




**Brighton & Hove
City Council**

Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	13 November 2018
Time:	10.00am
Venue	Hove Town Hall, Room G91
Members:	Councillors: O'Quinn, Hyde and Marsh
Contact:	Caroline De Marco Democratic Services Officer 01273 29-1214 caroline.demarco@brighton-hove.gov.uk

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AGENDA

57 TO APPOINT A CHAIR FOR THE MEETING

58 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.

59 HIDDEN CAM STUDIOS LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) 5 - 28

Report of Executive Director of Neighbourhoods, Communities & Housing (copy attached).

Contact Officer: Mark Savage-Brookes Tel: 01273 292100
Ward Affected: Wish

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

NOTES: *Applicants, Agents, Representatives from Statutory Authorities and Other Interested Parties are kindly requested to wait outside before the beginning of the hearing until called in together by the clerk.*

There may be more than one item on this agenda, and as such the item you are interested in may not be heard until later in the day. However, the Chair reserves the right to alter the running order of the agenda at the start of the meeting without prior notice.

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

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 29-1063, email caroline.demarco@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Monday, 5 November 2018

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

Agenda Item 59

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003		
Premises:	Hidden Cam Studios Unit 5 Hove Enterprise Centre Basin Road North Portslade BN41 1UY		
Applicant:	Hidden Cam Studios Ltd		
Date of Meeting:	13 November 2018		
Report of:	Executive Director of Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Mark Savage-Brookes	Tel: (01273) 292100
	Email:	mark.savage-brookes@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	Wish		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Hidden Cam Studios.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a New Premises Licence under the Licensing Act 2003 for Hidden Cam Studios.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a New Premises Licence under the Licensing Act 2003. The application proposes the licensable activities of 'anything similar to live music, recorded music or performances of dance' and 'the sale by retail of alcohol'. The applicant describes the premises as "a music rehearsal and recording business, at which there is only a single group of generally between 3 to 8 people at any one time and is not open to the general public. There is a live room of 30m², a control room of around 25m² and a kitchen/bathroom area around 5-10m². The alcohol would be stored in this kitchen area in lockable fridges and accessed only by myself, the DPS, in order to sell. The live room is where consumption would most usually happen but may also occur in the entire premises and directly outside the unit in the parking area. There is no seating in this area and consumption outside the unit would only occur for brief periods".

- 3.2 The Operating Schedule (Section 18 of the application), as completed by the applicant, is detailed at Appendix A and the plan of the premises is attached at Appendix B
- 3.3 The applicant initially applied for alcohol sales times of 12:00 – 01:00 every day, but this was amended after consultation with Sussex Police (see paragraph 3.9 and Appendix C for full details).
- 3.4 Summary table of proposed activities:

Activity	Proposed times
H) Anything of a similar description to live music, recorded music or performances of dance	Every Day 10:00 to 01:00
M) Supply of Alcohol	Every Day 12:00 to 00:00 On and Off premises
O) Hours premises are open to public	Every Day 10:00 to 01:00

- 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 One representation was received. This was submitted by a local interested party.
- 3.8 The representation received had relevant concerns relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance.
- 3.9 Following discussions between Sussex Police and the applicant an agreement was reached regarding additional conditions to be added to the Operating Schedule.
- 3.10 Full details of the representation 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.

3.3 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)

	Cumulative Impact Area	Special Stress Area	Marina	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
Café bar	Yes (11.30)	Yes (midnight)	Yes	Yes (midnight)
Late Night Takeaways	No	Yes (midnight)	Yes	Yes (midnight)
Night Club	No	No	Yes	No
Pub	No	Yes (11pm)	Yes	Yes (midnight)
Non-alcohol lead (e.g. Theatre)	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
Off-licence	No	No	Yes	Yes (Up to 11pm but if in densely residential area may be earlier – see note 7 below)

Members Club (club premises certificate)	Yes (<100 capacity) (11pm)	Yes (<100 capacity) (11pm)	Yes	Yes
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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 café bars, 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.
- 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.
- 4.1.4 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

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.

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.
 - 6.1.5 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).

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: 25/10/18

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: 25/10/18

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 – Operating Schedule (Section 18) of the Application
2. Appendix B – Plan of Premises
3. Appendix C – Representation and agreement
4. Appendix D – Map of 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.

