





Brighton & Hove
City Council

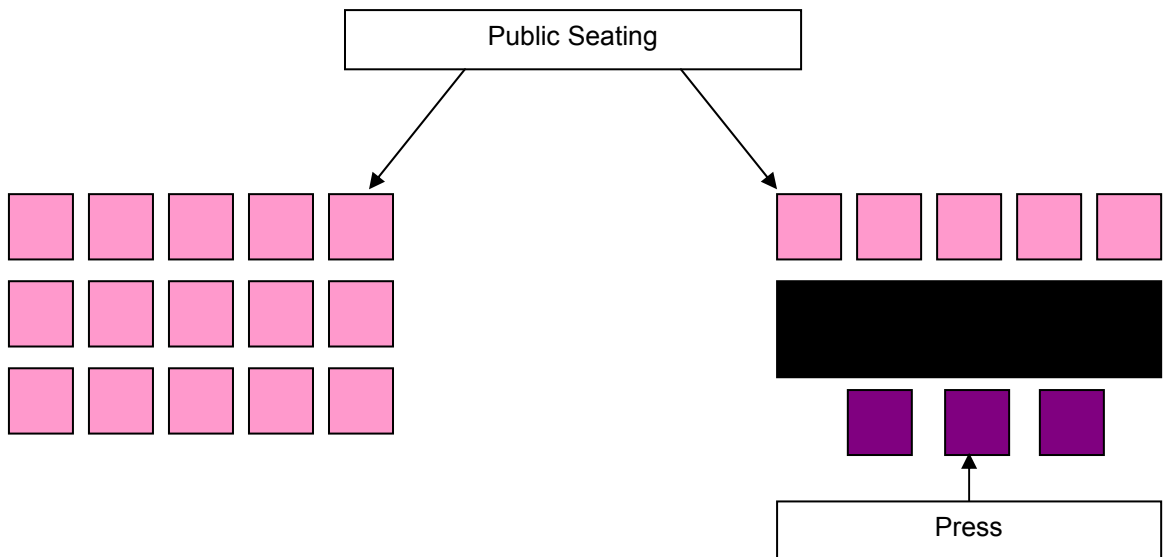
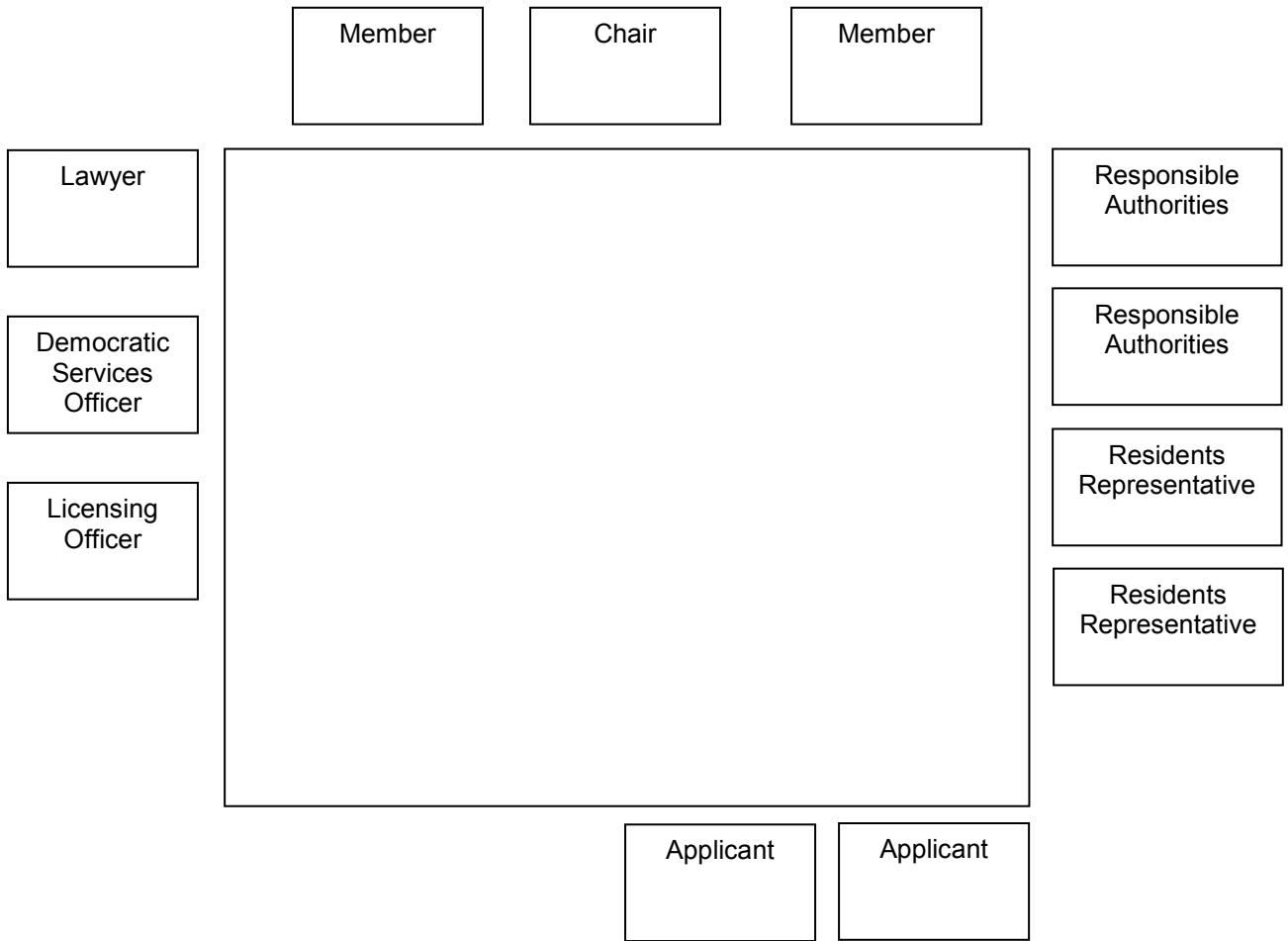
Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	11 January 2012
Time:	10.00am
Venue	Committee Room 3, Hove Town Hall
Members:	Councillors: Deane, Cobb and Sykes
Contact:	Penny Jennings Democratic Services Officer 01273 291065 penny.jennings@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so.

