

# Licensing Panel (Licensing Act 2003 Functions)

Date:           **22 July 2020**

Time:           **10.00am**

Venue           **Virtual Meeting - Skype**

Members:      **Councillors:**, Appich, O'Quinn and Simson

Contact:       **Gregory Weaver**  
Democratic Services Officer  
01273 291214  
greg.weaver@brighton-hove.gov.uk

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk).  
Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through  
ModernGov: [iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper

# AGENDA

## 10 TO APPOINT A CHAIR FOR THE MEETING

### WELCOME & INTRODUCTIONS

## 11 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(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 Two of the Agenda states in its heading 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 exempt categories is available for public inspection at Brighton and Hove Town Halls.*

## 12 THE ROTTINGDEAN LOUNGE BAR LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

5 - 40

Contact Officer: Corinne Hardcastle  
Ward Affected: Rottingdean Coastal

Tel: 0127329

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. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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.

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.

### **FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Penny Jennings, (01273 291065, email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

### **WEBCASTING NOTICE**

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

### **ACCESS NOTICE**

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

### **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:

- 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.



# Licensing Panel (Licensing Act 2003 Functions)

## Agenda Item 12

Brighton & Hove City Council

<b>Subject:</b>	<b>Application for a Variation of a Premises Licence under the Licensing Act 2003</b>		
<b>Premises:</b>	<b>89 High Street Rottingdean BN2 7HE</b>		
<b>Applicant:</b>	<b>Carter-Christian Limited</b>		
<b>Date of Meeting:</b>	<b>22 July 2020</b>		
<b>Report of:</b>	<b>Interim Executive Director of Housing, Neighbourhoods and Communities</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Becky Pratley</b>	<b>Tel: (01273) 292143</b>
	<b>Email:</b>	<b>becky.pratley@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Rottingdean Coastal</b>		

### FOR GENERAL RELEASE

#### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for The Rottingdean Lounge Bar.

#### 2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for The Rottingdean Lounge Bar.

#### 3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposes to remove all embedded terms and restrictions imposed relating to the use of the venue as a members club but keep terms involving restrictions on use of the garden. Play recorded music within hours, play live music, amplified singers and no change in hours currently on licence
- 3.2 Part M (operating schedule) of the application is detailed at Appendix A.

### 3.3 Summary table of existing and proposed activities

	<b>Existing</b>	<b>Proposed</b>
<b>Live music</b>	Saturday 19:30 – 23:00	Every Day 08:00 – 23:00 (now deregulated)
<b>Recorded Music</b>	Every Day 10:00 – 00:00	No change
<b>Supply of Alcohol</b>	Every Day 10:00 – 00:00	No Change
<b>Hours premises are open to public</b>	Every Day 10:00 – 00:30	No Change
<b>Conditions removed as a consequence of the proposed Variation</b>	<p>Remove all embedded conditions relating to members club but keep terms involving restrictions on use of the garden.</p> <p>Removal of following conditons;</p> <p><b>Annex 1</b> <b>Embedded Conditions:</b></p> <p><b>Club Premises Conditions</b></p> <ol style="list-style-type: none"> <li>1. That there shall be no sales of intoxicating liquor other than to members of the club and their bona fide guests.</li> <li>2. Persons applying for membership on and between a Sunday through to Thursday will be granted instant access to the premises. Persons applying for membership on a Friday and Saturday will be granted access from the following Monday.</li> <li>3. That intoxicating liquor shall not be sold for consumption off the premises other than to members.</li> <li>4. That the club shall keep and maintain and have available for inspection at all reasonable times proper books showing the list of members and candidates for membership from time to time and of all bona fide guests entertained by members.</li> </ol> <p><b>Annex 2</b> <b>For the Prevention of Crime and Disorder:</b></p> <ol style="list-style-type: none"> <li>1. Members and bona fide guests will be allowed entry.</li> <li>2. Any inappropriate behaviour will result in expulsion from membership</li> </ol>	

### 3.4 Existing licence attached at Appendix B

- 3.5 The premises does not fall in the Cumulative Impact Area or the Special Stress Area.

