

07 FEB 2024

Sussex Police
Licensing
John Street
Brighton
East Sussex
BN2 0LA

CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003

I hereby certify that in my opinion the premises described below are associated with serious crime¹.

Premises²:

Karen's Diner
Unit 3B Boardwalk Level
Waterfront
Brighton Marina
East Sussex
BN2 5WA

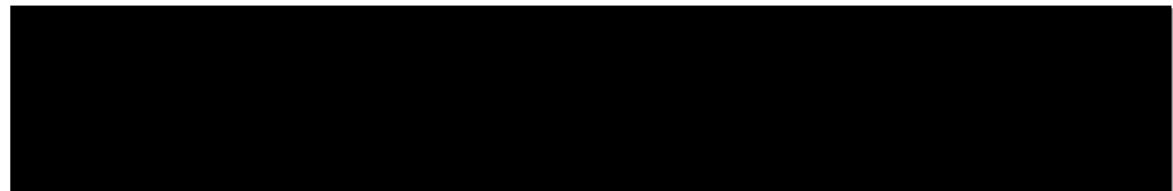
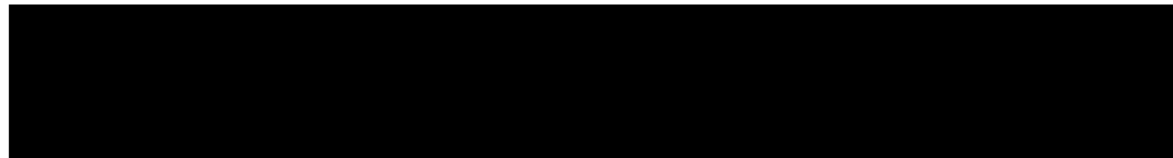
Premises licence number: 1445/3/2023/02830/LAPREN

Name of premises supervisor: Thomas ROONEY

I am a Superintendent³ in the Sussex Police Force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because⁴:

Immediate action is required to prevent further serious crime and incidents where harm or injury may be caused to the public.



¹ Delete as applicable.

² Include business name and address and any other relevant identifying details.

³ Insert rank of officer giving the certificate, which must be superintendent or above.

⁴ Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

Additionally, we have concerns over how the premises is being run under the current management. This includes both the Premises Licence Holder and the Designated Premises Supervisor separately. This is due to:

- Police Licensing inspection on 02nd February 2024 found breaches of many of the licence conditions set out within Annex 2 with possible removal of the CCTV by the current management being very concerning.
- Police conducted drug swabbing of the premises with high readings for Cocaine found in the men's, ladies and accessible toilets. There was also a high reading on the baby changer, an area where a baby could touch with their hands while being changed and then put in their mouth.
- Inappropriate actions taken by a staff member towards a minor by placing a paper hat on their head with handwritten sexual connotations on it.
- We have been advised that the designated premises supervisor is not in day to day control of the premises.

[REDACTED] as well as the above licensing and drug concerns are described in detail within the Summary Licence Review documentation that accompanies this certificate and show there are systemic issues related to Karen's Diner and its management. We believe there is the potential for further serious crime to occur and only the interim steps taken within an expedited review will ensure immediate action is taken to ensure the safety of the public and the promotion of the Licensing Objectives. It is worth highlighting that the premises has only been trading under the premises licence since 19th August 2023.

On considering alternative enforcement action, it is felt there is no further conditions that could be added to the licence that would be able to manage the risks and especially when current conditions are not being adhered to. [REDACTED]

[REDACTED] Under the current legislation it is not possible to remove a Premises Licence Holder from the licence and so revocation of the licence is the only option to achieve this outcome.

The removal of the current designated premises supervisor (DPS) would be a positive step to take however this would not address all the concerns we have as some of these would be out of the control of any designated premises supervisor. The issues appear to be largely linked to the Premises Licence Holder who would appoint the future DPS in any case.

Sussex Police contend that a suspension of the Premises Licence is both necessary and proportionate and request that the Licensing Committee seriously consider taking this course of action as an interim step. Sussex Police will make submissions to request the revocation of the premises licence at the full hearing and reserve the right to serve additional details in due course.

(Signed) [REDACTED]

(Date) 9/2/24