





**Brighton & Hove  
City Council**

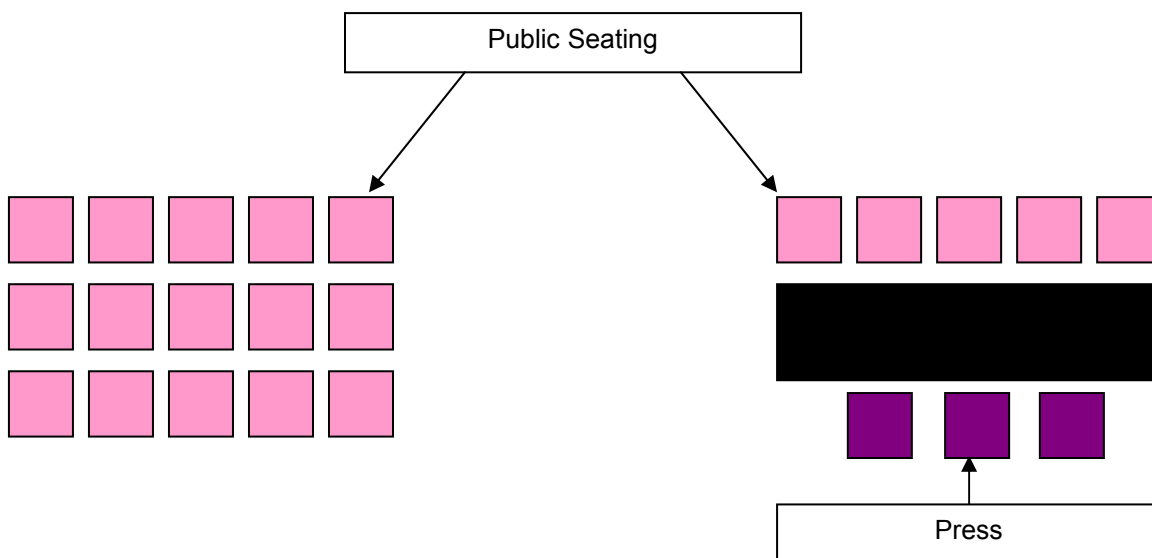
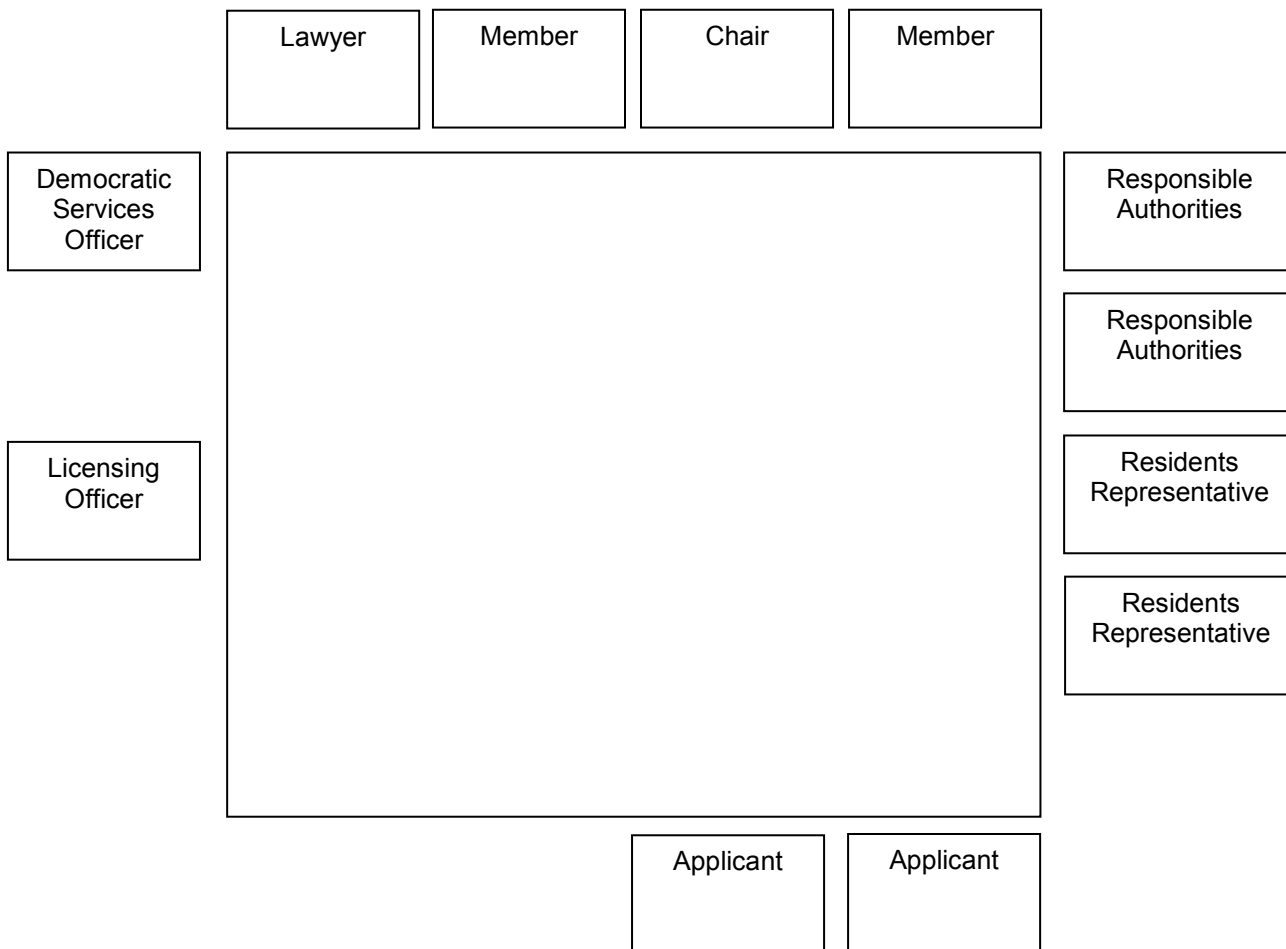
# Licensing Panel