Democratic Services: Meeting Layout



AGENDA

113. TO APPOINT A CHAIRMAN FOR THE MEETING

114. 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.

115. CHURCHILL'S - APPLICATION FOR A NEW PREMISES LICENCE

1 - 74

Contact Officer: Sarah Cornell
Ward Affected: Central Hove

Tel: 29-5801

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 without prior notice.*

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

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 Penny Jennings, (01273 291065), email penny.jennings@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 3 January 2012

LICENSING PANEL

(Licensing Act 2003 Functions)

Agenda Item 115

Brighton & Hove City Council

Subject: Application for a Premises Licence Under the Licensing Act 2003

Premises: Churchill's, 52 Church Road, Hove, BN3 2FN

Applicant: Kevin Churchill

Date of Meeting: 11 January 2012

Report of: Head of Regulatory Services

Contact Officer: Name: Sarah Cornell Tel: 295801
Email: Sarah.Cornell@brighton-hove.gov.uk

Ward(s) affected: Central Hove

FOR GENERAL RELEASE

1. PURPOSE OF THE REPORT:

- 1.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Churchill's.

2. SUMMARY OF THE APPLICATION PROCESS:

- 2.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Churchill's.

- 2.2 The application is for:

A New Premises Licence under the Licensing Act 2003.

The application proposes:

Basement restaurant and lounge bar with provision of food and entertainment.

- 2.2.2 Part P of the application is detailed at Appendix A and the proposed plan of the premises is attached at Appendix B.

- 2.3 Summary table of proposed activities

	Proposed
B Films	Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 Provision of pre-recorded films. New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.

E Live music	<p>Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 Live music from acoustic and amplified instruments. New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
F Recorded Music	<p>Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 Background music to be played through an amplified system. New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
G Performance of Dance	<p>Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 Dancing demonstrations/ instruction New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
I Provision of facilities for making music	<p>Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 DJ equipment controlled by staff. DJ and in house music system. New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>

<p>J Provision of facilities for dancing</p>	<p>Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00 Area provided and suitable lit for customer dancing. Provision of a temporary or permanent dance floor.</p> <p>New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
<p>L Late Night Refreshment</p>	<p>Indoors Monday – Thursday 23.00 – 00.00 Friday – Saturday 23.00 – 02.00 Sunday 23.00 – 01.00 Supply of hot food and drink to patrons.</p> <p>New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
<p>M Supply of Alcohol</p>	<p>On and Off the Premises Indoors Sunday – Thursday 10.00 – 00.00 Friday – Saturday 10.00 – 02.00</p> <p>New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>
<p>O Hours premises are open to public</p>	<p>Indoors Sunday – Thursday 10.00 – 00.30 Friday – Saturday 10.00 – 02.30</p> <p>New Years Eve – From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day. An additional hour to the standard and non standard times when British Summertime Commences.</p>

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The premises does not fall in the Cumulative Impact Area or the Special Stress Areas.

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 Thirty representations were received. They were received from local residents, a local Councillor and The Environmental Protection Team.

3.2.3 Representations received had concerns relating to (Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

3.2.5 Full details of the representations are attached at Appendix C. A map detailing the addresses of the persons who have submitted the representations and their location in relation to the premises is attached at Appendix D. Please note that Relevant Authorities are not included.

