

## **APPENDIX C**

Police Station

John Street

Brighton

BN2 0LA

Tel: **REDACTED TEXT**

Email: **REDACTED TEXT**

28<sup>th</sup> July 2021

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

### **SC CON ENDS 06.08.21 VALID PCD & PCH (A)**

Dear **REDACTED TEXT**

#### **RE: PREMISES LICENCE APPLICATION FOR STAR & GARTER, 16-17 KINGS ROAD, BRIGHTON, EAST SUSSEX, BN1 1NE UNDER THE LICENSING ACT 2003. 1445/3/2021/02255/LAPREN.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the above licence application on the grounds of the prevention of crime and disorder and protection of children from harm. We also make reference to the 2021 Brighton & Hove City Council (BHCC) Statement of Licensing Policy and the 2019 Brighton & Hove Public Health Framework for Assessing Alcohol Licensing 5<sup>th</sup> edition report.

This is an application for a new premises licence located at 16-17 Kings Road, Brighton. There was originally a premises licence held at this location however this lapsed when the original Premises Licence Holder was dissolved in March 2021. The licence was not transferred within the 28 days so that licence is no longer in force. The venue itself we believe has been closed since towards the end of 2018.

The application seeks the following licensable activities and timings:

Supply of alcohol both on and off sales:

**Sunday to and including Thursday: 09:00 – 01:00**

**Friday and Saturday: 09:00 – 02:00**

Provision of film both indoors and outdoors / Provisions of indoor sporting events / Provision of live music indoors / Provision of recorded music both indoors and outdoors / Provisions of performance of dance both indoors and outdoors:

**Sunday to and including Thursday: 09:00 – 01:00**

**Friday and Saturday: 09:00 – 02:00**

Late night refreshments both indoors & outdoors:

**Sunday to and including Thursday: 23:00 – 01:30**

**Friday and Saturday: 23:00 – 02:30**

Hours premises are open to the public

**Sunday to and including Thursday: 09:00 – 01:30**

**Friday and Saturday: 09:00 – 02:30**

The applicant and Sussex Police did pre consult on this application and during the consultation period once submitted. Under the Brighton & Hove Statement of Licensing Policy, a new application for a premises licence in the operational style of a pub/bar is not supported. Sussex Police however do accept there are exceptional circumstances in that there was a licence here originally and has only recently lapsed. It is for this reason we are not objecting to the times being applied for. Should the application be heard before a licensing panel, Sussex Police will be seeking to have our attached conditions adopted rather than the ones submitted within the application. We understand the applicant is in agreement to the conditions, it's just condition number 4 we have not been able to get an agreement on. Due to the crime and disorder linked to the night time economy within the surrounding area, we feel it would be wrong for us to not bring this to a panel and seek to have this imposed if the licence was to be granted.

We will also be asking the panel to consider removing off sales of alcohol. We experience a number of issues within public spaces such as the beach and local parks which are linked to people consuming alcohol that has been purchased from venues as well as off licences. It encourages people to drink within an uncontrolled environment. As well as crime and disorder there is a risk of proxy sales to underage persons.

When the premises was run as Doctor Brighton's we can confirm we had no issues within the venue. We believe the fact that they voluntarily had 1 SIA security person on the door at weekends played a big part in this.

The night time economy within Brighton & Hove can at times be challenging for all the emergency services. Within the City we have a high number of licensed venues all of which are in very close proximity to each other. Due to the risks associated with intoxication, the City has a number of initiatives that support Police and other emergency services in safeguarding the public. These include Beach Patrol, Safe Space, Good Night Owls and Street Pastors. The majority of these organisations and persons involved with them are volunteers and operate in their spare time. The fact these services exist goes some way to prove the negative impact alcohol has within the night time economy.

With high numbers of person descending on the City during the weekends and the impact this has, Sussex Police operate a standalone night time operation each weekend and at other various peak times throughout the year. This involves dedicated Police resources patrolling the main night economy area to free up our normal night duty officers so they can manage the rest of the City and the demands it has on our service. Having a visible police presence in the area, especially during the weekend evenings, goes some way to assist in reducing criminal incidents occurring, but unfortunately does not stop them in their entirety. The majority of incidents dealt with have an element of alcohol linked to them. This is a mix of persons becoming drunk and disorderly, violent and a high number of incidents involve persons who have become a victim of crime due to their own vulnerability after consuming alcohol. Staff at venues and from emergency services are far too often also at the end of a drunk person's aggression.