#### **Representations received**

- 3.6 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.7 In total five representations were received within the consultation period. Two representations against the variation application and three representations supporting the application were received. They were received from a local residents, a local business and a local Councillor.
- 3.8 Representations received had concerns relating to Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Protection of Children from Harm.
- 3.9 After discussions between the applicant and the Sussex Police an agreement was made which included conditions relating to Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm.
- 3.10 Full details of the representations and agreement are attached at Appendix C. A map detailing the location of the premises is attached at Appendix D.

#### **4. COMMENTARY ON THE LICENSING POLICY**

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

## **1. Introduction**

**1.1** This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 (the Act) and having regard to Guidance issued by the Home Office under Section 182 of the act. The licensing authority is Brighton & Hove City Council. The purpose of this statement is to promote the licensing objectives and set out a general approach to making licensing decisions. The discretion of the licensing authority in relation to applications under the act is only engaged if 'relevant representations' are made by other persons or responsible authorities. This policy will inform the approach to be taken when deciding applications and imposing conditions when relevant representations are received. It is also intended as a guide for applicants as to what to include in their operating schedules, always recognising that if no representations are received, the application must be granted. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those objectives. Each application will be given individual consideration on its merit. The scope of this policy covers the following:

- Retail sales of alcohol;
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club;
- The provision of regulated entertainment;
- The provision of late night refreshment.

### **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 Scope**

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. 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.

## **3 Special Policies and Initiatives**

### **3.3 The Matrix Approach**

**The Licensing Authority will support:**



3.3.1 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.

3.3.2 A “matrix” approach to licensing decisions has been adopted and is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investor and businesses making applications.

Matrix approach for licensing decisions in a Statement of Licensing Policy (times relates to licensable activities)

	<b>Cumulative Impact Area</b>	<b>Special Stress Area</b>	<b>Marina</b>	<b>Other Areas</b>
<b>Restaurant</b>	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
<b>Café</b>	Yes (10pm)	Yes (midnight)	Yes	Yes (midnight)
<b>Late Night Takeaways</b>	No	Yes (midnight)	Yes	Yes (midnight)
<b>Night Club</b>	No	No	Yes	No
<b>Pub</b>	No	Yes (11pm)	Yes	Yes (midnight)
<b>Non-alcohol lead (e.g. Theatre)</b>	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
<b>Off-licence</b>	No	No	Yes	Yes ( Up to 11pm but if in densely residential area may be earlier – see note 7 below)
<b>Members Club (club premises)</b>	Yes (<100 capacity)	Yes (<100 capacity)	Yes	Yes

<b>certificate)</b>	(11pm)	(11pm)		
---------------------	--------	--------	--	--

## Notes on matrix

Subject to the following notes, the policy, as represented in the matrix, will be strictly adhered to

- 1) Each application will be considered on individual merit
- 2) Applications within the CIZ are subject to the special policy on cumulative impact at para 3.1, and those within the special stress area to the special stress policy considerations at para 3.2.
- 3) Departure from the matrix policy is expected only in exceptional circumstances
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include: consultation with and meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as financial contribution to infrastructure), community support, alcohol sale ancillary to business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, member's clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the concerns of local residents will be relevant when considering applications for off-licences, pubs or cafés, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Regard will be had to the Public Health Framework for assessing alcohol licensing and the Street Community and Drug Activity Profile. These documents are available on the following page of our website [www.brighton-hove.gov.uk/licensingact](http://www.brighton-hove.gov.uk/licensingact).
- 8) In an area where there are already several existing off-licences and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds.
- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

## **4 Prevention of Crime and Disorder**

- 4.1.1 The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.
- 4.1.2 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.

- 4.1.3 It is expected that the 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.

### **4.3 Care, control and supervision of premises**

- 4.3.1 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.
- 4.3.2 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, eg type of licence, capacity, operating hours' restrictions.
- 4.3.3 Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with racist or homophobic crime. The licensing authority will keep itself well briefed on the nature, location and type of premises where alcohol related violence and disorder are occurring so it can take full account of the facts and avoid exacerbating problems as required by the Community Safety Strategy. Where licensed premises are found to cause nuisance or be associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions may include use of closed-circuit television, licensed door supervisors and earlier closing times. Such action to

restrict the operation may be taken for trial periods to allow businesses an opportunity to remedy existing disorder, nuisance or disturbance.

