

# Licensing Panel (Licensing Act 2003 Functions)

Date:           **5 August 2021**

Time:           **9.30am**

Venue           **Virtual**

Members:   **Councillors:** , Deane, C Theobald and Simson

Contact:       **Penny Jennings**  
Democratic Services Officer  
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# AGENDA

## 1 TO APPOINT A CHAIR FOR THE MEETING

### WELCOME & INTRODUCTIONS

## 2 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.*

## 3 APPLICATION FOR A TEMPORARY EVENT NOTICE (TEN), THE CAMELFORD ARMS 30-31 CAMELFORD STREET, BRIGHTON

5 - 38

Report of the Executive Director of Neighbourhoods, Communities and Housing (copy attached)

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### **FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Thomas Bald, (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)

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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.

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- 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**

Brighton &amp; Hove City Council

|                          |  |  |                          |
|--------------------------|--|--|--------------------------|
| <b>Subject:</b>          | <b>Notification of a Temporary Event Notice under the Licensing Act 2003</b> |  |                          |
| <b>Premises:</b>         | <b>The Camelford Arms, 30-31 Camelford St, Brighton</b>                      |  |                          |
| <b>Applicant:</b>        | <b>Mr. Ben Williams</b>  |  |                          |
| <b>Date of Meeting:</b>  | <b>5<sup>th</sup> August 2021</b>  |  |                          |
| <b>Report of:</b>        | <b>Director of Neighbourhoods, Communities &amp; Housing</b>                 |  |                          |
| <b>Contact Officer:</b>  | <b>Name:</b>   | <b>Emma Grant</b>                      | <b>Tel: 07826 951829</b> |
|                          | <b>Email:</b>  | <b>Emma.grant@brighton-hove.gov.uk</b> |                          |
| <b>Ward(s) affected:</b> | <b>Queens Park</b>   |  |                          |

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

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

**2. RECOMMENDATIONS:**

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

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

- 3.1 This Temporary Event Notice relates to the time period: 7<sup>th</sup> August 2021 to 9<sup>th</sup> August 2021. To extend opening hours as follows (24hour clock): -  
 Saturday 07/08/2021 from 01:00 to 03:30  
 Sunday 08/08/2021 from 01:00 to 04:00  
 Sunday 08/08/2021 from 23:30 to 02:00 on Monday 09/08/2021
- 3.2 The proposed activities are:

|                                  | <b>Proposed Activities</b> |
|----------------------------------|----------------------------|
| <b>Sale by Retail of Alcohol</b> | <b>X</b>                   |
| <b>Regulated entertainment</b>   |                            |
| <b>Late Night Refreshment</b>    |                            |

- 3.3 The area to be covered by the temporary event notice: Camelford Arms, 30-31 Camelford Street, Brighton.
- 3.4 Please see a copy of the Temporary Event Notice attached at Appendix A.

#### **Objections received**

- 3.5 Sussex Police representation on the Temporary Event Notice was made no later than 72 hours following receipt of the Temporary Event Notice. Their objection was made on the grounds of the Prevention of Crime and Disorder, and the Prevention of Public Nuisance.
- 3.6 Please see representation letter from Sussex Police attached in Appendix B.
- 3.7 A map detailing the location of the premises is attached at Appendix C.
- 3.8 The current premises licence can be viewed at Appendix D.

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

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

##### **General**

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

- 7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

### **Police and environmental health intervention**

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

whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

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

### **Modification**

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

### **Applying conditions to a TEN**

- 7.38 The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:
- if the police or the EHA have objected to the TEN;
  - if that objection has not been withdrawn;
  - if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
  - and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.
- 7.39 This decision is one for the licensing authority alone, regardless of the premises user’s views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.



*Finance Officer Consulted Michael Bentley*

*Date: dd/mm/yy*

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: dd/mm/yy*

Equalities Implications:

5.3 Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

Sustainability Implications:

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

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Appendix A – Temporary Event Notice
2. Appendix B – Representation made by Sussex Police
3. Appendix C – Map of the area
4. Appendix D – Current Premises Licence

**Documents in Members' Rooms**

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

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. 5<sup>th</sup> edition. Public Health Intelligence. January 2019