Public Health Framework for assessing Alcohol Licensing. Annual Report – Ward. 3rd edition. Public Health Intelligence. October 2017

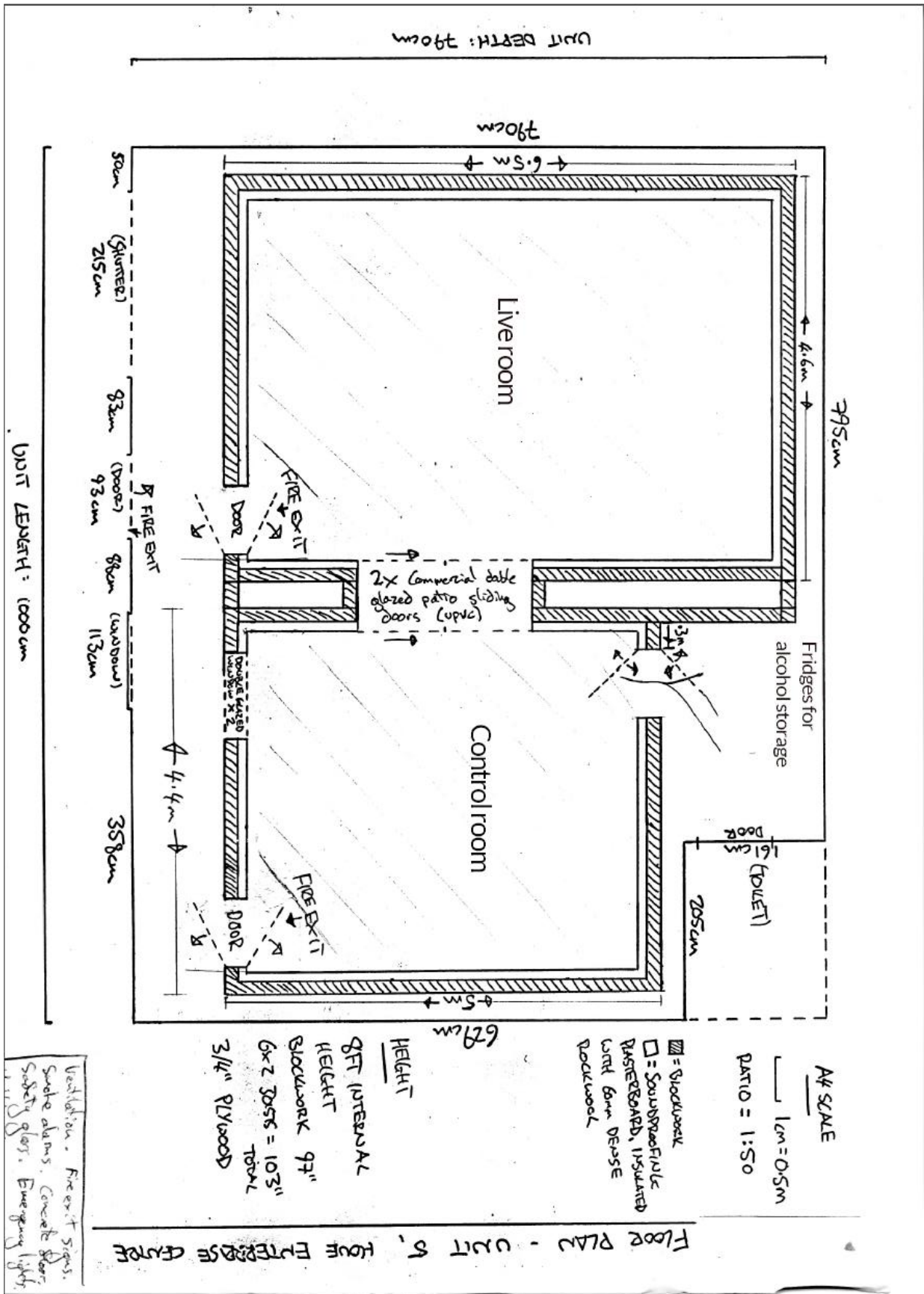
Background Documents

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

APPENDIX A

Section 18 of 21
LICENSING OBJECTIVES
Describe the steps you intend to take to promote the four licensing objectives: a) General – all four licensing objectives (b,c,d,e) List here steps you will take to promote all four licensing objectives together. Age verification on the Under 25 scheme will be conducted by the DPS (no other persons will sell alcohol on the premises). Refusals will be kept on file.
b) The prevention of crime and disorder Selling only to clients prevents significant consumption whilst at the premises, as there is an activity they are engaged in besides just drinking. As there is no space or provision to serve the general public as well, this creates no issues for the surrounding area due to a large group of intoxicated clients leaving at any one time (eg. a pub's closing time).
c) Public safety Outside lighting to be installed.
d) The prevention of public nuisance No provision for drinking outside the venue for prolonged periods. Sales are only to clients of the studio, not the general public. Selection of soft drinks and pre-packaged snacks also provided.
e) The protection of children from harm All alcohol will be stored in key-locked refrigerators. Age verification will protect older children that may pass for legal age from alcohol consumption.