- 4.3.4 This policy recognises the use of registered Door Supervisors All Door Supervisors will be licensed by the Security Industries Authority. Mobile security units and similar systems are in use by some premises operators as a means of providing security cover at very short notice at premises which may not normally require a permanent security presence. The Licensing Strategy Group has sought to define the standards and operating guidance for such mobile units, which will be in need of regular review. This policy endorses the use of units following such guidance and standards in appropriate circumstances. A copy can be found on the licensing pages of the council's website.

## **5 Public Safety**

- 5.1 The following details and measures are intended to address the need for the protection of public safety which may be associated with licensed premises and certificated club premises.
- 5.1.1 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the "permitted capacity" of those premises should be.

## **6 Prevention of Public Nuisance**

- 6.1 The following details and measures are intended to address the need for the prevention of public nuisance which may be associated with licensed premises and certificated club premises.
- 6.1.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, 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).
- 6.1.2 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.

- 6.1.3 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.
- 6.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.
- 6.1.5 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.
- 6.1.6 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 6.2 below).

## **6.2 Smoking Advice**

6.2.1 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.

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

## **7 Protection of Children from Harm**

7.1 The following details and measures are intended to address the need for the protection of children from harm; this includes emotional 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).

7.2 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, 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).

7.3 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 emotional or psychological harm to them. Each application will be considered on its own merit but particular areas that will give rise to concern in respect of children are to be found in section 7.5 below.

7.4 To reduce alcohol-induced problematic behaviour by under 18 year olds, to enforce underage purchase and drinking laws and to assist in the protection of children from harm, the licensing authority supports the following measures: -

- a) Police should exercise powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street
- b) Police and trading standards should implement test purchasing to reduce sales to under 18s in on and off sales licensed premises
- c) Further take-up of proof of age schemes will be promoted
- d) In-house, mystery shopper type schemes operated by local businesses will be supported
- e) Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked

7.5 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.

7.8 Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing. Sussex Police, BCRP and

undertake work concerning proxy purchases and counterfeit ID as part of the partnership support work with Community Safety and Trading Standards.

- 7.9 Trading standards have a programme of business support including training for local businesses to avoid under-age sales.

## **8 Integration of Strategies**

- 8.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by: -
- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
  - Liaising and consulting with Public and Alcohol Programme Board
  - Liaising and consulting with the East Sussex Fire & Rescue Service
  - Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
  - Liaising and consulting with the Planning authority
  - Liaising and consulting with the Highways authority
  - Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
  - Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice
- 8.2 In line with statutory requirements and the Council's Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.



- 8.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.
- 8.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.
- 8.5 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. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.
- 8.6 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.

## **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: 02/07/20*

### 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: 03/07/20*

### 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 – Part M (operating schedule) of the Application
2. Appendix B – Part A of Premises Licence
3. Appendix C – Representations and agreement
4. Appendix D – Map of area

### **Background Documents**

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016, revised January 2019.

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

Public Health Framework for assessing Alcohol Licensing. Annual Report – Ward. 5th edition. Public Health Intelligence. January 2019

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2016, revised January 2019.

## **APPENDIX A**

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

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

We will employ the services of a security company that can be called on should there be any trouble and will employ the use of security staff for any large scale event where there is a risk of disorder.

We will employ the use of Check 25 and ensure that this is advertised throughout the premises.

We will ensure that anyone who is deemed to be drunk is not served any alcohol and take steps to ensure that they are safely removed from the premises.

We have a taxi phone on the premises for the use of any customers so that they do not have to wander the village and can vacate the premises directly into a taxi

### **c) Public safety**

We will ensure that at no time will anybody take drinks into the front garden where there is a risk of passers-by interacting

We will provide a taxi phone for customers to call a taxi to take them home

No alcohol will be served to anyone deemed to have had enough and take steps to get them out of the venue and home safely

### **d) The prevention of public nuisance**

Nobody will be allowed into the back garden after 23:30 to ensure that residential neighbours aren't affected.