(Licensing Act 2003 Functions)

Title:	<b>Licensing Panel (Licensing Act 2003 Functions)</b>
Date:	<b>25 January 2010</b>
Time:	<b>10.00am</b>
Venue	<b>Committee Rooms 2/3, Brighton Town Hall</b>
Members:	<b>Councillors:</b> Hyde, Lepper and West
Contact:	<b>Jane Clarke</b> Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 114. TO APPOINT A CHAIRMAN FOR THE MEETING

### 115. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the main Licensing Committee may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

### 116. BURNETTS, 62 PRESTON STREET, BRIGHTON

1 - 28

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Charlie Taylor Tel: 29-2143  
Ward Affected: Regency;

### 117. WEST PIER NEWS, 133A KINGS ROAD, BRIGHTON

29 - 54

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Emma Bricknell Tel: 29-4431  
Ward Affected: Regency;

**NOTE:** *There may be more than one item on this agenda, and as such the item you are interested in may not be heard until later in the day. However, the Chairman reserves the right to alter the running order of the agenda at the start of the meeting.*

## LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email [jane.clarke@brighton-hove.gov.uk](mailto:jane.clarke@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 15 January 2010

**LICENSING PANEL**  
**(Licensing Act 2003 Functions)**

**Agenda Item 116**

Brighton & Hove City Council

**Subject:** *Application for a Variation of a Premises Licence under the Licensing Act 2003*

**Premises address and Trade name:** **Burnetts**  
**62 Preston Street, Brighton, BN1 2HE**

**Applicant:** **Mr Piyush Patel and Mr Nilkanth Patel**

**Date of Meeting:** **25 January 2010**

**Report of:** *Assistant Director Public Safety*

**Contact Officer:** Name: Charlie Taylor Tel: 29-2143  
E-mail: [charlie.taylor@brighton-hove.gov.uk](mailto:charlie.taylor@brighton-hove.gov.uk)

**Wards Affected:** Regency

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Burnetts.

**2. RECOMMENDATIONS:**

- 2.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Burnetts.

2.2.1 The application is for:

A Variation of a Premises Licence already granted under the Licensing Act 2003.

The application proposes:

“I would like to start from morning 5.30am when I open the shop because I have problem in the morning because nearby they have licence to sell from when they open the shop.”

- 2.2.2 Part P of the application is detailed at Appendix A

2.3 Summary table of existing and proposed activities:

	<b>Existing</b>	<b>Proposed</b>
<b>M Supply of Alcohol</b>	<p>Off the Premises Monday to Saturday 08:00 – 23:00 Sunday 10:00 – 22:30 Christmas Day 12:00 – 15:00 Christmas Day 19:00 – 22:30 Good Friday 08:00 – 22:30</p>	<p>Off the Premises Every Day 05.30 – 23.00</p>
<b>P Conditions removed as a consequence of the proposed Variation</b>	<p>To remove the embedded restrictions from my Licence at Burnetts:</p> <p>Embedded Restrictions: <b>1: Permitted Hours</b> Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ul style="list-style-type: none"> <li>a) On weekdays, other than Christmas Day, 8am to 11pm</li> <li>b) On Sundays, other than Christmas Day, 10am to 10.30pm</li> <li>c) On Christmas Day, noon to 3pm and 7pm to 10.30pm</li> <li>d) On Good Friday, 8am to 10.30pm</li> </ul> <p><b>Restrictions</b> The above restrictions do not prohibit:</p> <ul style="list-style-type: none"> <li>a) During the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel</li> </ul>	

<p><b>P Conditions removed as a consequence of the proposed Variation</b></p>	<p>b) During the first twenty minutes after the above hours, the taking of alcohol from the premises, unless the alcohol is supplied or taken in an open vessel</p> <p>c) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered</p> <p>d) The sale of alcohol to a trader or club for the purposes of the trade or club</p> <p>e) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces: Source Section 60,63,86 Licensing Act 1964</p> <p><b>2:</b> Alcohol shall not be sold in an open container or be consumed on the licensed premises. Source Section 164 Licensing Act 1964</p> <p><b>3: Recorded Music</b> Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound. Source Section 182 Licensing Act 1964</p>
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2.4 Existing licence attached at Appendix B.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 Cumulative Impact: The premises falls within the Cumulative Impact Area (“The Area”) in the Brighton city centre (see paragraphs Prevention of Crime and Disorder 2.4.10 – 2.4.14 and Appendices C - E).

**3.2.1 Representations received**

Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

3.2.2 One representation was received. It was received from Sussex Police.

3.2.3 The Representation received had concerns relating to Prevention of Crime and Disorder and Protection of Children from Harm.

3.2.4 Full details of the representation is attached at Appendix F. A map detailing the location of the premises is attached at Appendix G.

#### **4. CONSULTATION:**

Commentary on licensing policy

4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

##### **General**

1.2 The licensing objectives are:-

- (a) Prevention of crime and disorder;
- (b) Public safety;
- (c) Prevention of public nuisance;
- (d) Protection of children from harm.

1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.

1.5 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

1.15 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.