4. CONSULTATION

Commentary on Licensing Policy

4.1 The following extracts from Brighton & Hove City Council Statement of 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 focused on matters which are within 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

1.10.4 The licensing authority's preferred position is to ensure planning permission is in place before an application for a licence is made.

In respect of the prevention of crime and disorder

- 2.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects 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 supervisors 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. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 2.2 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 and that staff are authorised by the DPS.
- 2.4 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 2.5 Measures put in place should support the intentions of Operation Marble (police operational order refers), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the City Centre; to deal positively with offences and offenders; to secure and preserve evidence which will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

2.7 The Licensing Authority will support:

- 2.7.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will 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 supports: mixed use venues encouraging a wider age balance.
- 2.7.2 Favourable consideration will be given to promoting the city's cultural quarter, live entertainment in pubs, food led operations, developing LGBT and other communities of interest venues, particularly around St James's Street, promoting a family leisure area on the sea front with a more adult leisure centre at night.

2.7.3 Café Bars

The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house.

- The sale of intoxicating liquor and other beverages shall be waiter /waitress service for consumption by persons seated at tables.
- Substantial food shall be available at all times.

Licensees should be aware that breach of such conditions is likely to lead to appropriate enforcement action.

2.7.6 Care, control and supervision of premises:

The Licensing authority supports the Business Crime Reduction Partnership and other approved schemes. Where appropriate, premises licence holders should be members of the BCRP for the deterrence to violent crime that such membership provides. The BCRP NightSafe radio scheme is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed pub-watch schemes provide information exchange between the premises licence holders and responsible authorities that reduce and deter violent crime and disorder. The council will support a responsible licensing scheme.

2.7.7 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 may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, e.g. type of licence, capacity, operating hours restrictions.

2.7.11 High volume vertical drinking establishments (HVVD's) may, where necessary and appropriate, have conditions attached relating to: a prescribed capacity, the ratio of chairs and tables to be provided for customers based on capacity and the presence of SIA registered security teams.

2.7.12 Enforcement will be achieved by the enforcement policy.

2.9 Street drinking

The area around the Level is considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and antisocial behaviour when considering applications in this area.

In respect of Public Safety

3.1 Club owners and promoters will be expected to have regard to "Safer Clubbing: guidance for licensing authorities, club managers and promoters". The licensing authority will seek to ensure that licensed premises are designed and run in a way which maximises the safety of customers and staff. In order to minimise disputes and the necessity for hearings, it would be sensible for applicants to

consult with all responsible authorities when operating schedules are being prepared.

- 3.2 Normally in the city centre, pubs and clubs will be expected to operate using polycarbonate or toughened/shatterproof glass.
- 3.3 Conditions will be imposed in accordance with operating schedules to protect public safety including where justified:-
 - (a) provision of close circuit television and panic buttons.
 - (b) use of shatterproof drinking vessels, bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons (recognised by Community Safety Strategy).
 - (c) use of door supervisors, licensed by the Security Industry Authority (recognised by the Community Safety Strategy).
 - (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
 - (e) occupant capacity conditions will be applied where appropriate.
 - (f) the provision of designated and suitably trained first aiders
- 3.4 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers as recognised by the Community Safety Strategy and Policing Strategy. Applicants may be required to consult local transport operators and are encouraged to support the use of public transport through the provision of advice, contact details, provision of dedicated taxi phones etc.
- 3.5 Policy recognises that the numbers of late night revellers can lead to service delivery pinch-points, for example at city centre taxi ranks. Frustration and restlessness in queues can lead to anti-social behaviour and public disorder which can be controlled by , for example, taxi marshalling systems. Operators whose customers contribute to the night-time demand for taxis may wish to consider assisting in the provision of resources for such systems or similar schemes.

In respect of the prevention of public nuisance

- 4.1 Planning, building control and licensing will be properly separated to avoid duplication and inefficiency. Granting of licences will not relieve applicants of the need to apply for planning permission or building control consent and there is an expectation that these issues will have been explored before licensing applications are submitted. Applicants are recommended to obtain correct planning consents prior to applying for a licence to avoid potentially inoperative licences.
- 4.2 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, 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)

- 4.3 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.
- 4.4 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.
- 4.6 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.
- 4.7 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, on busy main roads and in the central leisure area. Powers may be exercised to impose conditions as to hours of opening in order to avoid unreasonable disturbance to residents of the neighbourhood. Licensed premises in residential neighbourhoods will normally have a terminal hour no later than 2330. In mixed neighbourhoods they will normally have a terminal hour of no later than 0200 hours to counter noise disturbance to residents as informed by the health impact assessment and requested by Licensing Strategy Group.
- 4.8 While each application will always be considered on its merits, as an indication the St James's Street area and the North Laines/area will be considered residential neighbourhoods, and East Street a mixed neighbourhood.
- 4.9 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 4.10 below).

