

Licensing Act 2003 Premises Licence - Summary

The Fox 21 Frensham Road Lower Bourne Farnham Surrey GU10 3PH	Licence number:	LN/000000200	
	Valid from:	25th May 2018	
	Valid until:		
	Telephone:	01252 716395	
Licensable Activities Authorised by the Licence and times these activities may be carried on			
Activity (and area if applicable)	Description	Time From:	Time To:
Provision of regulated entertainment:-			
Live Music	Monday - Saturday Sunday	19:00 19:00	23:00 22:30
Sale by Retail of Alcohol	Monday - Thursday Friday and Saturday Sunday	10:30 10:30 11:00	23:00 23:30 22:30
Non-standard Timings:	The Sunday preceding Bank Holiday Monday; Christmas Eve and Boxing Day (where these days fall on Sunday) 08:30 until 23:30 for licensable activities with 30 minutes thereafter for closing. New Year's Eve from the terminal hour until 02:00 on New Year's Day.		

The opening hours of the premises: 08:30-23:30 Monday to Thursday
08:30-00:00 Friday and Saturday
11:00-23:00 Sunday

Where the licence authorises supplies of alcohol, whether this alcohol is to be consumed on and/ or off the premises: On and off the premises

Name & (registered) address of holder of premises licence: Greene King Retailing Ltd
Westgate Brewery
Bury St Edmunds
Suffolk
IP33 1QT

Registered number of holder, for example company number, charity number (where applicable): 5265451

Name of designated premises supervisor where the premises licence authorises the supply of alcohol: Mr Matthew James Eaton

Whether access to the premises by children is restricted or prohibited: All persons under the age of 16 years must be accompanied by an adult

Licensing Act 2003
Premises Licence - Detail

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Annexe 1 – Mandatory Conditions

Alcohol

No supply of alcohol may be made under the premises licence:

- At a time when there is no designated premises supervisor in respect of the premises licence.
- At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (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).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3.
 - (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 licence 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.
4. 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;
 - (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.”
5. 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.
6. For the purposes of the condition set out in paragraph 5—
- (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.
7. Where the permitted price given by Paragraph (b) of paragraph 6 would (apart from this 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.
8. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 6 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.

Annexe 2 – Conditions consistent with the operating schedule

Live Music	Monday	19:00 hours to 23:00 hours
	Tuesday	19:00 hours to 23:00 hours
	Wednesday	19:00 hours to 23:00 hours
	Thursday	19:00 hours to 23:00 hours
	Friday	19:00 hours to 23:00 hours
	Saturday	19:00 hours to 23:00 hours
	Sunday	19:00 hours to 22:30 hours

Further Detail

N/A

Non-Standard Timing

From the end of hours on New Year's Eve until 02:00 on New Year's Day

Location of activity : Indoors

Alcohol BOTH ON/OFF premises	Monday	10:30 hours to 23:00 hours
	Tuesday	10:30 hours to 23:00 hours
	Wednesday	10:30 hours to 23:00 hours
	Thursday	10:30 hours to 23:00 hours
	Friday	10:30 hours to 23:30 hours
	Saturday	10:30 hours to 23:30 hours
	Sunday	11:00 hours to 22:30 hours

Further Detail

N/A

Non-Standard Timing

The Sunday preceding Bank Holiday Monday; Christmas Eve and Boxing Day (where these days fall on Sunday) 08:30 until 23:30 for licensable activities with 30 minutes thereafter for closing.
New Year's Eve from the terminal hour until 02:00 on New Year's Day.

