

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

05/00070/LAPRE

Part 1 - Premises details

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

The Grasshopper
Ashdown Drive
Tilgate
Crawley
West Sussex
RH10 5EJ

Telephone: 01293 540309

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

Monday to Sunday: 10:00 Hours to 00:30 Hours

Non-Standard Timings

New Years Eve: From the end of permitted hours to the start of permitted hours on New Year's Day.

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 00:30 Hours

Late Night Refreshment

Standard days & Timings

Monday to Sunday: 23:00 Hours to 01:00 Hours

Non-Standard days & Timings

New Years Eve: 23:00 Hours to 05:00 Hours

The opening hours of the premises:

Standard days & timings:

Monday to Sunday: 10:00 Hours to 01:00 Hours

Non-standard timings:

New Years Eve: From the end of permitted hours to the start of permitted hours on New Year's Day.

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:

Spirit Pub Company (Leased) Limited
Sunrise House
Ninth Avenue
Burton Upon Trent
DE14 3JZ

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

5699544

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

Mr Sudha Mohan Patel

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: RBBC/06/00417/LAPER
Licensing Authority: Reigate and Banstead Borough Council

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

Children under 16 years shall not be permitted on the premises after 21:00 hours unless partaking in a sit-down meal or attending a pre-booked function.

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

(Following a Minor variation, the conditions in Annex 2 were replaced by the applicant 03.07.17 - 17/02080/LAPRE)

1. Digital Closed-Circuit Television (CCTV) and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally, to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - (a) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - (b) CCTV footage will be stored for a minimum of 31 days.
 - (c) The management will give full and immediate cooperation and technical assistance to the Police, in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - (d) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - (e) Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police, without difficulty or delay and without charge to Sussex Police.
 - (f) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
2. The premises shall at all times maintain and operate a sales refusals log, and an incident log, which will be kept to record all refusals and incidents of crime or disorder. These shall be reviewed and signed by the Designated Premises Supervisor (DPS) at intervals of no more than four (4) weeks. Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises. These records shall be kept for a minimum of twenty-four (24) months, and made immediately available upon request to the Local Authority Licensing Officers, and Sussex Police Officers or Licensing staff.
3. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 years of age, will be asked for photographic identification (ID) to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID, or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority, and Trading Standards, without the need to amend the licence or conditions attaching to it. 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. 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 regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs. Induction training must be completed prior to engaging in any sale of alcohol. Refresher training shall be conducted thereafter at intervals of no more than 6 months. All restricted sales training undertaken by staff members, shall be fully documented and signed by the employee and the DPS. All training records shall be made immediately available upon request to the Local Authority Licensing Officers, and Sussex police Officers or Licensing staff.
5. Children under 16 years shall not be permitted on the premises after 21:00 hours unless partaking in a sit-down meal or attending a pre-booked function.

6. The DPS/Manager will undertake a risk assessment to determine the requirement for Security Industry Authority (SIA) trained and licensed door supervisors. Where the risk assessment identified the need for SIA door staff, these will be provided at the times and in the numbers deemed by the risk assessment to be appropriate in the circumstances. The risk assessment is to be in written form and kept at the premises for at least 6 months, and made available to the Police upon request. The Risk assessment shall be re-evaluated at the request of Sussex Police and the use of SIA door staff deployed according to that re-evaluation (a minimum 48 hours' notice shall be given).
7. Those performing the role of SIA Door Supervisor will not perform any other role when engaged for the purpose of Door Supervision activities.
8. The DPS/Manager will under a risk assessment to determine the requirement for drinks to be decanted into non-glass vessels. The risk assessment shall include the times and areas of the premises where this shall apply. The risk assessment is to be in written form and kept at the premises for at least 6 months, and made available to the Police upon request. The Risk assessment shall be re-evaluated at the request of Sussex Police and the use of non-glass vessels utilised according to that re-evaluation (a minimum 48 hours' notice shall be given).
9. The premises will be an active member of a 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 decision collectively made by the group.
10. At all times the premises is open and undertaking licensable activity, members of staff engaged in the sale of alcohol must be able to communicate sufficiently to enable them to promote the four licensing objectives, and to make an effective challenge.
11. The external drinking areas must be closed to patrons from 23:00 hours Monday to Sunday, except for a designated smoking area, the size and location of which must be agreed with the Environmental Health Pollution Team.
12. Clear and visible signs identifying the Designated Smoking Area will be displayed, and request that customers use the area quietly.
13. No drinks or food must be consumed in the Designated Smoking Area after 23:00 hours.
14. The designated smoking area is only to be used by patrons for the purpose of smoking after 23:00 hours.
15. Noise shall be monitored when entertainment takes place after 23:00 hours, and shall be no more than barely audible at the boundary of any noise sensitive premises. (Applicant agreed amended wording of condition with CBC Pollution Team)
16. At all times during after 23:00 hours, when any form of regulated entertainment is being provide, all doors and windows shall be kept closed, other than to allow for ingress and egress. (Applicant agreed amended wording of condition with CBC Pollution Team)
17. Clear and legible notices shall be displayed at exits and other circulatory areas, requesting patrons to leave the premises having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns, and loud use of vehicle stereos and anti-social behaviour.
18. If a disc jockey is used on ay night, he/she will make announcements asking customers to leave the premises and surrounding area quietly.

(Additional condition agreed by the Applicant and Sussex Police 27.06.17)

19. Door staff will be employed on a Friday and Saturday, from 21:00h until 30 minutes after closing.

(Following a Full Variation, conditions 20 – 22 were added by the applicant – 24/02944/LAPRE - 02.02.2024)

20. The external bar will only be used between the hours of 11.00 hours and 22.30 hours daily.
21. The external bar will be supervised at all times when in use.
22. The external bar will be inaccessible to customers when not in use, to ensure they do not have access to any alcohol.

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 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.