



**Brighton & Hove
City Council**

**LICENSING PANEL (LICENSING ACT
2003 FUNCTIONS)
ADDENDUM**

11.30AM, WEDNESDAY, 1 AUGUST 2018

HOVE TOWN HALL, ROOM G90 - HOVE TOWN HALL

ADDENDUM

ITEM

Page

a Chapter XIII (Licensing Act 2003 Functions)

5 - 26

LICENSING PANEL

(Licensing Act 2003 Functions)

Agenda Item

Brighton & Hove City Council

Subject:	Notification of a Temporary Event Notice under the Licensing Act 2003		
Premises:	Chapter XIII, 11 – 12 Pool Valley, Brighton, BN1 1NJ		
Applicant:	Jessica Stocker		
Date of Meeting:	1 August 2018		
Report of:	Director of Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Sarah Cornell	Tel: (01273) 295801
	Email:	sarah.cornell@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	Regency		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To consider a notification of a Temporary Event Notice in view of a formal objection to it by a relevant person under section 104(2) of the Licensing Act 2003.

2. RECOMMENDATIONS:

- 2.1 That the Panel consider whether it is necessary for the promotion of the licensing objectives of the **Prevention of Crime & Disorder, Prevention of Public Nuisance and Public Safety** to issue a counter notice to prevent the event from taking place.

3. CONTEXT/ BACKGROUND INFORMATION & CONSULTATION

- 3.1 This Temporary Event Notice relates to the time period: **4th & 5th August**

- 3.2 The proposed activities are:

	Proposed Activities
Sale by Retail of Alcohol	12:00 – 20:00 each day on the premises
Regulated entertainment	12:00 – 20:00 each day
Late Night Refreshment	N/A

- 3.3 The area to be covered by the temporary event notice: **whole premises including outside seated area**

- 3.4 Please see a copy of the Temporary Event Notice attached at **Appendix A.**

Objections received

- 3.5 The **Sussex Police & Environmental Health** representations on the Temporary Event Notice were made no later than 72 hours following receipt of the Temporary Event Notice. Their objections were made on the grounds of the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety
- 3.6 Please see representation letters from Sussex Police and Environmental Health attached in **Appendix B**.
- 3.7 A map detailing the location of the premises is attached at **Appendix C**.

4. COMMENTARY ON THE LICENSING POLICY

- 4.1 The following extracts from Guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application and **numbered as they appear in the Guidance**:

General

- 7.2 The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).
- 7.6 The police or Environmental Health Authority (EHA) (“relevant persons” for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENs user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENs would be exceeded (see paragraphs 7.15-7.22 of the Guidance).
- 7.7 A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
- 7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable

activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

Police and environmental health intervention

- 7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.
- 7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.
- 7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.
- 7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

7.36 However, in most cases, where for example, alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

Modification

7.37 As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

Applying conditions to a TEN

7.38 The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.39 This decision is one for the licensing authority alone, regardless of the premises user’s views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

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 Michael Bentley

Date: 24/07/2018

Legal Implications:

5.2 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: 24/07/2018

Equalities Implications:

5.3 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.

Sustainability Implications:

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

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Temporary Event Notice
2. Appendix B – Representations made by Sussex Police & Environmental Health
3. Appendix C – Map of the area

Documents in Members' Rooms

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016 as amended 24th March 2016.

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018.

Background Documents

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016 as amended 24th March 2016.

APPENDIX A

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Miss		
Surname	STOCKER		
Forenames	JESSICA		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Post code BN44 3UD	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail Address (if available)			
8. Alternative address for correspondence			
CHAPTERXIII 11-12 POOL VALLEY BRIGHTON BN1 1NJ			

Post town	
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
CHAPTER XIII 11-12 POOL VALLEY BRIGHTON BN1 1NJ	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
Please describe the nature of the premises below. (Please read note 4)	
CAFE	
Please describe the nature of the event below. (Please read note 5)	
CAFÉ OPENING HOURS OVER PRIDE WEEKEND 12:00 – 20:00	
Draft TENS submitted to POLICE & BHCC Please see notes on draft TENS submitted on 11 th July for more details on this TENS	
There is no event this year at the café, I am submitting this TENS to cover vertical drinking only	

inside the café alongside our normal trading hours.

The café will be open as per usual trading hours 12noon till 8pm on Saturday & Sunday selling normal food and coffee, I am applying for a TENS to cover the sale of alcohol for the weekend alongside our normal coffee & food sales.

There will be some kind of de regulated music playing but this will be strictly inside the café between 12noon & 8pm and will be within the allowable volume, no amplified speakers will be outside.

Inside capacity will be 30 people, and 10 people in the outside seating area on the benches.

Customers will be allowed to sit outside on the benches and drink alcohol, Pedestrian barriers will fence off the bench area but alcohol will not be allowed to be taken off the premises.

6 extra staff & 2 DPS will be on site over the weekend to monitor the sale of alcohol and serve customers food.

our normal sound system is an amplified PA system (not like a radio) that we use daily and is integrated into the premise

there are no plans to do anything different to our normal trading business of a weekend, I am just adding the sale of alcohol alongside the food sales.