Sale of alcohol to be for consumption : On and off the premises

Designated Premises Supervisor

Name: Mr Matthew James Eaton

Address: Blakes Cottage
Sandy Lane
Haslemere
Surrey
GU27 1QE

Personal Licence Number (If known): LN/000005766

Issuing Licence authority (If known): Waverley Borough Council

Opening Hours	Monday	08:30 hours to 23:30 hours
	Tuesday	08:30 hours to 23:30 hours
	Wednesday	08:30 hours to 23:30 hours
	Thursday	08:30 hours to 23:30 hours
	Friday	08:30 hours to 00:00 hours
	Saturday	08:30 hours to 00:00 hours
	Sunday	11:00 hours to 23:00 hours

Further Detail

N/A

Non-Standard Timing

The Sunday preceding Bank Holiday Monday; Christmas Eve and Boxing Day (where these days fall on Sunday) 08:30 until 00:00.
New Year's Eve from the terminal hour until 02:30 on New Year's Day.

Any adult entertainment or services, activities, other entertainments or matters ancillary to the use of premises that may give rise to concern in respect of children

Hot food, supply of alcohol, open fires and cigarette vending machine.

ELEMENTS OF OPERATING SCHEDULE TO ADDRESS LICENSING OBJECTIVES:

a) General - all four licensing objectives (b,c,d,e)

Please see below.

b) The prevention of crime and disorder

Appropriate digital CCTV equipment and a sufficient number of cameras shall be installed and maintained at the premises.

The cameras shall record at all times customers are on the premises.

The cameras shall record colour images that are clear enough to allow the Police to use them to investigate any crimes that are committed on the premises.

The areas covered by the cameras shall be all areas and corridors within the premises that are open to the public, not including the toilets.

A camera shall be positioned to obtain images of persons entering the building by the main entrance.

Cameras shall also be installed in the garden area to cover all of the garden where the public have access.

No persons other than the Police, the Licensing Authority, the Premises Licence Holder or Designated Premises Supervisor ("DPS") shall have access to the CCTV recording equipment or the recordings made from such equipment.

Recordings made on the CCTV system shall be retained for a period of at least 30 days of recording.

A minimum of two notices stating that CCTV is in operation shall be displayed throughout the premises where the public have access.

The notices shall be at least A4 size.

c) Public Safety

The premises shall not sell alcoholic beverages under any circumstances to any person who appears to have consumed an excess of alcohol or appears to be under the influence of drugs.

The Police shall be informed if any person is doing, using, carrying or supplying controlled substances, i.e. drugs, whilst at the premises.

d) The prevention of public nuisance

A written garden and terrace management policy ("the Policy") shall be drawn up and implemented by the DPS.

The Policy shall refer to any conditions on the premises licence relevant to the Policy and ensure that such conditions are complied with.

The Policy shall also set minimum levels for staff checks during the hours of operation of both the garden and terrace to ensure as far as practicable, customers do not cause a public nuisance.

The Policy shall make provision for dealing with customers where it has been determined by either the DPS or a designated member of the management team that they are acting in a manner likely to cause a public nuisance, including asking the customers responsible to vacate the area.

The Policy shall also specifically deal with ensuring the garden area and terraced area shall be closed to customers at 21:00 hours, save for access to and from the designated smoking area.

The designated smoking area shall be located in the bottom patio area.

The Policy shall be disseminated to all staff who have responsibility for implementing some or all of the Policy and shall be made available upon request of the Licensing Officer, a Police Officer or Environmental Protection Officer.

A written dispersal management plan ("the Management Plan") shall be drawn up and implemented by the DPS.

The Management Plan shall establish management procedures for ensuring as far as possible that customers leave the premises quickly and quietly at the end of the trading day.

The Management Plan shall make provision for taxis ordered by the staff of the premises on behalf of customers to text or call the premises when they arrive so that customers can be encouraged to wait inside for their taxis.

The Management Plan shall be disseminated to all staff who have responsibility for implementing some or all of the Management Plan and shall be made available upon request of the Licensing Officer, a Police Officer or Environmental Protection Officer.

At the start of regulated entertainment, the level of music emanating from the premises shall be monitored outside at the boundary of the premises to ensure, as far as practicable, that such entertainment is unlikely to cause a public nuisance to residents living in the immediate area.