APPENDIX B



APPENDIX C

Representation

From: Tim Hague
Sent: 03 October 2018 14:23
To: EHL Safety
Cc: Tracy Lay
Subject: Licence - 1445/3/2018/05809/LAPREN

MSB CON ENDS 22.10.18 VALID 22.10.18 (A)

Dear Sir/Madam

I am writing on behalf of Shoreham Port Authority, owner of Unit 5, Hove Enterprise Centre and landlord to Cameron Devlin.

Cameron has informed us of his application for a licence to sell alcohol from his commercial premises.

We would like to object to this application on the basis of crime prevention, public nuisance and public safety.

Unit 5 forms part of an industrial estate comprising 25 units. The units are occupied by trades including caterers, carpenters, offices and mechanics. We do not consider it to be appropriate or consistent with the surrounding uses for alcohol sales to take place at Unit 5.

Hove Enterprise Centre is located along the edge of the shipping canal of Shoreham Port. It is well screened from passing traffic being at the bottom of the embankment, south of the A259. This area is susceptible to antisocial activities as a result, such as vandalism and fly tipping. It is our concern that alcohol sales would increase this vulnerability, in a location which cannot be monitored outside normal working hours.

The sale of alcohol could create a nuisance for our surrounding tenants. Unit 4 is an office, and is used outside normal office hours. Units 1-3 is a day centre for young adults with learning difficulties. Alcohol consumption could mean that adjoining units are disturbed and a nuisance caused.

Unit 5 sits within an operational port. Although there are licenced premises along the port, they are professionally run operations. This is a safety critical, hazardous environment and alcohol sales with limited management is a concern.

The lease of Unit 5 states that the permitted use is as a recording studio and BI. This is the use for which we have planning permission. It is our belief that a licence for the sale of alcohol is not consistent with the industrial estate use of this location. We have a responsibility to object for the benefit of the surrounding businesses.

Please let me know if you require any further information.

Regards

Tim Hague
Director of Property & Development
Shoreham Port Authority
Nautilus House, 90-100 Albion Street
Southwick, Brighton, BN42 4ED

Agreement

From: Hidden Cam Studios
Sent: 22 October 2018 17:12
To: Mark Savage-Brookes
Subject: Re: Premises Licence Application for Hidden Cam Studios Ltd (App No: 1445/3/2018/05809/LAPREN) (PROTECT)

Yes, absolutely. We've been in close contact about everything and all seems very reasonable to me.

From: Mark Savage-Brookes
Sent: 22 October 2018 16:11
To: 'record@hiddencamstudios.co.uk'
Subject: FW: Premises Licence Application for Hidden Cam Studios Ltd (App No: 1445/3/2018/05809/LAPREN) (PROTECT)

Dear Cameron,

For complete clarity, can I check that you are happy for the conditions that you have been liaising with Sussex Police over to be attached to a granted Premises Licence?

Kind regards,

Mark Savage-Brookes BSc (Hons) MCIEH
Technical Officer
Safer Communities
Environmental Health & Licensing
Brighton & Hove City Council

Telephone: (01273) 292100
Email: mark.savage-brookes@brighton-hove.gcsx.gov.uk

From: Brighton.Licensing@sussex.pnn.police.uk <Brighton.Licensing@sussex.pnn.police.uk>
Sent: 22 October 2018 12:16
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>; Mark Savage-Brookes <Mark.Savage-Brookes@brighton-hove.gcsx.gov.uk>
Subject: FW: Premises Licence Application for Hidden Cam Studios Ltd (App No: 1445/3/2018/05809/LAPREN)

Hidden Cam Studios Ltd, Unit 5, Hove Enterprise Centre, Basin Road North, Portslade, BN41 1UY – New Application

Application No: 1445/3/2018/05809/LAPREN

Dear Mark,

Sussex Police have no representations to make against this new Premises Licence application.

The applicant has engaged with Sussex Police and a number of comprehensive conditions have been agreed which:

- Reduce the sale of alcohol hours from 01:00 daily to 00:00 daily
- Restrict any sales of alcohol (both on & off) to persons using the premises by way of pre booked appointment

- Limit use of the outside area to between the hours of 18:00 and 00:00 daily
- Limit attendance of any events to be invite only and maximum 25 attendees
- Include
 - CCTV
 - Staff training
 - Challenge 25
 - Incident book
 - Written dispersal policy
 - Adult supervision for any children on the premises

Acceptance of conditions by the applicant is below.

The applicant has confirmed that the sale of alcohol is ancillary to the main use of the premises (it's main purpose being a recording studio) and that alcohol will be stored in a locked fridge that only the DPS has the keys too. Sales of alcohol will only take place when the DPS is on the premises and all off sales have to be in a sealed container. The timings for alcohol sales have been reduced by an hour from what was initially applied for and both on and off sales have the same terminal hour (00:00).

