

Part A
Licensing Act 2003 Premises Licence

Horsham District Council
working in partnership to secure a better quality of life for all
Public Health and Licensing, Park House, North Street,
Horsham, West Sussex. RH12 1RL
01403 215402



**Horsham
District
Council**

Premises Licence Number

LI/05/0658/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Cherry Tree Inn
Crawley Road
Faygate
West Sussex
RH12 4SA
01293 851305

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

**The exhibition of a film, A performance of live music, Any playing of recorded music,
The provision of Late Night Refreshment and the Sale by Retail of Alcohol**

Times the licence authorises the carrying out of licensable activities

The exhibition of a film, Any playing of recorded music:

Friday & Saturday ~ 10:00 - 01:30

Everyday ~ 10:00 - 00:30

A performance of live music:

Friday & Saturday ~ 10:00 - 01:00

Everyday ~ 10:00 - 00:00

Late Night Refreshment:

Friday & Saturday ~ 23:00 - 01:30

Everyday ~ 23:00 - 00:30

Sale by Retail of Alcohol:

Friday & Saturday ~ 10:00 - 01:00

Everyday ~ 10:00 - 00:00

All above on New Years Eve from 10:00hrs until the terminal hour on New Years Day

The opening hours of the premises

**Sunday to Thursday ~ 10:00 to 00:30
Friday And Saturday ~ 10:00 to 01:30
New Years Eve ~ 10:00 to terminal hour New Years Day**

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

For consumption both on and off the premises

Part 2

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

**Hall And Woodhouse Limited
The Brewery
Blandford St. Mary
Dorset
DT11 9LS**

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

57696

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

**Mr Robin Neil Farmer
Cherry Tree Inn
Crawley Road
Faygate
West Sussex
RH12 4SA**

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: 424

Licensing Authority: Mole Valley District Council

Note

This licence is issued pursuant to the legislation/regulations specified in it only and does not constitute a licence/approval/consent for any other purpose whatsoever, including other legislation, etc., administered by Horsham District Council.

The recipient of this licence is responsible for ensuring that all necessary licences/ approvals/consents/planning permissions, etc., are obtained and the grant of this licence does not constitute a representation that any necessary licences/approvals/consents/planning permissions, etc., will be granted, because each application must be considered separately.

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 shall 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;

Paper certified as sustainable by an independent global forest certification organisation

- (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

ALL EMBEDDED CONDITIONS AND RESTRICTIONS CONTAINED IN THE LICENSING ACT 1964 TO BE RETAINED (AS ATTACHED).

GENERAL LICENSING OBJECTIVES

PREVENTION OF CRIME AND DISORDER OBJECTIVES

No additional conditions are proposed

PUBLIC SAFETY OBJECTIVES

No additional conditions are proposed

PREVENTION OF PUBLIC NUISANCE OBJECTIVES


No additional conditions are proposed

PROTECTION OF CHILDREN FROM HARM

Children under the age of 14 will not be permitted to remain in the premises after 21:00. If any film is shown that has not been previously broadcast before 20:00 hours on television, it will be subject to an appropriate age classification and children under the appropriate age will not be permitted in the premises when the film is shown

Annex 3 – Conditions attached after a hearing by the licensing authority

1. Police Licensing Officers and Community Support Officers to be allowed entry to the premises at any time whilst they are open to the public and up to one hour after closing.
2. Notices advising customers to leave quietly and respect neighbours to be displayed prominently throughout the premises particularly at the exits.
3. No one shall be allowed to remove any intoxicants from the premises in any open container at any time.
4. The sale of intoxicants for consumption off the premises to cease at 23.00hrs.
5. No one to be allowed to enter or re-enter the premises after 23.00hrs.
6. Noise from music (and all other noise sources associated with the business operation) from within the pub premises, must be 'barely audible' outside noise sensitive property so as not to be audible inside those premises between 23:00 and 07:00 hours.
7. Use of the beer garden by customers to cease between 23:00 and 07:00 hours.
8. The handling of barrels, kegs, cylinders etc, and the disposal of rubbish and bottles outside to be disallowed between 23:00 and 07:00 hours.

Signed by Head of Public Health and Licensing	Date
 28.01.2015	Determined/Issued 4/11/2005

Annex 4 – Plans

TO BE ATTACHED BY PREMISES LICENCE HOLDER OR AGENT