### **In respect of the prevention of crime and disorder**

- 2.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority recommends that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door staff so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection.
- 2.3 It is expected that the designated premises supervisor (DPS) will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises.
- 2.4 Cumulative impact – the licensing authority may receive representations from either a responsible authority or an interested party that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with ‘need’ which relates more to the commercial demand for a particular type of premises. The issue of ‘need’ is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore does not form part of this licensing policy statement.
- 2.4.1 Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
- 2.4.2 The licensing authority after careful consideration has determined that the concentration of licensed premises in a small area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to Cumulative Impact is necessary as part of its statement of licensing policy. This special policy was adopted for inclusion within the statement of licensing policy by Council on 13 March 2008.
- 2.4.3 This special policy will refer to a Cumulative Impact area (“the Area”) in the Brighton city centre, a detailed plan of which is attached at **Appendix C** of the Statement of Licensing Policy (SoLP).

- 2.4.4 The effect of this special policy is that applications for new premises licences or club premises certificates within the Area, or variations which are likely to add to the existing Cumulative Impact, will normally be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.
- 2.4.5 Any variation application will potentially come within this special policy, including those for extensions of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact.
- 2.4.6 This special policy also applies to all new premises licences and club premises certificates, for example pubs, off-licences, restaurants and take-away establishments.
- 2.4.7 The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.
- 2.4.8 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether it is justified in departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the Cumulative Impact of the Area, it may be granted. The Impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of Cumulative Impact, a small restaurant or theatre may not.
- 2.4.9 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.
- 2.4.10 Special Stress Areas – **Appendix D** of the SoLP details two areas of the Brighton city centre which border the Cumulative Impact area at **Appendix C** and which are deemed areas of special concern in terms of the levels of crime and disorder and public nuisance experienced within them.
- 2.4.11 While it is not considered appropriate at this stage to include these areas within the main impact area as such, these Special Stress Areas (SSAs) are of concern to the licensing authority

because of the relatively high levels of crime and disorder and nuisance experienced.

2.4.12 New and varied applications for premises and club premises certificates within SSAs will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. **Appendix E** of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.

2.4.13 On receipt of any application in SSAs, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in **Appendix E**. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

2.4.14 The Licensing Authority will keep the Cumulative Impact Area and Special Stress Areas under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening; the Special Policy will be reviewed with a view to bringing the SSAs into the Cumulative Impact Area. If it is found that the above problems are receding the Special Policy may be reviewed with a view to revising the areas' boundaries.

#### 2.5.1 Diversity of premises

This attempts to ensure that there is a mix of the different types of licensed premises, particularly in areas where there is a high density of such premises. It will provide resilience against changing trends and attract a more diverse range of customers from different age groups, different communities of interest and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This in turn may have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time, may create opportunities for violent crime and public disorder and therefore encourages mixed use venues, varying hours of business and a wider age balance.

#### 2.5.5 Care, control and supervision of premises

The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside.

The Police will consider the applicants, objecting to the application where appropriate. The Police will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.

- 2.6 Shops, stores and supermarkets which provide alcohol for consumption off the premises: the normal scenario will be to provide for sales of alcohol at any time when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.
- 2.8 Enforcement issues will be considered in the light of any relevant enforcement policies and close links will be sought between all enforcing authorities, e.g. through the use of intelligence sharing and strategy groups. Such protocols may lead to the targeting of agreed high risk and problem premises whilst permitting a lighter touch approach in respect of well run premises.

**In respect of the protection of children from harm**

- 5.1 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, the committee recommend that all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by police, trading standards officers and their partners in the licensing strategy group.
- 5.2 It is the committee's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
- 5.4 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:-

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where entertainment of an adult or sexual nature is commonly provided;
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:-

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.

### **Strategic Integration**

6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening.

6.7 This policy avoids duplication with other regulatory regimes wherever possible.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### **5.1 Financial Implications:**

The licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

*Finance Officer Consulted: Karen Brookshaw Date: 08.01.2010*

### **5.2 Legal Implications:**

The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder;
- Public safety;

- The prevention of public nuisance;
- The protection of children from harm.

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

*Lawyer Consulted: Rebecca Sidell*

*Date: 08.01.2010*

### 5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

### 5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

### 5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

### 5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

### 5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix A – Part P of the Application.
2. Appendix B – Part A of Premises Licence.
3. Appendix C – Brighton & Hove City Council – Cumulative Impact Area.
4. Appendix D – Brighton & Hove City Council – Special Stress Area.
5. Appendix E – Measures to be considered in SSAs.
6. Appendix F – Representation.
7. Appendix G – Map of area.

### **Documents in Members' Rooms:**

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy.

### **Background Documents:**

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.





## APPENDIX A

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)**

I would ENSURE THAT NO ONE who is under 21 or who appears to be DRUNK is served I would install CCTV inside & outside the shop to minimize public nuisance. I would join Crime Reduction Partnership to help reduce crime & disorder

**b) The prevention of crime and disorder**

I would join Crime Reduction Partnership to help reduce crime & disorder

**c) Public safety**

I would install CCTV cameras inside & outside the shop of recording 24 days to ensure that the public are safe from unruly behavior

**d) The prevention of public nuisance**

I would ENSURE THAT NO PERSON who appears to be DRUNK to serve ALCOHOL

**e) The protection of children from harm**

I would ENSURE THAT NO ONE under 21 is served in the shop AND ALSO ENSURE THAT NO OTHER PEOPLE over 21 would attempt to buy ALCOHOLIC BEVERAGES for the CHILDREN



**Premises Licence  
Brighton and Hove City Council**

Premises Licence Number

1445/3/2005/02141/LAPRE

**Part 1 – Premises Details**

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

Burnetts  
62 Preston Street  
Brighton  
East Sussex  
BN1 2HE

**Telephone number** 01273 329545

**Where the licence is time limited the dates**

**Licensable activities authorised by the licence**

Sale by Retail of Alcohol

**Times the licence authorises the carrying out of licensable activities**

**Sale by Retail of Alcohol**

Monday - Saturday	08:00 - 23:00
Sunday	10:00 - 22:30
Christmas Day	12:00 - 15:00
Christmas Day	19:00 - 22:30
Good Friday	08:00 - 22:30

**The opening hours of the premises** -

Where the licence authorises supplies of alcohol whether these are on and / or off supplies  
Alcohol is supplied for consumption off the Premises.