4.10 Smoking Advice

Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.

- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence you may find it necessary to request a variation of your licence.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980. These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks, and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Employ staff and/or SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Ensure door supervisors maintain order outside venues and protect customer safety. BCRP supports the use of Night Safe. Radio net and other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

4.11 Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

In respect of the protection of children from harm

The following details and measures are intended to address the need for the protection of children from harm; this includes moral, psychological and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).

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 (e.g. passport, photo driving licence or pass card).

5.2 It is the licensing authority'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.

5.5 Licensees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases where such certificates have not been granted, the licensing authority. The licensing authority does not intend to adopt its own system of film classification.

5.6 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event

Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. The licensing authority recognises the Children, Families and Schools section as being competent to advise on matters relating to the protection of children from harm.

5.7 Children and Young Persons Overview and Scrutiny Council reported on Reducing Alcohol Related Harm to Children and Young People to Licensing Committee who agreed:

5.7.3 In determining applications and reviews, applications can only be dealt with on their individual merit. Use of schemes like Think 21 and Challenge 25 are appropriate on a case by case basis. Normally a Challenge 25 condition will be appropriate.

5.7.4 A clear causal link between price discounting and disorder will normally lead to the imposition of conditions prohibiting irresponsible promotions. This is now reflected in the new mandatory conditions which can be found on the licensing pages of the council's website.

5.8 Best Practice to protect children from harm

The Council passed a Notice of Motion that licensing committee recommend best practice for both on and off premises to take on board on a voluntary basis, in order to promote responsible licensing.

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Challenge 25 would be the norm, particularly in the off licence trade
- Signage – proxy sale – deterrence

The council will support accreditation schemes, such as Best Bar None and Purple Flag, where appropriate and subject to resources.

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, use of the NightSafe radio system or accredited scheme, 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.

6.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

6.8 Other regulatory regimes
This policy avoids duplication with other regulatory regimes wherever possible.

In respect of Live music, Dancing and Theatre

- 7.1 This policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues the potential for limited disturbance in neighbourhoods will always be carefully balanced with these wider benefits, particularly for children. The impact of licensing on regulated entertainment, particularly live music and dancing, will be monitored. Where indications are that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how such situations might be reversed.
- 7.2 The Licensing Committee represents the general interests of a community in determining what conditions should be attached to licences and certificates as a matter of necessity for the promotion of the licensing objectives. All members of the Licensing Committee will be trained on Licensing Act 2003 and S182Guidance. The Licensing authority is aware of the need to avoid measures which deter live music, dancing and theatre - such as imposing indirect costs out of proportion to the income of the licence holder and to the risks presented. Only necessary, proportionate and reasonable licensing conditions should impose any restrictions on such events.
- 7.3 The licensing committee will support the cultural zones, outdoor eating areas, food led operations, community pubs, live entertainment and protect living conditions in mixed use areas.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 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: 21.12.2011

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: 22.12.2011

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 Public Health Implications:

Licensing Policy aims to implement and maintain risk and protective factors regarding the misuse of alcohol and drugs.

5.8 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 – Proposed Plan of Premises
3. Appendix C – Representations
4. Appendix D – 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 the steps you intend to take to promote the four licensing objectives:

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

Please see below.

b) The prevention of crime and disorder

1. CCTV to be installed at the premises, maintained in good working order and used at all times when the premises are open for licensable activities. Any CCTV footage shall be kept for a minimum of 31 days and made available to the licensing authority or police upon request.
2. SIA registered door staff to be employed, following a risk assessment and in consultation with the police.
3. The Designated Premises Supervisor will ensure that an incident report register is maintained on the premises to record incidents such as anti social behavior, admissions refusals and ejections from the premises.
4. The incident report register will contain consecutively numbered pages, with the date, time, details, nature and location of the incident. The book will also contain the name and registration numbers of any door staff involved or to whom the incident was reported, or the names and personal licence numbers of any staff to whom the incident was reported.

c) Public safety

1. The Designated Premises Supervisor will review policies at the premises through risk assessments.
2. Empty bottles and glasses will be collected regularly.
3. Appropriate staff will be trained in all areas of public safety.

d) The prevention of public nuisance

1. If a disc Jockey is used on any night then he/she will ask customers to leave quietly.
2. Notices will be displayed at the exit asking customers to leave quietly.
3. Reasonable steps will be taken to recognise the needs of local residents and to encourage customers to leave quietly.
4. The premises will ensure that no bottles are emptied into external bins between 23:00 and 07:00 hours.
5. The premises shall comply with the dispersal policy attached to this application.

e) The protection of children from harm

1. The premises will adopt a 'challenge 21' policy and any person wishing to purchase alcohol who appears to be under the age of 21 shall be asked to produce an acceptable form of identification (photographic passport, driving licence PASS accredited and/or armed forces card).
2. Children will be permitted onto the premises when accompanied by a responsible adult.