We will erect signs asking people to leave the premises quietly and respect the neighbours

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

No children allowed to approach the bar

All children required to stay with their parents at all times

All steps to be highlighted and signs erected

Garden to be kept clear of anything that could harm children such as tools

Grass area supplied for the children when playing



Premises Licence  
Brighton and Hove City Council

Premises Licence Number

1445/3/2018/00416/LAPRMV

## Part I – Premises Details

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

The Rottingdean Club  
89 High Street  
Rottingdean  
Brighton  
BN2 7HE

**Telephone number** 01273 309529**Licensable activities authorised by the licence**

Performance of Live Music  
Performance of Recorded Music  
Sale by Retail of Alcohol

**Times the licence authorises the carrying out of licensable activities****Performance of Live Music**

As per deregulation: Monday to Sunday 8:00am – 11:00pm

**Performance of Recorded Music – Indoors**

Stereo played during opening hours.  
Monday - Sunday: 10.00 - 00.00

**Sale by Retail of Alcohol**

Monday - Sunday: 10.00 - 00.00, Christmas Eve: 10.00 - 01.00, New Year's Eve: 10.00 - 02.00

**The opening hours of the premises**

Monday - Sunday: 10.00 - 00.30  
Christmas Eve: 10.00 - 01.30. New Years Eve: 10.00 - 02.30

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

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

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

Carter-Christian Limited  
88 Boundary Road  
Hove  
BN3 7GA

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

Registered Business Number      10913455

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

Philip Sherrington



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



## Annex I - Mandatory conditions

### S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
  - a) at a time when there is no designated premises supervisor in respect of the premises, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - (e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
6. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 —
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:
  - (b) “permitted price” is the price found by applying the formula—



$$P=D+(D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.  
  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Embedded Conditions:**

### **Club Premises Conditions**

- 1) That there shall be no sales of intoxicating liquor other than to members of the club and their bona fide guests.
- 2) Persons applying for membership on and between a Sunday through to Thursday will be granted instant access to the premises. Persons applying for membership on a Friday and Saturday will be granted access from the following Monday.
- 3) That intoxicating liquor shall not be sold for consumption off the premises other than to members.
- 4) That the club shall keep and maintain and have available for inspection at all reasonable times proper books showing the list of members and candidates for membership from time to time and of all bona fide guests entertained by members.

### **Variations to Embedded Conditions:**

Variation to hours for supply of alcohol and provision of regulated entertainment

### **Annex 2 - Conditions consistent with the Operating Schedule:**

#### **For the Prevention of Crime and Disorder:**

1. Members and bona fide guests will be allowed entry.
2. Any inappropriate behaviour will result in expulsion from membership
3. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at intervals not to exceed 4 weeks. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers and staff of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.
4. SIA licensed door supervisors shall be employed on any occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Seasonal Variations and other City Centre Events e.g. Pride. Any such assessment will be available on the premises for inspection by authorised officers and staff of the Licensing Authority or the police.

**For Public Safety:** None

### **For the Prevention of Public Nuisance:**

5. Amplified live music in the Marquee will be held on a maximum of 5 occasions per year.
6. Usually amplified live music inside the premises will be held on 5 occasions per year.