A log shall be maintained of these checks and shall include the date and time the check was made, the member of staff who made the check and what their observations were.

For regulated entertainment that lasts for over 1 hour in duration, additional checks shall be undertaken hourly to ensure that music levels remain unlikely to cause a public nuisance.

Doors and windows shall be closed (except access and egress) during regulated entertainment.

The garden area and terraced area shall be closed to customers at 21:00 hours, save for access to and from the designated smoking area.

The designated smoking area shall be located in the bottom patio area.

All music in the garden area shall cease at 21:00 hours.

After 21:00 hours the gates to the garden shall be shut to prevent access by members of the public.

Signage shall be displayed at the exits and in the car park requesting members and guests to respect the needs of local residents by quietly leaving the premises and car park.

A written event management plan ("the EMP") shall be drawn up and implemented by the DPS in relation to any events held at the premises outside of the ordinary course of business.

Events are defined as:-

Any regular occurrence such as a weekly quiz, live music on a Sunday afternoon, burger and beer night would be considered as events in the normal course of business. Events outside the normal course of business would be one off, special occasions such as an annual charity event or events requiring a Temporary Event Notice.

Each EMP shall set out the following:-

- a. the nature of the event;
- b. the times the event shall be held (start and finish times);
- c. the expected numbers of attendees;
- d. any special provisions made for the event, such as parking marshals; and
- e. whether neighbours shall be notified prior to the event. If so, whether any concerns have been raised by residents prior to the event and actions taken thereafter.

The EMP shall be disseminated to all staff who have responsibility for implementing some or all of the EMP.

EMPs shall be kept on the premises for a minimum of 3 months after the event and shall be made available upon request of the Licensing Officer, a Police Officer or Environmental Protection Officer.

A complaints log ("the Log") shall be maintained and any complaints received by members of staff from residents living in the vicinity of the premises shall be recorded in the Log.

The Log shall record:-

- a. the date and time of the complaint;
- b. the name of the complainant;
- c. the nature of the complaint;
- d. the name of the person making the record; and
- e. any action taken to investigate and/o rectify the complaint.

Instructions on how to complete the Log shall be disseminated to all staff.

The Log shall be made available upon the request of the Licensing Officer, a Police Officer or Environmental Protection Officer.

A refusals log shall be kept and all refusals of alcohol shall be recorded therein.

No televisions or films shall be permitted in the garden or terrace.

A maximum of 15 events where regulated entertainment shall be provided shall be permitted outdoors in each calendar year.

A record of each of the 15 events shall be kept at the premises.

Litter bins shall be provided inside the boundary of the premises.

e) The protection of children from harm

All staff shall receive suitable training including refresher training twice a year, in relation to "Challenge 25" proof of age policy which shall be applied at the premises.

All staff training shall be recorded and signed by the member of staff completing the training.

The training record shall also be countersigned by the DPS.

All persons under the age of 16 years must be accompanied by an adult.

Any person who appears to look under 25 shall be challenged and must provide acceptable identification, otherwise service of alcohol shall be refused.

Annexe 3 – Conditions attached after a hearing on 20th November 2017 by the Licensing Authority

1. A written Garden and Terrace Management Policy ("The Policy") shall be drawn up by the DPS and/or the Operator and agreed with the Environmental Health and Licensing Teams and implemented by the DPS by no later than 22nd December 2017.
2. A written Dispersal Management Plan ("The Management Plan") shall be drawn up by the DPS and/or the Operator and agreed with the Environmental Health and Licensing Teams and implemented by the DPS by no later than 22nd December 2017.
3. Only 6 additional events shall be permitted outside the premises (but in addition to the permissible TENS).
4. All doors and windows shall be shut after 23:00 (except for access and egress).
5. The designated smoking area shall be closed to customers carrying drinks after 23:00.
6. Licensable activities on the first floor shall not be permitted, but the consumption of alcohol and alcohol being served as ancillary to dining use shall be permitted.

Annexe 4 – Plans

Attached