

PREMISES LICENCE

Premises licence number 05/00614/LAPRE
Issue Date 17 August 2012
Latest Revision Date 30 November 2015

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description The Phoenix 26/28 Thames Street			
Post town	Sunbury-on-Thames	Post code	TW16 6AF
Telephone number	01932 785358		

Licensable activities authorised by the licence

Sale and supply of alcohol;
Provision of regulated entertainment and of entertainment facilities.

The times the licence authorises the carrying out of licensable activities
Sale of alcohol

Monday to Saturday: **11.00 to 23.00**

Sunday: **11.00 to 22.30**

Sale of alcohol from the outside bar

Saturday and Sunday and days on which there is a seasonal variation for the sale of alcohol: **11.00 to 17.00**

Regulated entertainment of live music; provision of facilities for making music:

Friday and Saturday (and days on which there is a seasonal variation for the sale of alcohol): **8.00pm – 23.00** (Restricted to 12 occasions in the calendar year)

Non-standard Hours and Seasonal Variations:

Sale of alcohol Christmas Eve, Christmas Day, Boxing Day, Good Friday, Saturday and Sunday following Good Friday, Easter Monday, Saturday and Sunday before Whitsun and August Bank Holidays, St Patrick's Day: finish 1 hour later than standard timings.

New Year's Eve finish 2 hours later than standard timings.

The opening hours of the premises

Monday to Saturday 11.00 to 23.30; Sunday 11.00 to 23.00

Non-standard Hours and Seasonal Variations: premises to close half an hour after the finish of sale of alcohol on the above occasions.

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

For consumption on and off the premises

Part 2**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

W H Brakspear & Sons Ltd
The Bull Courtyard
Bell Street
Henley-on-Thames
RG9 2BA

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

46656

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

Simon Bailey,
The Bell Inn,
8 Thames Street,
Hampton
TW12 2EA

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

London Borough of Richmond - Personal Licence No: 27434

Signed _____

Deputy Chief Executive

Dated 30 November 2015

Annex 1 - Mandatory conditions**Mandatory Condition: where a premises licence authorises the supply of alcohol:**

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.

Mandatory Licensing Conditions**The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014**

(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.

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 supplies 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 whiskey: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(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.

**The Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014
(Below Cost Selling Order)**

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(6);

(b) “permitted price” is the price found by applying the formula:

$$P = D + (D \times V)$$

where—

P is the permitted price,

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 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 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).

3. Where the permitted price given by Paragraph (b) of paragraph 2 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.

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.

Mandatory Condition: door supervision

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 be licensed by the Security Industry Authority.

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 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.

For the purposes of this section, “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and paragraph 8(5) of that Schedule (interpretation of references to and occasion) applies as it applies in relation to paragraph 8 of that Schedule

Annex 2 - Conditions consistent with the Operating Schedule

The Prevention of Crime and Disorder

1. Premises will maintain active membership of pubwatch and adhere to the pubwatch rules
2. Door supervisors shall be employed for annual river festival or if necessary and in accordance with a risk assessment
3. A proof of age scheme shall be maintained and records kept of those who have been refused due to age. Staff shall be trained in checking ID
4. An anti drugs policy shall be in place, backed by staff training and liaison with Surrey Police if necessary

Public Safety

1. It shall be a pre-requisite for musicians providing live music that a Residual Current Device (RCD) shall be provided to protect the electrical supply to entertainers’ equipment, including microphones, as described in “Electrical Safety at Places of Entertainment” (G550)

Public Nuisance

1. Notices shall be displayed in appropriate locations asking patrons to leave quietly
2. There shall be a commitment to attend residents’ meetings if required to do so
3. Waste and bottles shall not be removed to external bins between 20.00 and 08.00 the next day
4. Staff to check area in the vicinity of the pub for any rubbish and remove it
5. Staff to check immediate area to check live music levels and adjust if found to be too loud
6. Doors and windows shall be shut during live music entertainment except for customer access

The Protection of children from harm

1. No children to be allowed at the bar
2. It will be requested that children are supervised in the garden
3. Proof of age policy shall be in place
4. Any cigarette and gaming machines shall be in a position that allows them to be easily supervised by staff

Annex 3 - Conditions attached after a hearing by the licensing authority April 2008

1. Regulated entertainment to take place inside only with windows and doors closed so as to prevent noise to escape, and doors only to open to allow usual access and egress.
2. Incidental background music to be confined to inside the premises. (Though we note that the applicant and the interested parties may well come to an accommodation about this).
3. Notices to be placed in prominent places internally to provide phone numbers of local taxi firms.

4. No beverages in open containers to be taken off the premises.

Conditions attached after a hearing by the licensing authority March 2010

1. All bar staff to be fully trained in the licensing objectives including the terms of the premises licence including attending the National Certificate Personal Licence Holder Level 2 by the end of May 2010. All new bar staff who are recruited will attend the National Certificate Personal Licence Holder Level 2 within 6 weeks of them starting working. The ongoing staff training shall include identification of anti-social or unusual behaviour to adopt best practice and to adhere to the Portman Group guidance on drinks' strategy. Records of such training shall be kept at the premises and available for inspection by any Responsible Authority on request.
2. All incidents of crime and disorder will be reported to the Police and recorded in the premises incident book. In relation to all incidents of crime or disorder, all staff including the premises licence holder and Designated Premises Supervisor shall give full and unequivocal support to the Police in the investigation of incidents, including (where required by the Police) the provision of witness statements at the time of the incident and where applicable to share the information at Pubwatch meetings and nominate persons for a Pubwatch ban.
3. There will be sufficient staff on duty in the areas licensed for the provision of licensable activities to both deal with customers and report apparent crime offences to Police.
4. The CCTV system installed at the premises must cover the entire interior area licensed for the provision of licensable activities and the exterior entrance area. The recordings must be retained for a minimum period of 7 days and there will be a member of management on the premises at all times fully trained and competent in the operation of the system and able to produce a copy (immediately on demand) of footage to Police, Licensing Authority, Fire and Rescue Officers or Officers of any other statutory body making a lawful request for a copy. A paper copy of staff training records confirming such training will be kept on the premises and produced to offers of responsible authorities upon demand. Lighting in all areas shall be sufficient to result in good quality images being recorded by the CCTV system. "Good" quality images will be defined by the Police Crime Reduction Officer. The system must be tested in accordance with the Surrey Police Operational Requirement for Closed Circuit Television (CCTV) within Licensed Stores and General Premises Security (and any successor policy) including the daily checks therein. Any failures or breakages of CCTV equipment is to be reported as soon as practicable to the Police and Licensing Authority (and in any event this is to be done within 24 hours of the failure/ breakage) and steps are to be taken as soon as practicable to ensure that repairs are carried out and the equipment returned to full function.

Annex 4 – Plans

Attached