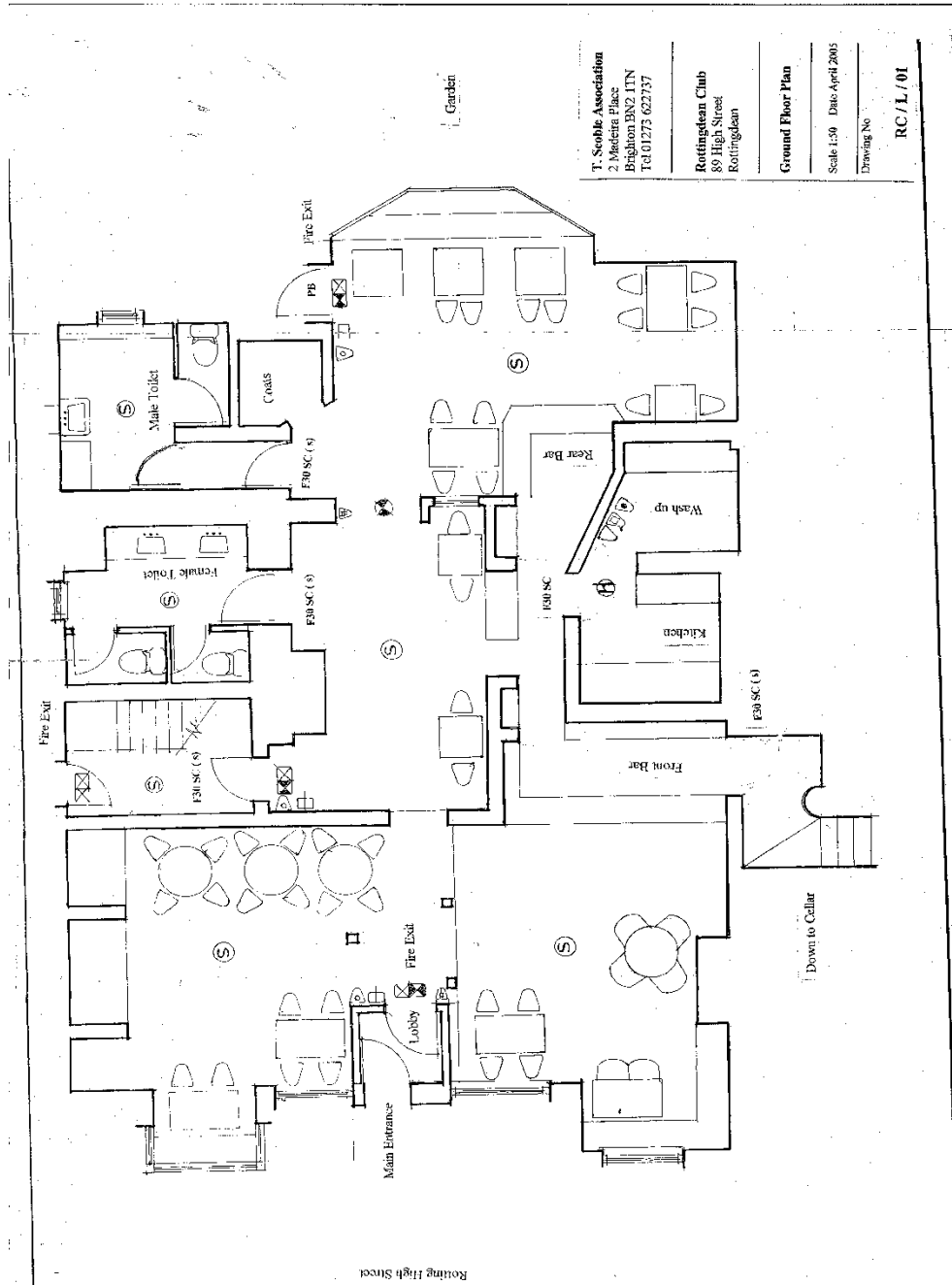
### **For the Protection of Children from Harm:**

7. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
8. (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
  - The lawful selling of age restricted products
  - Refusing the sale of alcohol to a person who is drunk
- (b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- (c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available for inspection by authorised officers and staff of the Licensing Authority or the police and officers from the Trading Standards team upon request.

### **Annex 3 - Conditions Attached after a hearing of a Licensing Panel on 09/08/05**

1. The garden including Marquee to be cleared and closed to patrons by 23.30 hours.
2. Residents to be given at least one weeks notice of all outside functions in the Marquee.

