

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

18/02197/LAPRE

Part 1 - Premises details

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

Evolve
1st and Mezzanine Floors (Only)
107 High Street
Northgate
Crawley
West Sussex

Where the licence is time limited the dates: Not applicable

Licensable activities authorised by the licence:

Supply of Alcohol (On the premises), Performances of Dance, Live Music, Recorded Music, Provision of facilities for entertainment of a similar description.

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

Supply of Alcohol (On the premises)

Standard days & Timings

Monday to Tuesday: 11:00 Hours to 03:00 Hours
Wednesday to Sunday: 11:00 Hours to 03:30 Hours

Non-Standard Timings

NYE/ Xmas Eve / Boxing Day 11.00 Hours to 03.30 Hours

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

Standard days & Timings

Monday to Tuesday: 11:00 Hours to 03:00 Hours
Wednesday to Sunday: 11:00 Hours to 03:30 Hours

Non-Standard Timings

NYE Eve/Xmas Eve/ Boxing Day 09:00 Hours to 03:30 Hours

Late Night Refreshment

Standard days & timings

Monday to Tuesday: 23:00 Hours to 03:00 Hours
Wednesday to Sunday: 23:00 Hours to 03:30 Hours

Non-standard timings

NYE / Xmas Eve / Boxing Day 23:00 Hours to 03:30 Hours

24/02966/LAPRE/Trans

The opening hours of the premises:

Standard days & timings:

Monday – Tuesday: 11:00 Hours to 03:30 Hours
Wednesday - Sunday: 11:00 Hours to 04:00 Hours

Non-standard days & timings:

NYE Eve/Xmas Eve/ Boxing Day 11:00 Hours to 04:00 Hours

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

ON THE PREMISES

Part 2

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

Mr Nigel Warder
4 Beechwood Hall
Eyhurst Park
Outwood Lane
Kingswood
KT20 6JR

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

N/A

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

Mr Yasar Koksar

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

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

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. No licensable activities shall take place until such time as a written Noise Management Plan has been submitted to the satisfaction of, and approved in writing by, the Environmental Health Authority.
 - a) The Noise Management Plan shall be prepared detailing how the operator will manage noise and noise nuisance arising from the premises. The scope of the plan shall include the following sources: plant and equipment, patrons arriving and departing from the premises, deliveries of supplies, handling and removal of waste, music and entertainment at the premises, and use of the designated smoking area.
 - b) In preparing the plan the applicant shall have regard to the Crawley Borough Council document titled "Noise Management Plans - A Guide, version 4.1".
 - c) Upon approval the operator shall operate the premises strictly in accordance with the requirements of the Noise Management Plan.
2. The disposal of waste from the ground, first and mezzanine floors of the premises (to include glassware) and any deliveries to the premises shall take not take place between the hours of 20:00 hours to 07:00 hours.
3. Clear and legible Notices shall be displayed at all entrances and exits to the premises, requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
4. An age verification policy shall be set at a minimum of 25 years and shall be used at all times, either via the Identification (ID) system or manually should this not be in operation. Any person attempting to buy alcohol who appears to be under 25 shall be asked for photographic ID to prove their age.
5. Signage advertising Challenge 25 shall be prominently displayed at the premises, at the entrance, and point of sale.
6. A Personal Licence Holder must be present at the premises at all times alcohol sales are taking place.
7. Closed-Circuit Television (CCTV) to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System. As a minimum the following areas will be covered by CCTV; All entry & exits points, including emergency exits, the immediate area to the front of the premises, all stairwells, bar areas, the dance floor, the smoking area, toilet entrances.

