of quietly so as to avoid causing nuisance to local residents.

8. The disposal of bottles and glasses to outside bins may not occur between the hours of 2100 – 0700.

The following condition was imposed on this premises licence by the Licensing Sub Committee 21.02.08

9. The external door at the end of the corridor leading from the kitchen shall be kept closed at all times, except as required for access or escape in emergency.

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:

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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 Section136 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.

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