# Annex 4 – Plans

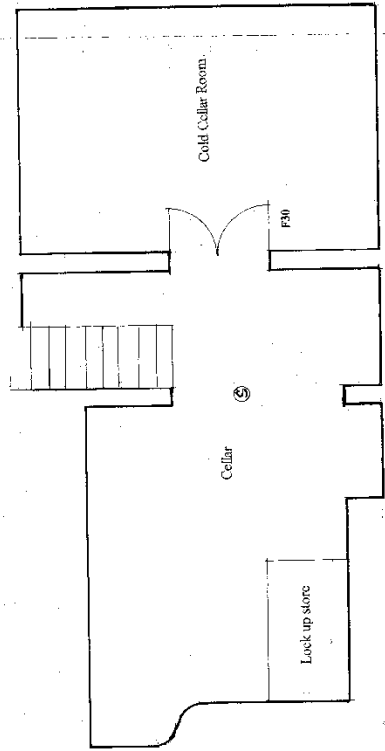


**T. Scoble Association**  
 2, Macedonia Place  
 Brighton BN2 1TN  
 Tel: 01273 62737

**Routledge Club**  
 89 High Street  
 Routledge

**Ground Floor Plan**

Scale 1:50 Date: April 2005  
 Drawing No.  
**RC/L/01**



**KEY TO FIRE PRECAUTIONS SYMBOLS**

- FD30 SC Half-hour fire door with intumescent smoke seal and self-closer
- FD30 HO Half-hour fire door with intumescent smoke seal and magnetic hold-open device
- Cell Point
- Smoke detector/sounder (wired-in)
- Emergency lighting unit (enclosed)
- Fire blanket
- Dry powder fire extinguisher
- Foam type fire extinguisher
- Water type fire extinguisher
- Heat detector
- Fire exit sign

T. Scoble Association  
2, Madeira Place  
Brighton, BN2 1TN  
Tel 01273 622737

Rottingdean Club  
89 High Street  
Rottingdean

Cellar Floor Plan

Scale 1:50 Date April 2005

Drawing No

RC/L/02



**APPENDIX C**

**BP CON ENDS 29.06.20 VALID PCD & PPN (A)**

Representation to Licensing Application.

**Name & address of premises subject to application.**

The Rottingdean Club

89 High Street Rottingdean Brighton BN2 7HE

I445/3/2020/01352/LAPREV

**Your name & address (residence or business).**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Operator of;

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Note: Whether or not your representation can be considered depends upon whether your residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on the premises or immediately outside the premises.

Please state the substance of your representation within one (or more) of the following categories (representations outside these categories cannot be considered).

**The Prevention of Crime & Disorder**

Rottingdean already has an unusually high number of 'typical' A4 licensed premises in proportion to the local population and size of the village. Adding another venue of a similar trading style gives rise to the potential of additional demands on local policing and public services. An application to convert a highly restricted license based upon a member's club model to that of a loosely restricted pub/bar model, under previous licensing policies, would be highly unpalatable. It is our opinion that this application should be refused.

Should the council be minded to grant the variation then we would expect a robust approach to the application. We would consider an application to convert a 'members only' premises license (that would have been achieved under the 2003 Licensing Act under a

'grandfather rights' principle) to a standard A4 premises (pub/bar) to involve a comprehensive and exhaustive inclusion of conditions in the operating schedule. We understand this is common practice with newer premises license applications. Such is the drastic nature of the change from 'members club' to A4 pub/bar that we would expect the application to be treated as if it were a new premises application. In that event, whilst the premises is out of the CIZ, we would expect a view from authorities that there are considerable conditions imposed to ensure the additional premises does not add to potential crime & disorder in the village.

### **Public Safety**

No Comments

### **The Prevention of Public Nuisance**

Comments made in The Prevention of Crime and Disorder section are relevant to this section also.

Whilst 'need' is no longer a criteria that needs to be met for a premises license application or variation it still relates to the number of people that frequent a certain geographical area. For the size of the stretch of land that runs from the location of this premises down to the White Horse and Coach House public houses at the opposite end of the Rottingdean High Street, to add another A4 drink led (potentially solely drink) operation to the five that are already can only add to the potential for public nuisance.

### **The Protection of Children from harm**

No conditions have been offered in this variation, save the standard 'proof of age policy' that would support this licensing condition.

Signed: [REDACTED]

Date: 03/06/2020

Name: [REDACTED]



29 JUN 2020

Dear Sir or Maham, <sup>BP (ON ENDS  
29/6/20 VALID  
APP(B)</sup>  
Re: The Nottingham Club, 89  
The High Street, Nottingham

I object to the application  
for a variation of the above  
premises licence.

[REDACTED]. I found  
that its clientele was an older,  
genial and community minded  
group who appreciated the venue's  
nature as a club and behaved  
accordingly. I feel that much  
of this good-will and agreed,

acknowledged and contractual  
behaviour will be lost. If it  
becomes yet another public  
house in a small village that  
already has five such venues.

