

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM 1

10.00AM, THURSDAY, 16 NOVEMBER 2023

VIRTUAL

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ADDENDUM 1

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Environmental Protection – agreed condition under the Prevention of Public Nuisance

- **The external garden will only be used by a maximum of 15 customers with drinks until 21:30**

Final Proposed Amendments to timings and conditions at Cut Your Wolf Loose, 23 Trafalgar Street as part of Variation 1445/3/2923/03738/LAPREV

Amendment of Variation to the timings requested.

Licensable activities:

- Section F - Recorded music:
Every day: 11:00 – 00:00 – to remain the same

- Section J – Supply of alcohol:
 - 'ON' the premises
Every day: 11:00 – ~~00:00~~ 23:30
 - 'OFF' the premises
Every day: 11:00 – 22:00 – to remain the same

- Hours premises are open to the public:
Everyday 11:00 – 00:00 – to remain the same (*but with all customers out and doors locked by 00:00*)

Conditions:

Retain

Remove

Replace/New

Annex 2 – Conditions consistent with the Operating Schedule

General:

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.
2. No beer, lager, cider or perry with an ABV over 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% or above such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.

3. No draft beer, ~~larger~~ lager or cider.
4. For off sales, no single cans of 440ml or less of beer, lager, cider or perry will be sold; only multipacks of 4 or more cans will be sold.
5. For on sales, the sale of intoxicating liquor and other beverages will be for consumption by persons seated at tables or bar. There will be no vertical drinking.

For the Prevention of Crime and Disorder:

6. Subject to GDPR guidance and legislation:

- a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
- b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- c) CCTV footage will be stored for a minimum of 31 days.
- d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- f) ~~Subject to GDPR guidance and legislation~~, The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty or delay. ~~for the police without difficulty or delay and without charge to Sussex Police.~~
- g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable. This can be via email - brighton.licensing@sussex.police.uk.
- h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

7. The premises will become a member of the Business Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.
8. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at intervals not to exceed 4 weeks. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers and staff of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.
9. A documented risk assessment must be produced by the premises which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. It will include a written assessment demonstrating what considerations have been made for both normal day to day activities and any special events or functions which may arise during the year. This document shall be immediately available for inspection by the Police and the Licensing Authority, upon request and reviewed every 12 months. The written risk assessment will include:
 - a) When SIA trained and licenced door supervisors shall be employed on occasions when a requirement is identified by the licence holders written risk assessment or requested by Sussex Police.
 - b) When it is appropriate for the premises to employ a mobile support unit (MSU) operated by SIA registered door staff. In the event that a MSU is contracted, the management will contract the back-up services of an approved MSU 24 hours a day, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Business Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.
 - c) What considerations have been made by the licence holder regarding any additional special events which may arise in the city during the year.
 - d) The use of glassware versus shatterproof or polycarbonate drinking vessels and the supply of glass bottles to customers.

For Public Safety:

None

For the Prevention of Public Nuisance:

10. Provide signage at all exits and outdoor areas used for smoking by staff and patrons 'Please respect the needs of local residents, including leaving quickly and quietly; do not disturb neighbours';
11. Staff to manage persons leaving the premises do not congregate in the immediate vicinity so as to minimise disturbance;
12. During events regular monitoring of noise levels at the nearest noise sensitive locations shall take place and volume/bass reduced so as to avoid public nuisance; noise should not normally be audible outside. A record shall be kept, including date, time, location and the action taken. This record shall be made available for inspection by council officers on request;
13. Staff should regular supervise the outdoor area to ensure there is no nuisance to neighbours;
14. Deliveries, recycling and rubbish should not be dropped off, collected or placed outside except between the hours of 07:00Hrs and 19:00Hrs;
15. Ensure that external lighting is designed (and is submitted to the planning authority if necessary), so as not to cause light nuisance to neighbours;

For the Protection of Children from Harm:

16.
 - a) The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
 - b) Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

17.

- a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
 - The lawful selling of age restricted products
 - Refusing the sale of alcohol to a person who is drunk
- b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 12 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available for inspection by authorised officers and staff of the Licensing Authority or the police and officers from the Trading Standards team upon request.

Annex 3 – Conditions attached after a hearing by the Licensing Authority on 18 May 2020

1. The hours for sale of alcohol on and off the premises shall be as follows: ~~from 11:00 to 22:00 hours daily. The opening hours of the premises shall be the same as stated above.~~
 - On the premises (Every day): 11:00 – (to be discussed/decided at Hearing)
 - Off the premises (Every day): 11:00 – 22:00
- ~~2. Off sales of alcohol shall be limited to whisky only.~~
2. Off sales of alcohol at the premises (which are to cease at 22:00 daily) are limited to the following alcoholic products:
 - Whiskey
 - Craft beer (as defined under Annex 2, condition 2 of this licence)
 - Alcoholic miniatures supplied as part of a pre boxed whiskey cocktail making set (of which one element of the set will be a whiskey)
3. There shall be no sale of spirits apart from whisky on the premises. The panel consider this condition is appropriate and is in line with the proposal put forward by the applicant that on sales would be mainly whisky with a couple of craft beers and a limited selection of fine wine. In combination with the police conditions this will prevent the premises becoming a traditional bar.
4. The following applies to the garden/patio area at the rear of the premises:
 - a) It shall be closed and cleared of customers by ~~18:00~~ 21:30 hours every day. After that time smokers will be directed to smoke in the garden area

but there shall be a maximum of ~~2~~ 4 smokers at any one time and customers will not be permitted to take drinks with them.

- b) It will operate the same as the inside of the premises – all service of alcohol will be to persons seated at tables with NO vertical drinking.
 - c) No music will be played at any time.
5. The doors and windows shall be kept closed after 21:00 hours save for access and egress.
6. ~~Whisky tasting events shall be limited to 8 events per month. During these events the bar shall be closed to the public.~~
7. All live music and any tasting events must finish by 21:00 except on a limited number of 10 listed occasions. These being:
- a. Burns Night (25th January)
 - b. Valentines Day (14th February)
 - c. Mother's Day (Sunday)
 - d. St Patrick's Day (17th March)
 - e. St George's Day (23rd April)
 - f. Father's Day (Sunday)
 - g. Halloween (31st October)
 - h. St Andrew's Day (30th November)
 - i. Christmas Eve (24th December)
 - j. New Years Eve (31st December)