Pool Valley & National express will not be affected and the premises will be shut by 8pm Saturday 4th & Sunday 5th

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	YES
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	NO
The provision of regulated entertainment	YES
The provision of late night refreshment	NO
Are you giving a late temporary event notice? (Please read note 7)	NO
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
SATURDAY 4 th AUGUST & SUNDAY 5 th AUGUST 2017	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
12:00 to 20:00	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read	40

note 10)		
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 11)	On the premises only	YES
	Off the premises only	NO
	Both	NO

This includes alcohol consumption on the benches outside

4. Personal licence holders (Please read note 12)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes YES	No
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Horsham District Council	
Licence number		
Date of issue		
Date of expiry		
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 13)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No YES
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	3	
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No NO

6. Associates and business colleagues (Please read note 14)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No NO
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or	Yes <input type="checkbox"/>	No NO

b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)		
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No NO <input type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No NO <input type="checkbox"/>

7. Checklist (Please read note 15)	
I shall (Please mark the appropriate boxes with an "X")	
Send at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Send a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, send a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input type="checkbox"/>
Sign the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)

The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	JESS STOCKER
Date	03/07/2017
Name of Person signing	JESS STOCKER

For completion by the licensing authority

10. Acknowledgement (Please read note 18)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

NOTES

General

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);

APPENDIX B



**Brighton & Hove
City Council**

Regulatory Services
Environmental Protection
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

*Valid ✓
PPN & PS*

Jim Whitelegg
Head Of Licensing
Brighton and Hove City Council
(via email)

Date: 24th July 2018
Our Ref: 2018/05536/EPTEN/EH
Contact:
Phone: (01273) 292259
Fax:
Email: Mylene.hayward@brightn-
hove.gcsx.gov.uk

Dear Mr Whitelegg

**Formal representation for a Temporary Event Notice (TEN) at Chapter XIII,
11-12 Pool Valley, Brighton
Licensing Act 2003
Complaint Reference : 2018/05536/EPTEN/EH**

I write to formally place a representation in terms of the application for a temporary event notice (TEN) at Chapter XIII, 11-12 Pool Valley, Brighton.

Ms Jessica Stocker, the applicant has requested a TEN for Saturday 4th and Sunday 5th August 2018 (which is the weekend of Pride) to cover the sale of alcohol / vertical drinking during her normal trading hours of 12-00hrs to 20-00hrs within this café/tattoo studio called Chapter XIII. This representation is made for this application for 4th and 5th August 2018 on the grounds of "**prevention of public nuisance**" and "**public safety**", two of the 4 licensing objectives within the Licensing Act 2003.

On 20th July 2016 I visited with a colleague and spoke to Jessica Stocker on the basis of an advertisement seen online indicating that Chapter XIII was working with a local radio station to put on a local party in Pool Valley during Pride weekend. Ms Stocker denied any external party and misled the local authority as to the arrangements being made for the Pool Valley area. On the Saturday of Pride, 6th August 2016, this department was called to the Pool Valley area and were faced with a large unlicensed gathering, there was a large number of individuals in the area, speakers outside and a stage. This area of land is Council land and used as a bus and coach station. The Department required the services of the Police on that day to close down the party, disperse the large gathering, and protect public safety and prevent public nuisance. This became even more of an issue when a national express coach tried to gain access to the Pool valley coach stop.

If requested by a third party under the provisions of the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, the contents of this letter may be disclosed by Brighton & Hove City Council.



Telephone: 01273 290000
www.brighton-hove.gov.uk

As a result of the circumstances seen on the day a formal notice was served under section 80 of the Environmental Protection Act 1990 on Jessica Stocker, preventing any further parties in the Pool Valley area. The noise abatement notice was not appealed and remains in force as a legal document all the time that Jessica Stocker remains at Chapter XIII. For breaching a noise abatement notice if found guilty in a magistrates court there is a fine of up to £20,000.

On 3rd April 2017 Miss Stocker was visited by a colleague from this department and also Police Licensing to discuss prospective future TENs also the need to comply with the noise abatement notice previously served.

Ms Stocker subsequently applied for a TEN for Pride 2017. The Environmental Protection team submitted a representation but at the hearing the panel agreed that Ms Stocker could have the TEN. Ms Stocker promised the licensing panel there would be no speakers outside and only background music outside. On the afternoon of Saturday 5th August 2017 the day of Pride this Department and the Police were called to Pool Valley and were faced with a large unlicensed gathering of hundreds of people standing and drinking in the Pool Valley/coach station area with a DJ and decks on a stage outside the premises. It took a considerable amount of Police and Local Authority time and resource to clear this area of all the people that had congregated outside Chapter XIII and manage and reduce the risk to public safety and prevent public nuisance. Coaches were backed up along the Old Steine because they were not able to come into the Pool Valley area and coach station.

The current notification for a temporary event notice (TEN), is requesting an event which will include up to 30 people inside and 10 people outside in an area surrounded by residential and hotel accommodation, and an area where buses and coaches have free access and commercially operate. This is also an open space area which is where alcohol will be served and consumed. Having regard to the above incidents responded to by the local authority and the Police during the previous 2 Pride's this Council has no confidence in the management and running of this Pride event at this premises and that this event will be a repeat of previous years. I am concerned that public nuisance will result and public safety will be at risk.