Dispersal Policy



Introduction

It is recognised that there may be a conflict between the legitimate right of the Premises Licence Holder to provide entertainment and other licensable activities and the equally legitimate right of neighbours to enjoy their homes and businesses without disturbance.

The management of Churchill's acknowledge that the premises may be a source of nuisance, antisocial behaviour and crime which may create concern for the immediate neighbourhood, its residents and the relevant authorities.

It will be the established policy of the management of Churchill's that the premises will prepare and utilise a Dispersal Policy during the later evening opening hours of the premises in order to reduce/remove the potential for either nuisance or anti social behaviour.

Definition

The Dispersal Policy should not be confused with any other policy relating to the movement of patrons from the premises. For example the evacuation policy of the premises is fully detailed in the Fire Risk Assessment and will not form any part of this document.

The Dispersal policy defines the dispersal procedure (around the terminal hour for licensable activities and the sale of alcohol) at the premises.

The dispersal procedure will engage pro active measures to be initiated towards the end of and at the end of trading of the premises. The Procedure will focus on measures which will be taken to ensure minimum contact with and minimum impact on the surrounding neighbourhood and residential properties in relation to nuisance, crime and disorder and anti social behaviour.

The management of the premises have recognised the significance of having a policy detailing the procedure to be adopted at the appropriate time during trading to ensure that concerns are addressed in respect of the dispersal from the premises.

This procedure is specific to Churchill's and incorporates a number of best practice initiatives which are common to late evening economy venues.

Prior to implementation the procedure will be discussed with multi agency officers of the Local Licensing Authority and the police to fine tune where necessary and ensure buy in to the proposal.

The procedure is a working document to be reviewed and updated when necessary or at the request of any of the Agencies involved in the initial discussions prior to implementation.

Dispersal Procedure

1. Commencement of the process

The management of Churchill's will ensure that the conditions of the Premises Licence which detail specific requirements in respect of the terminal hour are adhered to. They will ensure that a process of gradual dispersal is adopted towards the terminal hour for Licensable Activities and upon cessation of bar service at the premise.

During the last 30 minutes of bar service the numbers of bar staff will be reduced and allocated to glass collection duties. Cloakroom service will be fully manned to ensure a seamless transfer of patrons' belongings to them prior to departure from the premises.

2. Adoption of calming measures

Music volume levels and lighting levels will be optimally used to calm patrons and prepare them for the external area. In particular volumes of noise will be reduced prior to the cessation of licensable activities.

3. Cloakroom Management

Efficient cloakroom management at the end of the evening is pivotal to the smooth operation of the emptying of the premises. Staffing levels will be increased not only in the cloakroom but in the area of the cloakroom to ensure a smooth transition of people inside the premises to departure.

4. Notices at exits of the premises

High visibility notices will be displayed at the exits to the premises requesting patrons respect the environment in which the premises are situated and to leave both the premises and area quietly.

5. Door Supervision

Security Industry accredited personnel will be utilised to:

Within the premises:

- Encourage patrons to drink up and progress to the cloakroom/exits of the premises during the "wind down period" at the end of the evening.
- Ensure that exiting patrons are aware of their responsibility to others and local residents upon departing from the premises
- Ensure that patrons do not attempt to depart the premises with bottles/glasses. A receptacle for deposit of bottles and glasses will be available immediately inside the exits of the premises.

- Will direct patrons to taxi facilities where appropriate and ensure that patrons do not congregate outside of the premises.

6. Customer dispersal objectives

- Door staff will continue to operate externally after the premises have closed to ensure patrons depart the area quietly and quickly
- Dedicated taxi phone lines will be available from within the premises to book facilities before patrons exit the premises.
- Phased closure of areas within the premises will ensure gradual dispersal later in the evening.

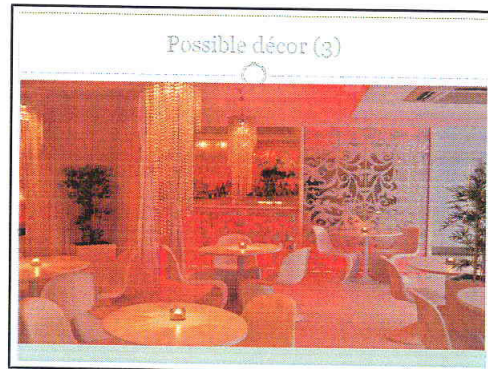
7. Training of ALL staff

Training and refresher training of all staff is significant in ensuring the dispersal plan works in a seamless fashion. New personnel will undergo training before being operational within the premises. Frequent refresher training and input from staff on potential areas of improvement will drive a risk adverse approach to the dispersal policy.