## **Part 2**

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

Mr Piyush Patel & Mr Nilkanth Patel  
Burnetts  
62 Preston Street  
Brighton  
East Sussex  
BN1 2HE  
Telephone: 01273 329545

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

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

Mr Piyush Patel

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

Licensing Authority: Brighton and Hove City Council

## **Annex 1 – Mandatory conditions**

### **S19; mandatory conditions where 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/her 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.

### **Embedded Restrictions**

#### **1. Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.
- b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.
- c) On Christmas Day, noon to 3 p.m. and 7 p.m. to 10.30 p.m.
- d) On Good Friday, 8 a.m. to 10.30 p.m.

### **Restrictions**

The above restrictions do not prohibit:

- a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
- b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- c) the sale of alcohol to a trader or club for the purposes of the trade or club;
- d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

## **Source Section 60,63,86 Licensing Act 1964**

**2.** Alcohol shall not be sold in an open container or be consumed on the licensed premises.

*Source Section 164 Licensing Act 1964*

### **3. Recorded Music**

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

*Source Section 182 Licensing Act 1964*

### **Annex 2 – Conditions consistent with the Operating Schedule**

None

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

N/A

### **Annex 4 – Plans**

## APPENDIX C

### Brighton & Hove City Council - Cumulative Impact Area



The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street



## APPENDIX D

### Brighton & Hove City Council – Special Stress Areas

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.



Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary; westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.



## APPENDIX E

Measures to be included for consideration in SSAs are:

Matters that would normally be expected in operating schedules -

- the adoption of a “Challenge 21” policy with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital cctv system by liaison with, and to a standard approved by, Sussex police
- policies for dispersal of customers which may include signage regarding taxi services’ telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA door staff or Mobile Support Unit personnel display appropriate badges when on duty

Items to which positive consideration would be given -

- membership of Brighton Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of ‘nightsafe’ radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Matters that might be recommended for appropriate restrictions -

- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times

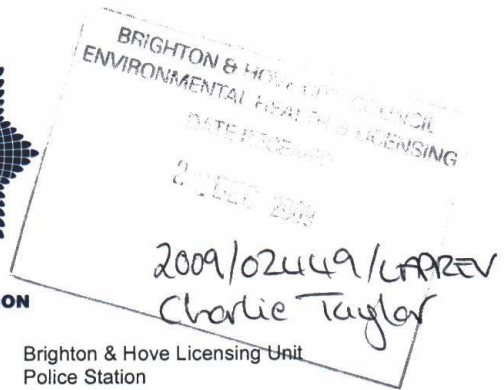


APPENDIX F

PCD  
PCH ✓ CT  
Rec: 01.12.09  
Cons: 29.12.09  
Rep A



HOVE POLICE STATION



Brighton & Hove Licensing Unit  
Police Station  
Holland Road  
HOVE  
BN3 1JY

Tel: 01273 66 59 43  
Fax: 01273 66 55 24

Email: david.bateup@sussex.pnn.police.uk

18<sup>th</sup> December 2009

The Licensing Technical Support Officers  
Environmental Health  
Brighton & Hove City Council  
Bartholomew House  
Bartholomew Square  
BRIGHTON  
BN1 1JP

Dear Sirs,

**Application for variation of the premises licence under the Licensing Act 2003 for Burnetts, 62 Preston Road, Brighton, BN1 2HE.**

Sussex Police wish to make representations in respect of this application on the grounds of the prevention of crime and disorder and the protection of children from harm. We request the following conditions on the licence:

**The prevention of crime and disorder**

Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises internally to cover all public areas with sufficient numbers of cameras as agreed with Sussex Police. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy and will be changed when British Summer Time starts and ends.

### **The protection of children from harm**

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 only forms of ID that will be accepted are passports, driving licences with a photograph or Portman Group, Citizen Card or Validate proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

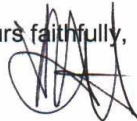
Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

All staff members engaged, or to be engaged, in selling alcohol on the premises shall received the following training in age-restricted sales:

- Induction training which must be completed, and fully documented, prior to the sale of alcohol by the staff member; and refresher training thereafter at intervals of no less than 8 weeks.
- All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

The premises shall at all times maintain and operate an age-restricted sales refusals book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading Standards.