This is also happening during the Pride Festival Weekend therefore encouraging passing members of the public to congregate and participate in this outdoor event and have the potential to escalate and be difficult to manage and control during what is the busiest weekend of the year for the emergency services.

Please do not hesitate to contact me should you wish to discuss the matter further.

Yours sincerely

M L Hayward
Environmental Protection Officer

Valid ✓ PCD, PPN & ~~PCD~~
PS



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

Police Station
John Street
Brighton
BN2 0LA

Tel: 01273 470101 ext. 550828

Email: brighton.licensing@sussex.pnn.police.uk

24th July 2018

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

RE: TEMPORARY EVENT NOTICE FOR CHAPTER XIII, 11-12 POOL VALLEY, BRIGHTON, EAST SUSSEX, BN1 1NJ FOR 4th – 5th AUGUST 2018

NOTICE OF OBJECTION under Section 104 (2) of the Licensing Act 2003

To whom it may concern,

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex for the above Temporary Event Notice (TEN) on the grounds of the prevention of crime and disorder, public safety and public nuisance.

The TEN seeks to licence the sale by retail of alcohol (on premises) and the provision of regulated entertainment between the hours of 12:00 – 20:00 on 4th and 5th August 2018 – annual Pride weekend. This is an unlicensed premises that operates as a café and tattoo studio.

This premises was granted a TEN during 2016 and 2017 Pride of which both events caused Police and Environmental Protection a considerable amount of work due to them attracting many more persons than planned and management being unable to control their event. They also caused considerable disruption in Pool Valley itself and especially for the National Express. As far as individual premises are concerned, it is safe to say that Chapter XIII was the most resource intensive for Police outside of the main Pride event itself.

During the 2016 event, an unlicensed radio station arrived at Pool Valley and set up a stage and a large sound system. No prior notification was given either via land owners permission or a TEN. This attracted a vast number of people to the area and raised considerable public safety issues caused by obstruction of the public highway resulting in crowd management issues. The owner of Chapter XIII, Ms. Stocker, denies any involvement in this outside stage and sound system however, police officers who attended and spoke to Ms. Stocker and the radio station, concluded that they were working in collaboration, and they appeared to blame each other for not applying for permission to set up the outside, unauthorised and unlicensed stage and sound system. Dealing with this incident and ensuring that the event was closed down took up considerable police resources during our busiest day of the year.

Sussex Police Headquarters

Malling House, Church Lane, Lewes, E. Sussex, BN7 2DZ

Telephone: 101 | 01273 470101

Email: brighton.licensing@sussex.pnn.police.uk

A second incident occurred on Saturday 5th August 2017 during a period where a TEN had been granted by the Licensing Committee Panel on the understanding there would be no speakers outside with only background music playing. A visit at 18:30 by Inspector Morgan and Licensing Officers found there was 600-800 people gathered in Pool Valley outside the premises with loud music being played. Ms. Stocker was told that the music needed to be turned off which she was reluctant to do. Due to the nature of the crowds a coach was unable to access the Pool Valley Bus Station and there was a risk to public safety and the potential for crime and disorder as well as public nuisance. Once again this took up considerable police resources having to deal with the situation.

In recent years, Sussex Police have advised premises who do not hold an existing premises licence but who want to apply for a TEN to sell alcohol/provide entertainment during Pride, that we will raise an objection to the TEN to enable a Council Licensing Sub Committee to hear the Notice and make a decision. This has worked well in controlling the number of premises who sell alcohol at the event and thereby promoting the licensing objectives and going some way to mitigate risk.

Further, Pride weekend is the busiest weekend for Brighton and Hove and has a huge impact on police resources. The premises itself is in close proximity to the Pride Village Party (PVP) area and the Pride Pleasure Gardens (the Old Steine).

The premises has run a small number of TEN's recently which to our knowledge have gone without incident however, with this being pride weekend and there being a large volume of people in the surrounding area, Sussex Police are concerned that the licensing objectives will not be promoted due to the last two years history at this premises. Had the previous TENS outside of Pride weekend had issues, we would have had the resources to deal with it but the risk is too great during pride weekend. The management's ability to run an event during Brighton and Hove's busiest weekend has not been proven so in turn, this would evidence the applicant being unable to promote the licensing objectives, especially public safety and nuisance.

The Chief Officer of Police contends that permitting the premises to be used in accordance with the notice is likely to lead to crime and disorder, risk to public safety and potentially cause issues with public nuisance. We therefore ask that a Counter Notice is issued by the Licensing Authority Committee to ensure the public are protected from harm and that the licensing objectives are not being undermined.

I confirm that a copy of this objection letter has been sent by email to the applicant and every other 'relevant person'.

Yours faithfully,



Lisa Bell
Chief Superintendent
Divisional Commander
Brighton & Hove Division

Please address all future correspondence to Brighton & Hove Licensing Unit, First Floor, Police Station, John Street, Brighton, BN2 0LA.

APPENDIX C