Churchill's Hove

STYLE BAR AND RESTAURANT

OUR FISH IS SOURCED FROM ENGLISH DAY BOATS AND IS CERTIFIED SUSTAINABLE. OUR BEEF IS BRITISH. OUR CHICKEN AND EGGS FREE RANGE. AND ALL PRODUCE ARE SOURCED LOCALLY WHERE POSSIBLE



Possible décor (4)



Possible décor (5)



Main

Pan fried lake served with Crashed potato & chorizo, Japenide and saffron Sauce.

Meule's Marin are served with garlic bread and skinny fries.

Today's Catch buttered or grilled with chips or house salad.

Pan fried sea Bass served with roasted fennel and asise chard and garlic butter.



Scotch egg, communist mayo

Fried calamari, aioli

Beer battered fish & chips

Burger & chips

Vegetarian mezze plate

Welsh rarebit

Hand cut chips

Bread and oil



Bar Menu

Club Sandwich
Chicken, ham, egg served with chips

Churchill's Burger
Burger & hand-cut chips with nature's 'ketchup' or ketchup

Steak Sandwich
Corned beef, onion and chips

Salads
Chicken, avocado, tomato and baby gem salad
Roast potatoes, squash, beetroot, onion, rocket
Garden of Eatin' and baby spinach salad with green beans, tomato, pepper and extra dressing


Crab Linguini
Shell pasta and prawns



Churchill's Express Lunches

Refining a value-based proposal is a research-intensive and often iterative process that requires a large investment. This is because of the need to align the value proposition with the business model and the overall strategy of the organization. It's not just about the product, but about the entire business model. This process is often a team effort, involving various departments and stakeholders. The goal is to create a compelling and unique value proposition that resonates with the target audience and drives business growth.

How much will my project cost?



Mixed berry brulee


Sticky toffee pudding with vanilla ice cream

Preston fruit cheesecake with cream

British cheese board



Something Sweet ???



Mains

- Slow cooked Pork Belly
Mashed potato with
apple & Cider sauce
- Chicken Ballotin,
smiles and potato
fricassee
- Cuban liver bubble and
onion ring and
jus.
- Pie of the day with
spinach and pea.
- Pumpkin and porcini
mushroom lasagne.



Traditional roast beef

- Roast Chicken
- Roast Pork
- Roast Lamb
- Roasted butternut
squash spelt risotto, with
Cress salad and shaved
Caeppilly.

The Best Sunday Roast in Town
all of our roast come with all the
trimming

Welcome to Churchill's Hove



Demographic data Brighton and Hove

Labour Supply Brighton and Hove

			Nat
Economically active	137,900	75.3%	76.2%
In employment	128,100	69.9%	70.3%
Self employed	20,200	10.6%	9.0%
Unemployed	10,800	7.7%	7.0%
Employment by occupation Apr2010-Mar 2011			
Soc 2000 major group	68,000	31.3%	44.8%
manager/senior	18,300	14.3%	15.7%
Professional	24,400	19.1%	14.1%
Associate prof./Tsc	25,200	19.7%	14.8%
sk major group 4/5	21,800	20.7%	20.0%
Admin & Sec	11,200	10.2%	10.7%
Skilled trades	8,600	9.4%	10.2%
Personal services	9,000	7.0%	8.8%
Sales cus services	13,100	10.2%	7.4%

Risk Management

We have in place measures and assessment to help us control and reduce the potential risk faced within our venue, and ensuring that we comply with policy and legislation.

- **Compliance with health and safety legislation;**
- **Operational compliance-to ensure we operating efficiently during trading and remain compliant with legislation;**
- **Historical compliance- to ensure the demonstration of due diligence**
- **Undertake daily checks and team meeting prior to venue opening, and staff change over to ensure smooth transition**

Social Issues

Binge drinking we recognise that alcohol misuse and binge drinking are important issues not just for our industry as they threaten to compromise the well-being of our customers, but also society at large. Our employees are well positioned to influence the attitudes and behaviours of customers and are therefore trained to be able to identify those who they consider might exceed a safe and responsible alcoholic intake, where they deem it appropriate, they will often also refuse to serve any customer whom they consider has consumed enough.

