

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

20/02515/LAPRE

Part 1 - Premises details

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

Five Guys
Unit 4A
Crawley Leisure Park
London Road
West Green
Crawley
West Sussex
RH10 8LR

Post Town Crawley **Post Code** RH10 8LR

Telephone number N/A

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 the premises)
Films
Recorded music (indoors)
Late Night Refreshment

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

Sale by Retail of Alcohol (On & Off the premises)

Standard days & Timings

Monday, Tuesday, Wednesday & Sunday 11:00 - 23:00 hours
Thursday to Saturday 11:00 - 00:00 hours

Non Standard Timings

New Year's Eve

To Terminate at 02:00 hours

Films, Recorded Music (Indoors)

Standard days & Timings

Monday, Tuesday, Wednesday & Sunday 08:00 - 23:30 hours
Thursday to Saturday 08:00 - 00:30 hours

Non Standard Timings

New Year's Eve

To Terminate at 02:30 hours

Late Night Refreshment

Standard days & Timings

Thursday to Saturday 23:00 - 00:00

Non Standard Timings

New Year's Eve

To Terminate at 02:00 hours

The opening hours of the premises

Standard days & timings:

Monday, Tuesday, Wednesday & Sunday 08:00 to 23:30 hours
Thursday, Friday & Saturday 08:00 to 00:30 hours

Non-standard days & timings:

New Year's Eve

_To terminate at 02:30

**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**

Five Guys JV Ltd
Units 2-3
1 Bard Road
London
W10 6TP

Registered number of holder, for example company number, charity number (where applicable)
08185191

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

Toby Alexander Hurst



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

Issuing Authority : Tandridge District Council Tand/PERS/22.013

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

Conditions agreed with Sussex Police and 5 Guys JV Limited

1. A CCTV system with recording equipment shall be installed, operated and maintained at the premises (unforeseen faults excepted). Images will be retained for a minimum of 28 days and supplied to a police officer upon reasonable request subject to the Data Protection Act 1998.

2. Members of staff authorised to sell alcohol shall receive training on the law with regard to alcohol sales (including the prohibition of sale of alcohol to those who are under age and those who are drunk). Staff records of such training shall be retained for 12 months and refresher training in relation to the sale and supply of alcohol and wider requirements under the Licensing Act 2003 shall be taken prior to selling alcohol, and thereafter at least annually.

3. The premises will operate a "Challenge 25" Proof of Age Scheme, whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic identification to prove their age. Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and date of birth. If the person seeking alcohol is unable to produce acceptable means of photographic identification, no sale or supply of alcohol will be made to that person.

4. Challenge 25 Proof of Age signage shall be displayed within the premises .
- 5.“On New Years Eve, no under 18s will be allowed entry to the premises or to remain in the premises after 12 midnight”
6. . A minimum of 50 Covers shall be retained in the premises at all times it is open.
7. Alcohol shall only be sold or supplied to those partaking in substantial refreshment (food) at the premises
8. Alcohol shall only be provided as ancillary to a substantial refreshment (food) to persons
9. No unaccompanied children shall be permitted on the premises after 22:00 hours.
10. The Premises Licence Holder shall ensure that a written or electronic Incident Log is kept at the premises and measures shall be in place to record all incidents of crime and disorder at the premises. This will be made available at any time for inspection by an Authorised Member of a Responsible Authority as per the Licensing Act 2003
11. The Premises Licence Holder shall ensure that a Refusals Register is available at the premises and measures are in place so that it is completed with details of all alcohol sales which are refused for any reason. This will be made available at any time for inspection by an Authorised Member of a Responsible Authority as per the Licensing Act 2003
12. The staff of the premises shall carry out litter checks and shall remove litter within the external area as operated by Five Guys JV Limited or in the immediate vicinity.
13. All sales of alcohol for consumption off the premises shall be in sealed containers. save for in any external area as defined by the layout plan and forming part of the licensed area, and subject to the operating conditions included on the premises licence.
14. The need for Security Industry Authority (SIA) door staff will be risk assessed by the Designated Premises Supervisor in conjunction with the Premises Licence Holder and employed when deemed necessary.

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 (plan which was submitted as part of the application process) 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 relevant (Licensing Act 2003, the Act) legislation 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 s136 on the Act , 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.