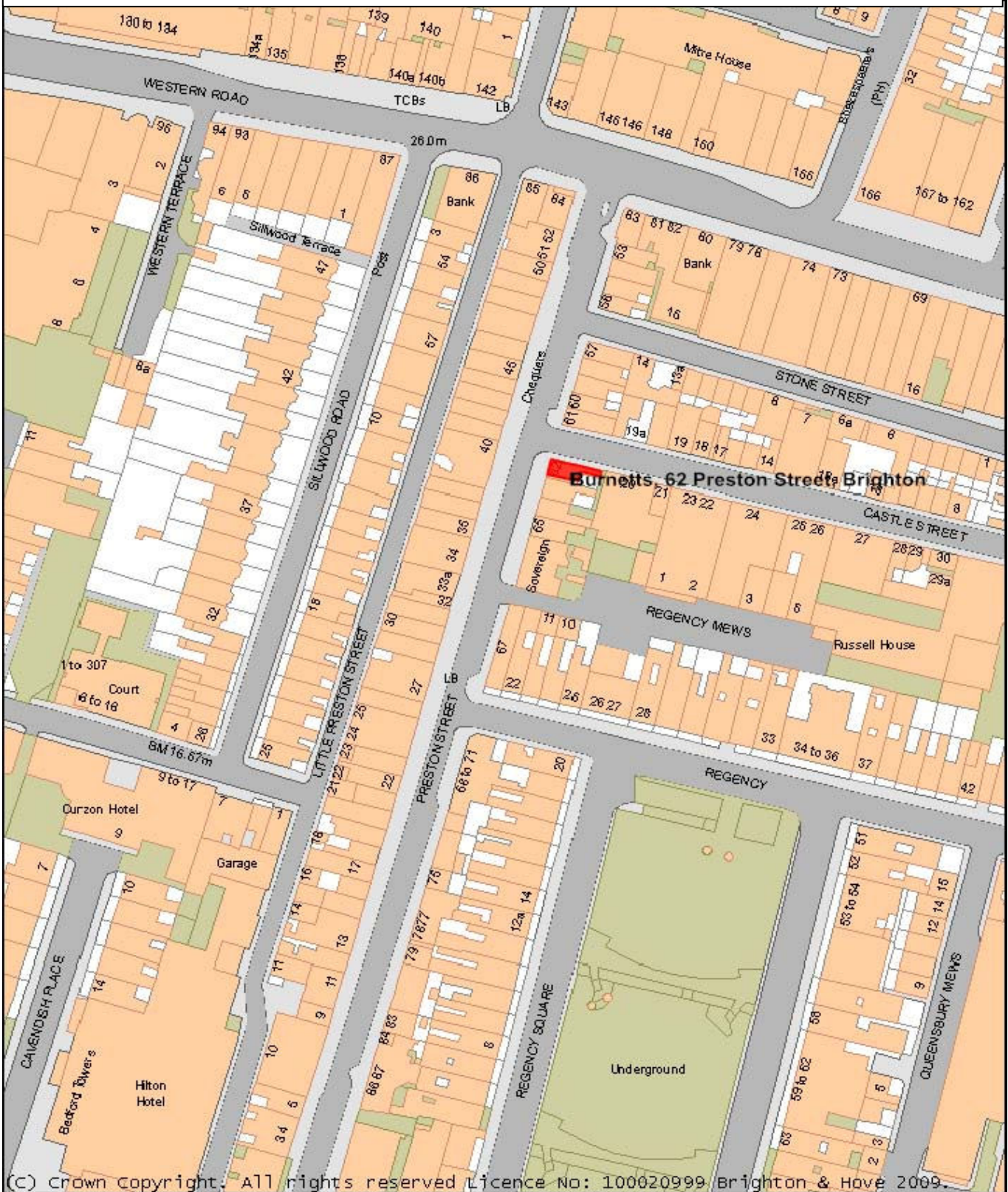
Yours faithfully,



Inspector Vicky Harris  
Licensing Unit  
Hove Police Station



# APPENDIX G – Burnetts, 62 Preston Street, Brighton







**LICENSING PANEL**  
**(Licensing Act 2003 Functions)**

**Agenda Item 117**

Brighton & Hove City Council

**Subject:** *Application for a Variation of a Premises Licence under the Licensing Act 2003 for West Pier News, 133A Kings Road, Brighton*

**Date of Meeting:** 25 January 2010

**Report of:** *Assistant Director Public Safety*

**Contact Officer:** Name: Emma Bricknell Tel: 29-4431  
E-mail: [emma.bricknell@brighton-hove.gov.uk](mailto:emma.bricknell@brighton-hove.gov.uk)

**Wards Affected:** Regency

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for West Pier News.

**2. RECOMMENDATIONS:**

2.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for West Pier News.

2.2.1 The application is for:  
A Variation of a Premises Licence already granted under the Licensing Act 2003.

The application proposes:  
I am situated on Kings Road on beach, Brighton.

2.2.2 Part P of the application is detailed at Appendix A.

2.3 Summary table of existing and proposed activities.

	<b>Existing</b>	<b>Proposed</b>
<b>M Supply of Alcohol</b>	Monday – Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 Christmas Day 12:00 - 15:00 Christmas Day 19:00 - 22:30 Good Friday 08:00 - 22:30	Off The Premises Every Day 00.00 – 24.00
<b>O Hours premises are open to public</b>	Monday – Saturday 08:00 - 23:00 Sunday 10:00 - 22:30 Christmas Day 12:00 - 15:00 Christmas Day 19:00 - 22:30 Good Friday 08:00 - 22:30	Every Day 00.00 – 24.00
<b>P Conditions removed as a consequence of the proposed Variation</b>	<p><b>Embedded Restrictions</b></p> <p><b>1. Permitted Hours</b> Alcohol shall not be sold or supplied except during permitted hours. In this condition, permitted hours means:</p> <ul style="list-style-type: none"> <li>a) On weekdays, other than Christmas Day, 8 a.m. to 11 p.m.</li> <li>b) On Sundays, other than Christmas Day, 10 a.m. to 10.30 p.m.</li> <li>c) On Christmas Day, noon to 3 p.m. and 7 p.m. to 10.30 p.m.</li> <li>d) On Good Friday, 8 a.m. to 10.30 p.m.</li> </ul> <p><b>Restrictions</b> The above restrictions do not prohibit:</p> <ul style="list-style-type: none"> <li>a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;</li> <li>b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;</li> <li>c) the sale of alcohol to a trader or club for the purposes of the trade or club;</li> </ul>	