8. CCTV Images shall be retained for at least 28 days, and except for mechanical breakdown beyond the control of the proprietor, shall be made available upon request to the police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
9. It will be the responsibility of the Designated Premises Supervisor (DPS), or duty manager, to ensure that any request from the police for a recording to be made for evidential purposes, is carried out as soon as possible or in any case within 12 hours, in compliance with data protection legislation.
10. Both a refusal register & an incident register shall be kept on the premises to record all refusals and incidents of crime & disorder. These shall be maintained and signed off by the DPS/duty manager at the end of each evening. These records shall be maintained for a minimum of 12 months and shall be made available to the Local Licensing Authority and/or Sussex Police upon request.
11. 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 age-restricted sales, the refusal of sales to persons believed to be under the influence of alcohol or drugs and in the care of vulnerable persons.
12. Induction training must be completed and refresher training thereafter, at intervals of no more than six 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.
13. An Automatic Volume Controller [AVC] must be maintained to control the level of sound emanating from any sound system used at the premises. The level of the AVC shall be set by and operated at a level agreed in writing by an Authorised Officer of Crawley Borough Council's Environmental Health Department. The Noise Limiting Device shall be secured by and to the satisfaction of an Authorised Officer of Crawley Borough Council's Environmental Health Department. The Noise Limiting Device setting shall not be altered in any way, nor its function interfered with in any way, without the prior written consent of an Authorised Officer of the Crawley Borough Council's Environmental Health Dept.
14. All windows and doors shall be kept shut when the premises is in operation, apart from access and egress. Any doors providing an entrance or exit to the premises shall be appropriately sound proofed.
15. The rear fire doors will only be open in case of emergency and will also be sound proofed.
16. The premises shall install a recognised electronic identification scanning system for customers entering the premises. The system shall be operating and in full use at all times Security Industry Authority (SIA) door supervisors are employed and the premises are conducting licensable activities. The system shall record all barred/banned persons. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable. Where available, the system shall be linked to other licensed premises. The system shall wherever possible communicate with other similar systems in order to share information of banned persons. The system should be able to conduct tests to determine if a document is genuine or counterfeit, the system should be able to send a weekly statistical report to Sussex Police Licensing team should it be requested.
17. Patrons shall only gain access to the night club via the entrance using an ID scan system.
18. When the first floor is used as a restaurant patrons must leave the premises and be readmitted to the nightclub facility via the ID scan system.

19. The Mezzanine floor will only be used as VIP lounge for bar / night club and start to operate after 22:00 hours.
20. After 22:00 hours only polycarbonate drinking vessels shall be used throughout the first floor and mezzanine areas of the premises. Bottled drinks will be decanted into a polycarbonate drinking vessels before being served.
21. Beverages containing alcohol shall be sold in measures no greater than as follows:
 - a) Beer & cider 1 pint.
 - b) Alcoholic drink over 25% ABV - 50ml.
 - c) Wine & Champagne - 250ml.
 - d) Other than bottles of wine, champagne and spirits, which can only be served to a seated booth.
 - e) Bottles of wine, champagne and spirits served to a seated booth will remain under the control of the waiter/waitress, and there shall be no self-dispensing of alcohol (VIP booth only).
22. SIA registered door staff shall be employed from 22:00 hours until 30 minutes after closing or until patrons have left the immediate area. There shall be a minimum of 2 security plus 1 additional security per every 100 or part of 100 thereafter.
23. After 22:00 hours, other than when the premises is functioning solely as a restaurant, there will be a dedicated security room maintained and manned by SIA door staff while any person is being detained at the premises awaiting police action.
24. Body Worn Video shall be worn by the SIA door supervisors. The Body Worn Video shall be capable of downloading footage to a secure storage facility and retained for a minimum of 28 days. Any retained footage will be able to be provided to Sussex Police upon request in a suitable format.
25. All ejections from the premises will be performed by at least two licensed door staff and where possible, overseen by a member of the management team. Such actions are to be recorded in writing/electronically and made available to Sussex Police upon request.
26. All members of the door supervisor team must be clearly identifiable to members of the public and must, as a minimum, wear a high visibility arm band displaying their SIA licence. Upon written request from Sussex Police, certain roles conducted by the door team e.g. patrolling the dance floor, may be required to wear hi—visibility jackets (Not yellow).
27. SIA Door Supervisors shall use radios to contact each other, including a member of the management team.
28. After 02:00 Hours there shall be no entry or re-entry to the premises.
29. A dispersal policy and drugs policy will be agreed with Sussex Police and a copy deposited with the Licensing Authority.
30. The Premises will be an active member of a Pub Watch Scheme or similar Group where there is one in operation. The premises shall be represented at all meetings, other than in exceptional circumstances. A radio link, or similar, will be maintained with other group members and used in accordance with the Pub Watch Scheme.
31. A fully qualified first aid person will always be on site whilst the club is open.
32. The management will conduct written risk assessments for all events that involve entertainment other than House DJs or House Bands. These risk assessments will be available before the event takes place to members of the Responsible Authorities on demand.
33. There will be no Under 18s events that provide regulated entertainment.

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.