



**Brighton & Hove
City Council**

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

10.00AM, MONDAY, 11 FEBRUARY 2019

ROOM G90, HOVE TOWN HALL

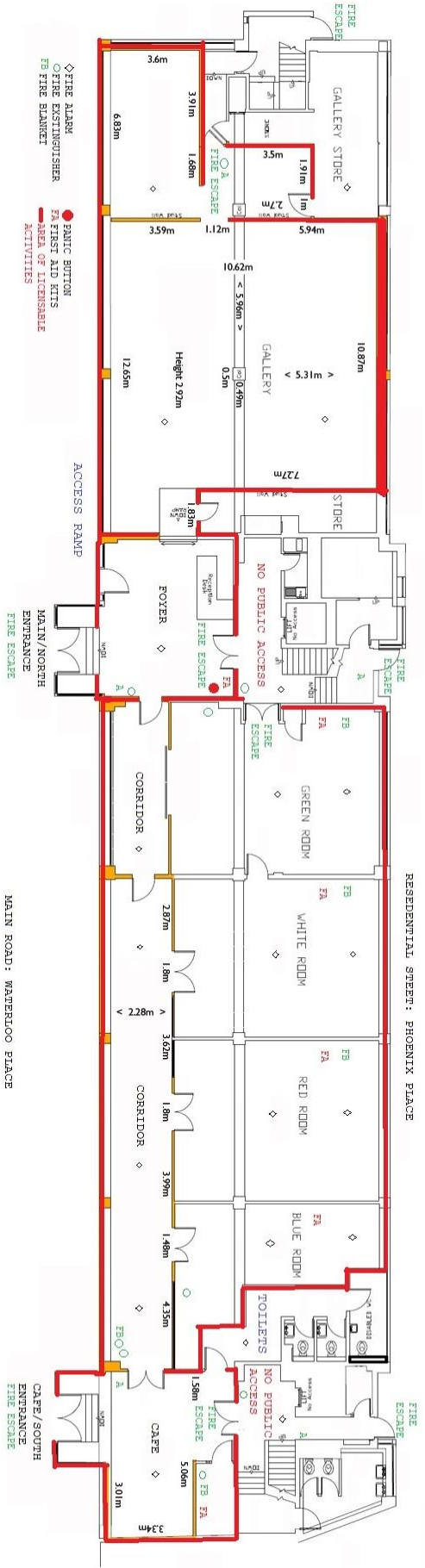
ADDENDUM

ITEM

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	Initially Proposed	Amended to
A) Plays	Every Day 09:00 – 00:00 indoors	N/A
B) Films	Every Day 09:00 – 00:00 indoors	N/A
E) Live music	Every Day 09:00 – 00:00 indoors	N/A
F) Recorded music	Every Day 08:00 – 00:30 indoors	Every Day 09:00 – 00:00 indoors
G) Performance of Dance	Every Day 09:00 – 00:00 indoors	N/A
M) Supply of Alcohol	Every Day 12:00 – 00:00 On the premises	Every Day 12:00 – 23:00 On the premises
O) Hours premises are open to public	Every Day 08:00 – 00:30 indoors	Every Day 08:00 – 00:00 indoors

The applicant has also provided 'non-standard timings' and more detail on cafe specific opening times:

The above times cover the period in which events may take place on the premises. Events are irregular without standard timings. However, with the exception of Bi-monthly Art Labs, mostly take place between 18:00 - 21:00.

The Cafe will operate on standard daily opening times. At the time of application there are predicted to be as follows (subject to change):

**MON 08:00 - 17:00
TUE 08:00 - 17:00
WED 08:00 - 21:00 (weekly arts event to commence from March 2019)
THUR 08:00 - 17:00
FRI 08:00 - 17:00
SAT 08:00 - 17:00
SUN 08:00 - 17:00**

The cafe will also remain open for selected events where appropriate.

- The applicant has also provided further clarification about the premises, specifically highlighting the two types of operation: 1) the cafe and 2) events:
- Overview: Phoenix Arts Association is a multi purpose arts organization. The premises license applied for can be described as covering two different aspects.
- **1. Cafe: situated at the south end of the building the cafe will be open daily and have its own events program. These events will be during the early evening. The cafe will also remain open for in-house, larger events happening in the workshop rooms and gallery.**

2. Events taking place in the main gallery & workshop rooms. These events are varied, irregular and have a arts focus. Some are in-house and others are through venue hire.

They have also provided an amended floor-plan with the licensed area clearly outlined in red (attached).

Further the applicant has confirmed that they agree to all conditions proposed to them by Environmental Health (this is already confirmed in the report) and that they agree to the following conditions raised by Sussex Police as listed in their representation:

1. Authorised staff employed by Sussex Police shall have free 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.

2. Excluding the café area, alcohol will only be made available to persons attending a pre booked event and who are in possession of a valid ticket or listed on a guest list.

5. A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

8. 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.

9. 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. 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 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.

11. 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.

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

13. 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.

The applicant confirms that they wish to discuss the following conditions at the hearing:

3. The sale of intoxicating liquor and other beverages within the café area shall be waiter/waitress service for consumption by persons seated at tables and substantial food shall be available at all times.

4. Whenever the premises is conducting the sale of alcohol, either the designated premises supervisor or another personal licence holder shall be present within the licensed premises.

6. During the performance of live or recorded music, the sale of intoxicating liquor shall be for consumption by seated persons and there will be no vertical drinking, excluding carrying drinks purchased at the bar to seats. Exclusion to this is when background music or no music is being played.

7. Celebratory events such as birthdays, weddings and seasonal events such as Christmas and New Year's Eve parties are not permitted under this licence.

10. SIA Registered door staff will operate at the premises as follows: Friday and Saturday when licensable activities are taking place from 19:00 hours until close of premises and licensable activities have ceased. A minimum of one (1) door staff for 0-100 patrons and at a ratio of 1:100 thereafter. SIA registered door supervisors shall be employed on any other occasion 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.