<p><b>P Conditions removed as a consequence of the proposed Variation</b></p>	<p><b>Restrictions</b></p> <p>d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty’s naval, military or air forces;  <i>Source Section 60,63,86 Licensing Act 1964</i></p> <p><b>2. Alcohol shall not be sold in an open container or be consumed on the licensed premises.</b>  <i>Source Section 164 Licensing Act 1964</i></p> <p><b>3. Recorded Music</b>  Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.  <i>Source Section 182 Licensing Act 1964</i></p>
---	--

2.4 Existing licence attached at Appendix B.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 Cumulative Impact: The premises falls within the Cumulative Impact Area (“The Area”) in the Brighton city centre (see paragraphs Prevention of Crime and Disorder 2.4.10 – 2.4.14 and Appendices C - E).

**3.2.1 Representations received**

Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

3.2.2 One representation was received. This was received from Sussex Police.

3.2.3 The Representation received had concerns relating to Prevention of Crime and Disorder, Cumulative Impact, and Prevention of Public Nuisance.

3.2.5 Full details of the representation is attached at Appendix F.

A map detailing the location of the persons is attached at Appendix G.

#### 4. CONSULTATION:

Commentary on licensing policy

- 4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

##### **General**

- 1.2 The licensing objectives are:-
- (a) Prevention of crime and disorder;
  - (b) Public safety;
  - (c) Prevention of public nuisance;
  - (d) Protection of children from harm.
- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 1.5 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 1.15 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- In respect of the prevention of crime and disorder**
- 2.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority recommends that all licensees of

on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door staff so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection.

- 2.3 It is expected that the designated premises supervisor (DPS) will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises.
- 2.4 Cumulative impact – the licensing authority may receive representations from either a responsible authority or an interested party that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with ‘need’ which relates more to the commercial demand for a particular type of premises. The issue of ‘need’ is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore does not form part of this licensing policy statement.
  - 2.4.1 Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
  - 2.4.2 The licensing authority after careful consideration has determined that the concentration of licensed premises in a small area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to Cumulative Impact is necessary as part of its statement of licensing policy. This special policy was adopted for inclusion within the statement of licensing policy by Council on 13 March 2008.
  - 2.4.3 This special policy will refer to a Cumulative Impact area (“the Area”) in the Brighton city centre, a detailed plan of which is attached at **Appendix C** of the Statement of Licensing Policy (SoLP).
  - 2.4.4 The effect of this special policy is that applications for new premises licences or club premises certificates within the Area, or variations which are likely to add to the existing Cumulative Impact, will normally be refused following relevant representations. This presumption can be rebutted by the

applicant if they can show that their application will have no negative Cumulative Impact.

- 2.4.5 Any variation application will potentially come within this special policy, including those for extensions of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact.
- 2.4.6 This special policy also applies to all new premises licences and club premises certificates, for example pubs, off-licences, restaurants and take-away establishments.
- 2.4.7 The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.
- 2.4.8 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether it is justified in departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the Cumulative Impact of the Area, it may be granted. The Impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of Cumulative Impact, a small restaurant or theatre may not.
- 2.4.9 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.
- 2.4.10 Special Stress Areas – **Appendix D** of the SoLP details two areas of the Brighton city centre which border the Cumulative Impact area at **Appendix C** and which are deemed areas of special concern in terms of the levels of crime and disorder and public nuisance experienced within them.
- 2.4.11 While it is not considered appropriate at this stage to include these areas within the main impact area as such, these Special Stress Areas (SSAs) are of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced.
- 2.4.12 New and varied applications for premises and club premises certificates within SSAs will not be subject to the presumption of refusal, but operators will be expected to pay special attention

when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. **Appendix E** of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.

2.4.13 On receipt of any application in SSAs, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in **Appendix E**. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

2.4.14 The Licensing Authority will keep the Cumulative Impact Area and Special Stress Areas under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening; the Special Policy will be reviewed with a view to bringing the SSAs into the Cumulative Impact Area. If it is found that the above problems are receding the Special Policy may be reviewed with a view to revising the areas' boundaries.

#### 2.5.1 Diversity of premises

This attempts to ensure that there is a mix of the different types of licensed premises, particularly in areas where there is a high density of such premises. It will provide resilience against changing trends and attract a more diverse range of customers from different age groups, different communities of interest and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This in turn may have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time, may create opportunities for violent crime and public disorder and therefore encourages mixed use venues, varying hours of business and a wider age balance.

The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.

#### 2.5.4 Geographical spread

Spreading the siting of large venues (those with a capacity in excess of 250 people) across the city reduces the problems of

dispersing large numbers of people leaving premises in close proximity at the same time. Taxi and bus queues can be flash points for public disorder and violence. A good geographical spread coupled with increased taxi ranks and bus stops near venues reduces waiting time and the potential for crime and disorder.

#### 2.5.5 Care, control and supervision of premises

The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The Police will consider the applicants, objecting to the application where appropriate. The Police will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.

2.6 Shops, stores and supermarkets which provide alcohol for consumption off the premises: the normal scenario will be to provide for sales of alcohol at any time when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.

2.8 Enforcement issues will be considered in the light of any relevant enforcement policies and close links will be sought between all enforcing authorities, e.g. through the use of intelligence sharing and strategy groups. Such protocols may lead to the targeting of agreed high risk and problem premises whilst permitting a lighter touch approach in respect of well run premises.

#### **In respect of the prevention of public nuisance**

4.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, or as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (e.g. in order to smoke).