By employing SIA security on the door at weekends and during other peak dates, this assists Police by becoming a deterrent to stop incidents occurring in the first place or being able to nip them in the bud before they get out of hand and require police attendance. They also reduce the risk of underage person gaining entrance to venues. Although this is the responsibility of the person serving the drink to check ID, by having security on the door this is an opportunity to stop underage gaining entrance in the first place and deal with any safeguarding concerns.

Reviewing the Public Health Framework report for Assessing Alcohol Licensing 2019 edition, Regency ward, of which this location is within, is ranked second highest out of 21 wards for police recorded alcohol related incidents. We believe that by not imposing SIA on the door and not removing off sales we run the risk of adding further to the issues currently experienced within the city and so have a negative impact. Other surrounding venues operate SIA which could have a negative impact on this premises with no SIA on the door as we believe this will attract the people that cause issues knowing they are less likely to be challenged going in. Especially underage and people wishing to consume drugs. Security are also linked in to other doors around the city so will be aware of groups or individuals that have been ejected or turned away as well as individuals who are banned.

Taking in to account our comments above, the Statement of Licensing policy, Public Health framework report and the location of the premises being in the heart of the night time economy and the cumulative impact area, Sussex Police are unable to support such an application without our conditions being adopted. If at a panel hearing we are unable to find an agreement on this, Sussex Police will be asking the panel to impose them if they are in mind to grant, or refuse the application.

Yours sincerely,

**REDACTED TEXT**

**REDACTED TEXT**

Force Licensing

Sussex Police

## **Conditions for Star & Garter**

### **General**

1. Authorised staff employed by Sussex Police shall have access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

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

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

2. 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.
  - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
  - CCTV footage will be stored for a minimum of 31 days
  - 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.
  - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
  - 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.
  - Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
  - 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. An incident and refusals log will be maintained by the premises showing a detailed note of incidents and or refusals 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 month. 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. Any refusals made for alcohol service e.g. underage, will be recorded and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

4. Minimum of one (1) SIA registered door supervisor shall operate from 19:00hrs on Friday, Saturday, Sunday when the following day is a Bank Holiday, Christmas Eve, New Year's Eve, Halloween until premises is closed.
5. SIA licensed door supervisors shall be employed on any other 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 be reviewed at least once every calendar year. 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, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.
6. At all times the premises is open to the public, the management will contract the backup services of an approved mobile support unit (MSU) 24 hours a day, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Business Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.
7. The premises will become a member of the Business Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.
8. The management of the premises will have an absolute zero tolerance policy towards drugs and drug misuse.

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

**For Public Safety:**

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

**For the Prevention of Public Nuisance:**

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

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

9. 21:00hrs (9pm) onwards, no under 18's permitted inside the premises.

10. The premises will operate an age verification policy set at a minimum of 25 years (e.g. "Challenge 25") whereby any person attempting to buy alcohol who appears to be under the specified age e.g. 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.
11. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
12. 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.
  - \* Refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues.
- 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.

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

**SC CON ENDS 06.08.21 VALID PCD (SI)**

**From: REDACTED TEXT**

**Sent:** 23 July 2021 10:01

**To:** EHL Safety <EHL.Safety@brighton-hove.gov.uk>

**Subject:** Licence - 1445/3/2021/02255/LAPREN

Hello

Please may I add my support to the licence application referred.

My full name and address is:

**REDACTED TEXT**

Brighton & Hove City Council

Hove Town Hall

Norton Road

Hove

The name and address of the premises is:

Star & Garter

16 - 17 Kings Road

Brighton

BNI 1NE

I represent the landlord for the property, which is Brighton & Hove City Council. As landlord we have been working with tenant to refurbish and restore the property part of which is Grade 2 listed. The building has had to undergo significant structural repairs, which has taken time and have been further delayed by the impact of Covid. During the pandemic and this period of refurbishment I have seen an increase in antisocial behaviour in the area adjacent to the property at the southern end of Little East Street, particularly increased litter and graffiti but also antisocial behaviour from people living in tents nearby. The area feels unwelcoming and unsafe because of the issues highlighted. Should the pub be granted a license and permitted to reopen, whilst I do not believe this will solve all of the problems experienced, it will create activity and footfall in that area, and will be monitored. It will 'breathe life' back into an area, which because of the temporary closure of the pub has been lifeless and as a consequence neglected. I should therefore be grateful if you would consider granting the license to improve the area and reduce criminal activity.

Thank you

**REDACTED TEXT**

**REDACTED TEXT**

Head of Estates | Estates Team | Property & Design

Brighton & Hove City Council

1<sup>st</sup> Floor, Hove Town Hall, Norton Road, Hove, BN3 4AH

**REDACTED TEXT**