Yours faithfully,

## **SUPPORTING REPRESENTATIONS**

From: [REDACTED]  
Sent: 25 June 2020 14:11  
To: EHL Safety [REDACTED]  
Subject: Re: Support for Rottingdean Club License

### **BP CON ENDS 29.06.20 VALID PCD & PPN (SI)**

I recently noticed an application for revised public license for the Rottingdean Club in Rottingdean ( Ref I445/3/2020/01352/laprev)

As a member of the club, a resident of Rottingdean and a customer of other licensed premises within the village I would like to offer my support to this application. I do not feel that a change in license will have an detrimental impact to other venues or private residences within the village. Our village has a strong neighbourhood culture and allowing the Rottingdean Club to become an inclusive venue will benefit the community.

I have no concerns that this application if granted would create any risk under the prevention of crime and disorder or prevention of public nuisance catagories.

Like all other venues within the village, events at this venue that encourage larger crowds, such as entertainment events, are well managed with door/security staff if required.

I see no reason why a change in license would prompt a behavioural change in existing cliental or change the profile of the club that would result in any increase in crime or nuisance to the immediate or surrounding neighbourhood.

Many Thanks

[REDACTED]

**From:** [REDACTED]  
**Sent:** 26 June 2020 17:52  
**To:** EHL Safety  
**Subject:** Further Support for application

Dear Dean Love

**BP Con ends 29/6 Valid PCD and PPN (S2)**

No 1445/3/2020/01352/LAPREV  
The Rottingdean Club 89 High Street Rottingdean BN2 7HE

[REDACTED]  
[REDACTED]  
in support of this application I would like to add to my support .

Prevention of Crime and Disorder and Prevention of Public Nuisance and Public Safety

Rottingdean has been a respectable establishment for many years, to my knowledge has been serving alcohol and food under licence since at least 2003. It is not a new licence application, , so would not be increasing the amount of licenced premises already in the village .

The present owners and an established loyal membership , are already mindful of theirs and their guest's behaviour at all times. Particularly when leaving the Club after 2200. If it was any less, I wouldn't be the regular member I am .

They are always mindful of public safety and prevention of harm to children .

Therefore, there wouldn't be any extra demands on local policing or increased crime and disorder in the village .

I agree with all the changes applied for

To remove terms that only members can be served alcohol ,would be beneficial to members and guest alike

Members cannot join on Fridays and Saturdays is outmoded , probably alluding to previous owners .

Change of licence to fullon/off licence less restrictive than present one

Removal of guests must sign the guest book to my knowledge wouldn't be necessary under new licence.

Your sincerely

[REDACTED]

**From:** [REDACTED]  
**Sent:** 29 June 2020 16:53  
**To:** EHL Safety [REDACTED]  
**Subject:** Support The Rottingdean club application

**BP CON ENDS 29.06.20 VALID PCD, PPN, PCH & PS (S3)**

Hi,

I wish to support the above application as I believe it will add to the licensing objectives.

Best,

[REDACTED]

[REDACTED]

## **AGREED CONDITIONS WITH SUSSEX POLICE**

### **Annex 2 - Conditions consistent with the Operating Schedule:**

#### **General:**

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.

#### **For the Prevention of Crime and Disorder:**

2.
  - (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
  - (b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - (c) CCTV footage will be stored for a minimum of 31 days
  - (d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
  - (e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - (f) Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
  - (g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
  - (h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.
3.
  - (a) An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week.
  - (b) The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence.
  - (c) Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

4. SIA licensed door supervisors shall be employed on any occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Seasonal Variations and other City Centre Events e.g. Pride. Any such assessment will be available on the premises for inspection by authorised officers and staff of the Licensing Authority or the police.

**For Public Safety:** None

**For the Prevention of Public Nuisance:**

5. Amplified live music in the Marquee will be held on a maximum of 5 occasions per year.
6. Usually amplified live music inside the premises will be held on 5 occasions per year.

**For the Protection of Children from Harm:**

7. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
8. (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
  - The lawful selling of age restricted products
  - Refusing the sale of alcohol to a person who is drunk
- (b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- (c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available for inspection by authorised officers and staff of the Licensing Authority or the police and officers from the Trading Standards team upon request.

**APPENDIX D**