4.8 Regard will be had to any history or likelihood of nuisance. Generally, favourable consideration will be given to applications for later hours in the city centre and on busy main roads. Powers may be exercised to impose conditions as to hours of opening in order to avoid unreasonable disturbance to residents of the neighbourhood.



### **Strategic Integration**

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening.
- 6.7 This policy avoids duplication with other regulatory regimes wherever possible.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### **5.1 Financial Implications:**

The licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

*Finance Officer Consulted: Karen Brookshaw Date: 05.01.2010*

### **5.2 Legal Implications:**

The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder.
- Public safety.
- The prevention of public nuisance.
- The protection of children from harm.

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

*Lawyer Consulted: Rebecca Sidell*

*Date: 05.01.2010*

### **5.3 Equalities Implications:**

Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

### **5.4 Sustainability Implications:**

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix A – Part P of the Application.
2. Appendix B – Part A of Premises Licence.
3. Appendix C – Brighton & Hove City Council – Cumulative Impact Area.
4. Appendix D – Brighton & Hove City Council – Special Stress Area.
5. Appendix E – Measures to be considered in SSAs.
6. Appendix F – Representation.
7. Appendix G – Map of area.

### **Documents in Members' Rooms**

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy.

### **Background Documents**

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.



## APPENDIX A

**P** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

### a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

I would ENSURE THAT NO ONE WHO IS UNDER 21 OR WHO APPEARS TO BE DRUNK IS SERVED. I would INSTALL CCTV INSIDE AND OUTSIDE AND mobile SECURITY the SHOP TO MINIMIZE PUBLIC NUISANCE. I would JOIN CRIME REDUCTION PARTNERSHIP TO HELP REDUCE CRIME & DISORDER.

### b) The prevention of crime and disorder

I would JOIN CRIME REDUCTION PARTNERSHIP TO HELP REDUCE CRIME & DISORDER. AND I will HAVE mobile SECURITY SYSTEMS. INSTALL.

### c) Public safety

I would INSTALL CCTV CAMERAS INSIDE & OUTSIDE THE SHOP TO ENSURE THAT THE PUBLIC ARE FREE FROM UNRUELY BEHAVIOUR AND HAVE mobile SECURITY.

### d) The prevention of public nuisance

I would ENSURE THAT NO PERSON WHO APPEARS TO BE DRUNK IS SERVED AGAIN.

### e) The protection of children from harm

I would ENSURE THAT NO ONE UNDER 21 IS SERVED IN THE SHOP AND ALSO ENSURE THAT NO OTHER PEOPLE OVER 21 WOULD ATTEMPT TO BUY ALCOHOLIC BEVERAGES FOR THE CHILDREN.



**Schedule 12  
Part A**

Regulation 33, 34

**Premises Licence  
Brighton and Hove City Council**

**Premises Licence Number**

1445/3/2005/03162/LAPRE

**Part I – Premises Details**

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

West Pier News  
133A Kings Road  
Brighton  
East Sussex  
BN1 2HH

**Telephone number** 01273 772616

**Where the licence is time limited the dates**

N/A

**Licensable activities authorised by the licence**

Sale by Retail of Alcohol

**Times the licence authorises the carrying out of licensable activities**

Monday - Saturday	08:00 - 23:00
Sunday	10:00 - 22:30
Christmas Day	12:00 - 15:00
Christmas Day	19:00 - 22:30
Good Friday	08:00 - 22:30

**The opening hours of the premises**

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

Alcohol is supplied for consumption off the Premises.

## Part 2

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

Mr Yousif Ibrahim  
46 Sherbourne Close  
Hove  
East Sussex  
BN3 8BE

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

N/A

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

Mr Yousif Ibrahim

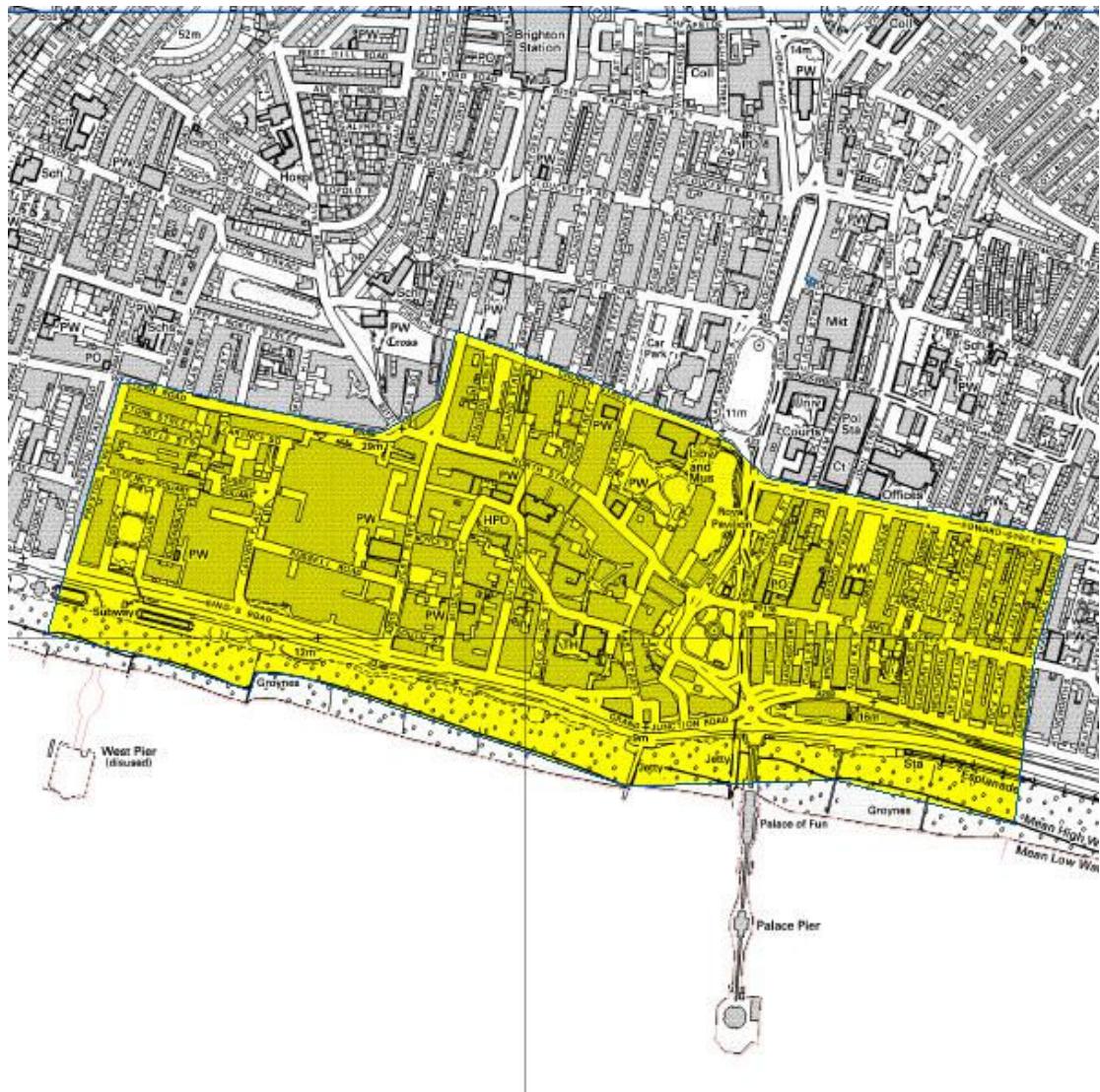
**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Licensing Authority: Brighton & Hove City Council