- Underage drinking regrettably remains a major issue within our society Churchill's uses the "Challenge 21" scheme

Security

- Customer security as stated is paramount, our customer wish to relax in a safe environment and to achieve this we employ the services of a third party door stewarding company "Pagoda Security" whose staff endeavour to ensure the welfare of our customers both inside and outside our venue. These door stewards are trained to be proactive in recognising potential incidents and to identify vulnerable individuals and provide assistance where necessary.

creating Safer Venue

- Churchill's Hove is undergoing a refurbishment and will receive an upgraded CCTV system. This means that our technology meets the latest requirements and as we invest in our security system, we continually strive to ensure our equipment is based on the latest and most reliable technology available.

Introduction.1

- As you will see in this document we have established the four 'P's that underpin our daily approach to our business. Our management and employees work to these and maintain consistently high standards because they are.
- **Passionate** about our business;
- **Principled** in their daily activities;
- **Professional** in the way they deal with people and issues;
- **Participate** fully in every aspect of their work.

Introduction.2

- As well as recognising our responsibilities toward our customers, employees and the community, we also appreciate the need to conduct ourselves in an ethical and responsible way. This is because we know the effect our business can have on the community in which we operate so we will continually try to deliver the highest ethical and responsible standards throughout Churchill's.

Demographic data Brighton and Hove

- Brighton and Hove themselves were results of amalgamations:
- Brighton was incorporated as a **municipal borough** in 1854, later becoming a **county borough** under the **Local Government Act 1888**; it covered the parish of Brighton and part of Preston
- Hove became a local board of health in the late 19th century, originally covering the parish of Hove
- In 1893 the parish of **Aldington** was added to Hove local board
- Hove became incorporated as a municipal borough in 1898
- **Hangleton**, Preston Rural and **West Blatchington** were added to Hove in 1928
- **Oringsdean**, **Patcham** and **Rattingdean** were added to Brighton in 1928
- **Portslade-by-Sea** was added to Hove in 1974 under the **Local Government Act 1972**; both Brighton and Hove became non-metropolitan districts of East Sussex
- The football team, **Brighton & Hove Albion F.C.**, predates the unification of the two boroughs by 96 years.
- On 15 October 2004, Brighton and Hove was granted **Fairtrade City** status.

Concept Statement

"Churchill's Style bar and Restaurant where service and elegance reigns supreme, The emphasis is on high quality British food along with traditional values"

Mr Kevin Churchill

How long will this project take?

- Scheme design
- Measured survey
- Planning applications 6week
- Detailed design
- Site work 8 weeks

We anticipate opening within 15 week of receiving

Proposed opening times

- Monday 10am till Midnight
- Tuesday 10am till Midnight
- Wednesday 10am till Midnight
- Thursday 10am till Midnight
- Friday 10am till 2.00 am
- Saturday 10am till 2.00 am
- Sunday 10am till Midnight

How long will this project take?

- The shortest time for this project would be 15 weeks from starting design work to commencing trading. The chart shows a typical our 15 week program which can be followed comfortably for the interior design and building of this projects. This program can only start once the design brief is ready and once all our branding is designed (otherwise the interior and brand designs will not match up).
- Larger projects costing over £500,000 usually take 9 months to a year or more to complete.
- The slowest parts of the process are usually obtaining planning consent and building regulations approval from the council and obtaining my team and I are managing the complete refurbishment we will act as quickly as possible to get this venue ready

OK, but what are some rough costs?

- A small cafe or wine bar of 20-50 covers started from scratch with new equipment will often cost about £150,000 to £300,000.
- A small restaurant of 50-70 covers, requiring an internal refurbishment but with an existing kitchen will often cost between £200,000 and £400,000.
- A medium-sized restaurant of 100 - 150 covers and a new rear building extension for kitchens or toilets usually costs at least £300,000 but can easily cost more than £500,000.
- A large bar with a restaurant and function area for 300 users will often cost between £900,000 and £2.5M.
- Work in big city centres such as London often costs more than work in the provinces because of higher labour costs, difficult site access, parking and other restrictions.
- Fitting out work in malls and other new developments often requires starting from scratch and working to high standards, especially in the UK suggest an average UK cost of about £1419* per square meter excluding professional fees (at least 15%) and costs of direct supply plant and equipment. I find that this is generally
- * source, Building Magazine

Our Vision

Churchill Restaurant and Lounge bar Hove

This restaurant continues to recreate this wonderful sense of occasion. You can't help but make an entrance as you sweep down the restaurant's iconic main staircase to the animated chatter of a big restaurant in full swing.

As you go down those stairs, you enter into a timeless, colourfully designed dining room. The menu has wide appeal - a mix of sophisticated bistro classics plus several modern dishes with a fun twist. The wine list adds a further touch of sophistication and the service is always impeccable.

Churchill's cocktail bar, with its leather chairs and soft banquettes, offers the perfect lounge setting to enjoy cocktails and champagne while taking in the buzzing atmosphere of the restaurant. The bar menu offers a great selection of quick dishes to share for lunch or to accompany evening cocktails, including chorizo with an apple-and-honey dressing and crayfish cocktail.