Sussex Police believe that any exceptional circumstances have been met as they have offered comprehensive conditions restricting the sale of alcohol to users of the premises who have a pre booked session/appointment which means that greater control will be had over who is being served and who can access alcohol at the premises. Steps and conditions have also been agreed to mitigate crime and disorder.

Many thanks.

Kind regards,

Mrs Claire Abdelkader
Police Licensing Officer

Brighton & Hove Licensing Unit

Telephone: 01273 470 101 or 101 Ext 550828 **Mobile** 07920 740958 **Twitter:** @SusPolLicensing @Sussex_Police

(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to brighton.licensing@sussex.pnn.police.uk)

From: Hidden Cam Studios [<mailto:record@hiddencamstudios.co.uk>]

Sent: 22 October 2018 11:02

To: ehl.safety@brighton-hove.org.uk

Cc: Brighton Licensing <Brighton.Licensing@sussex.pnn.police.uk>

Subject: FW: Premises Licence Application for Hidden Cam Studios Ltd (App No: 1445/3/2018/05809/LAPREN)

To whom it may concern,

Please find attached the final conditions from Sussex Police regarding the premises license linked to application number 1445/3/2018/05809/LAPREN

Thank you,
Cameron Devlin
Director, Hidden Cam Studios

From: Brighton.Licensing@sussex.pnn.police.uk

Sent: 22 October 2018 10:17

To: record@hiddencamstudios.co.uk

Cc: camerondevlin@hotmail.com

Subject: Premises Licence Application for Hidden Cam Studios Ltd (App No: 1445/3/2018/05809/LAPREN)

Dear Cameron,

Please find attached the final list of conditions and timings we have discussed regarding your new premises licence application for Hidden Cam Studios Ltd, Unit 5, Hove Enterprise Centre, Basin Road North, Portslade, BN41 1UY.

Could please now forward this email and the attached conditions with your agreement to Brighton & Hove City Council at ehl.safety@brighton-hove.org.uk to finalise today. If you could also copy in brighton.licensing@sussex.pnn.police.uk that would be much appreciated.

Many thanks.

Kind regards,

Mrs Claire Abdelkader
Police Licensing Officer

Brighton & Hove Licensing Unit

Telephone: 01273 470 101 or 101 Ext 550828 **Mobile** 07920 740958 **Twitter:** @SusPolLicensing @Sussex_Police

(My working days are Monday, Tuesday and Wednesday. Please send any urgent enquiries outside of those days to brighton.licensing@sussex.pnn.police.uk)

**Sussex Police Final Proposed Conditions for Hidden Cam Studios Ltd – 22nd
October 2018**

Amended Timings

Supply of Alcohol (On & Off the Premises) – **Everyday 12:00 – 00:00 (reduced from 01:00)**

General:

1. Entry to the recording studio is only by appointment for pre booked sessions and a written record will be made of all users of the premises. This record will include names and contact details and will be retained for a minimum of twelve (12) months.
2. Alcohol will only be sold for consumption by persons using the facilities provided and there by appointment.
3. Alcohol will be stored in a locked fridge and will only be for sale by the DPS when they are on the premises.
4. Only the DPS will have a key to the locked fridges where alcohol is stored. No other keyholders or premises users will have keys to the alcohol fridges.
5. Off sales will be limited to existing customers of the premises who have attended for a pre booked session.
6. Off sales will only be in sealed containers.

For the Prevention of Crime and Disorder:

7. (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 the entrance to the premises and the locked fridges where alcohol is stored. 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 e.g. USB) 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.

- 8. Any events at the premises will be invite only and limited to 25 persons attending (in addition to the band and premises staff).
- 9. There will be a written Dispersal Policy in place as agreed with Sussex Police to prevent groups gathering and remaining in the vicinity of the premises.

Additional conditions as stated in original application or agreed with another Agency

For Public Safety:

- 10. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises.
 - a) The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a month.
 - 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 or drunkenness, 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.

Additional conditions as stated in original application or agreed with another Agency

For the Prevention of Public Nuisance:

- 11. Consumption of alcohol in the outside area will be limited to between the hours of 18:00 and 00:00.

Conditions as stated in original application or agreed with Environmental Protection

For The Protection of Children from Harm:

- 12. No children under the age of 16 will be allowed on the premises unless under the supervision of a specified adult e.g. a parent or guardian.
- 13. Where bookings are made for persons aged under 18, the Designated Premises Supervisor (DPS) will be present on the premises for the entirety of the booked session until the under 18s have left the premises.

14. 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 to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

15. 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.

16. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.

APPENDIX D