## APPENDIX C

### Brighton & Hove City Council - Cumulative Impact Area



The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street

## APPENDIX D

### Brighton & Hove City Council – Special Stress Areas

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.

Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary; westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.



## APPENDIX E

Measures to be included for consideration in SSAs are:

Matters that would normally be expected in operating schedules -

- the adoption of a “Challenge 21” policy with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital cctv system by liaison with, and to a standard approved by, Sussex police
- policies for dispersal of customers which may include signage regarding taxi services’ telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA door staff or Mobile Support Unit personnel display appropriate badges when on duty

Items to which positive consideration would be given -

- membership of Brighton Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of ‘nightsafe’ radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Matters that might be recommended for appropriate restrictions -

- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times





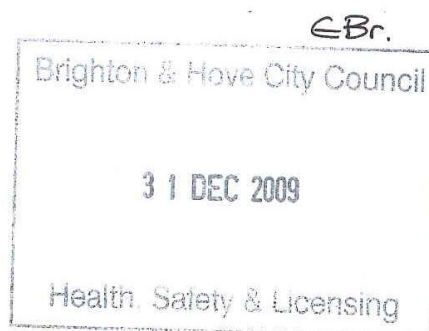
## APPENDIX F

App. rec'd : 03.12.09  
end of cons period : 31.12.09

CI  
C&D  
PPN ✓



BRIGHTON POLICE STATION



Brighton and Hove Licensing Unit  
Police Station  
Holland Road  
Hove  
BN3 1JY

Tel: 01273 665523  
Fax: 01273 665524

The Licensing and Technical Support Officers  
Environmental Health  
Brighton and Hove City Council  
Bartholomew House, Bartholomew Square  
Brighton  
BN1 1JP

Dear Sirs,

**Representation against the variation application under the Licensing Act 2003 for West Pier News, 133A Kings Road, Brighton, East Sussex, BN1 2HH.**

Sussex Police object to this variation application made by Mr Ibrahim.

The basis of this objection is that the grant of the variation for this premises will not promote the licensing objectives. Particular reference being given to Cumulative Impact Policy, the prevention of crime and disorder, prevention of public nuisance and protection of children from harm.

The premises is situated in Brighton and Hove's designated Cumulative Impact area and Sussex Police have concerns that the grant of this variation will give rise to potential negative cumulative impact.

The concentration of licensed premises within a small area of the City causes significant problems of anti social behaviour, crime and disorder and public nuisance. In consequence of this, after due consultation and consideration, on 13<sup>th</sup> March 2008 the Licensing Authority resolved that it was both appropriate and necessary to adopt a special policy in relation to cumulative impact in this area.

Mr Ibrahim has applied to extend the hours that the 'sale of alcohol by retail' applies from 0800 -2300 Monday to Saturday and 1000 – 2230 Sunday to 24 hours a day, Seven days a week.

Paragraph 2.4.5 Of the Brighton and Hove City Council statement of licensing Policy to the Licensing Act 2003 states:

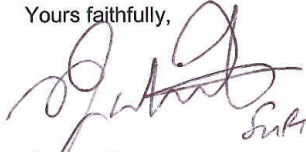
*Any variation application will potentially come within this special policy, including those for extension of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact*

Sussex Police contend that the granting of this variation will give rise to a likely negative Impact on Cumulative Impact.

Further to this, the applicant has failed to demonstrate that there will be '*no adverse effect on cumulative impact*'.

In view of the above, the licensing authority is invited to conclude that this application to vary the premises licence does not promote the licensing objectives and to refuse it.

Yours faithfully,



Supt. AWSIS

PP  
Graham Bartlett  
Chief Superintendent  
Divisional Commander  
Brighton and Hove Division



# APPENDIX G West Pier News, 133a Kings Road, Brighton