The menu at Churchill's changes regularly with the seasons. We work hard to build strong relationships with small- to medium-sized local suppliers, ensuring that our menus are as seasonal and sustainable as possible. Our executive head chef has designed some beautiful menus and the restaurant is open for lunch and for dinner with menus for all to enjoy every aspect of Churchill's cuisine.

Enjoy cocktail classics and the many wonders that is Churchill's bar Monday to Saturday, an iconic spot in the heart of Hove. Make the most of our Cocktail Club menu, where you can enjoy a monthly selection of cocktails at £6.50 all night, every Thursday. Along with fun and live music, from a range of the most talented musicians of the moment.

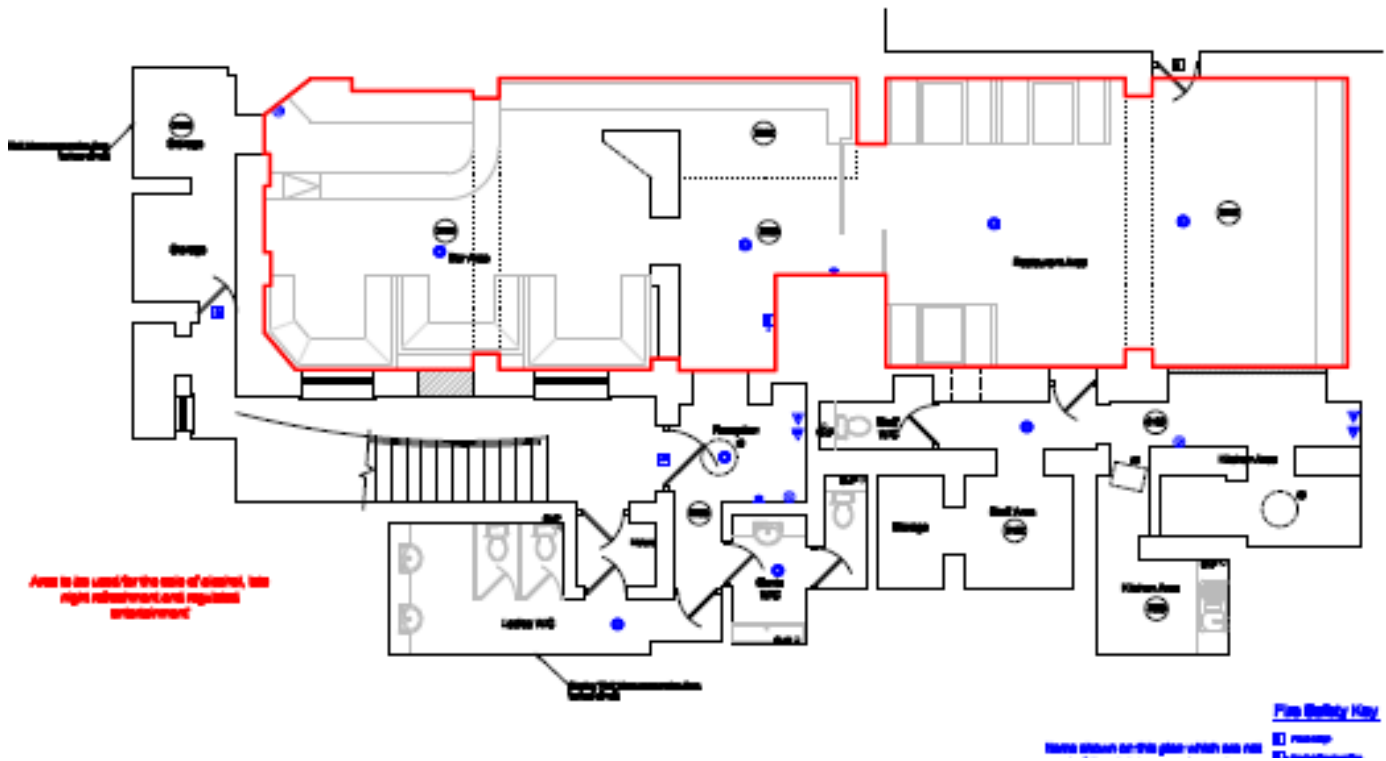
Once a month as part of Churchill's Cocktail Club on the third Thursday of the month, learn to mix your favourites with our special master classes. Tickets are priced at £20 and after the master class we invite you to dine in the restaurant with a 20% discount.

We believe that we have the right idea's, along with a proven strong management structure and customer service skills. To give the people of Hove and visitors something to be proud off.

Regards

Mr J Davis

APPENDIX B



Document is Restricted

APPENDIX D