## **Background Documents**

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

## Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

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

|   |   |                   |          |
|---|---|-------------------|----------|
| 1. The personal details of premises user (Please read note 1)   |   |                   |          |
| 1. Your name  |   |                   |          |
| Title   | Mr <input type="checkbox"/>   |                   |          |
| Surname   | Williams  |                   |          |
| Forenames   | Ben   |                   |          |
| 2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary) |   |                   |          |
| Title   | Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state) |                   |          |
| Surname   |   |                   |          |
| Forenames   |   |                   |          |
| 3. Your date of birth   |   | REDACTED          | REDACTED |
| 4. Your place of birth  |   | REDACTED          |          |
| 5. National Insurance Number  |   | REDACTED          |          |
| 6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)             |   |                   |          |
| REDACTED  |   |                   |          |
| Post town REDACTED  |   | Postcode REDACTED |          |
| 7. Other contact details  |   |                   |          |
| Telephone numbers   | REDACTED  |                   |          |
| Daytime   |   |                   |          |
| Evening (optional)  |   |                   |          |
| Mobile (optional)   |   |                   |          |
| Fax number (optional)   |   |                   |          |
| E-Mail address (if available)   | REDACTED  |                   |          |
| 8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)                  |   |                   |          |

|  |                   |
|--|-------------------|
| REDACTED                                       |                   |
| Post town REDACTED                             | Postcode REDACTED |
| 9. Alternative contact details (if applicable) |                   |
| Telephone numbers:<br>Daytime                  | REDACTED          |
| Evening (optional)                             |                   |
| Mobile (optional)                              |                   |
| Fax number (optional)                          |                   |
| E-Mail address<br>(if available)               |                   |

|   |                    |
|---|--------------------|
| <b>2. The premises</b>  |                    |
| Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)  |                    |
| THE CAMELFORD ARMS<br>30- 31 CAMELFORD STREET<br>BRIGHTON<br>BN2 1TQ  |                    |
| Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.  |                    |
| Premises licence number   | 1445/3/2012/LAPREV |
| Club premises certificate number  |                    |
| If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)   |                    |
| The event will not include the rear yard of the pub which will be closed to the public for most of the TEN, but we are requesting an extension in this TEN for that area, to cover the hours the premises are open, so that it may be used by the staff during breaks. Currently, the hours of use of the yard are limited by the Premises Licence (essentially closing it daily at 21:00 onwards ) - hence the need to include the back yard in this TEN so that it can be used after 21:00 hours by staff only. |                    |
| Please describe the nature of the premises below. (Please read note 4)  |                    |
| Public House  |                    |

Please describe the nature of the event below. (Please read note 5)

Extended opening hours

Friday 06<sup>TH</sup> August through to Monday 09<sup>th</sup> August 2021.  
 To extend opening hours as follows (24hour clock): -  
 Saturday 07/08/2021 from 01:00 to 03:30  
 Sunday 08/08/2021 from 01:00 to 04:00  
 Sunday 08/08/2021 from 23:30 to 02:00 on Monday 09/08/2021

In addition, extension of use of the rear yard for staff use only as detailed above from 21:00 on Friday 06/08/2021 to 03:30 on Saturday 07/08/2021 and from 21:00 Saturday 07/08/2021 to 04:00 on Sunday 08/08/2021 and from 21:00 Sunday 08/08/2021 to 02:00 Monday 09/08/2021.  
 Members of the public will not have access to the rear yard after 21:00 on Friday 06/08/2021 until the TEN ends.

As we often do, we will be using our other two doors for entrance and exit. In this regard we request the normal restrictions for door closure under our Premises Licence be waived from Friday 06/08/2021 through to closure at 02:00 Monday 09/08/2021.

There will be a minimum of 3 Security Staff / Marshalls on duty at all times for the duration of the extended hours covered by the TEN that weekend.

All drinks will be served in plastic containers only over the weekend- no glass will be served.

Dependant on the weather, it is likely some of our customers will choose to stand outside. These people will be managed by our security team strictly in accordance with guidelines advised directly to us in 2012 by the Licencing Officer of Brighton & Hove City Council (and demonstrated to Inspector Lyon in 2014 to his satisfaction and to other officers in all the years since) and which we follow for all our special events where outside drinking is foreseen.

Notwithstanding all of the above where varied, our other existing licence conditions will remain in place for the duration of the TEN.

| 3. The licensable activities  |                                     |
|---|-------------------------------------|
| Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6) |                                     |
| The sale by retail of alcohol   | <input checked="" type="checkbox"/> |
| The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club  | <input type="checkbox"/>            |
| The provision of regulated entertainment (Please read note 7)   | <input type="checkbox"/>            |
| The provision of late night refreshment   | <input type="checkbox"/>            |
| Are you giving a late temporary event notice? (Please read note 8)  | <input type="checkbox"/>            |
| Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)  |                                     |

|   |                       |                          |
|---|-----------------------|--------------------------|
| 06/08/2021 – 09/08/2021   |                       |                          |
| Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 10)   |                       |                          |
| Friday 06/08/2021 12:00 – Saturday 07/08/2021 03:30<br>Saturday 07/08/2021 12:00 – Sunday 08/08/2021 04:00<br>Sunday 8/08/2021 12:00 – Monday 09/08/2021 02:00  |                       |                          |
| Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11) |                       | 180                      |
| If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)   | On the premises only  | <input type="checkbox"/> |
|   | Off the premises only | <input type="checkbox"/> |
|   | Both                  | x                        |

|  |
|--|
| <p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p> |
|--|

| 4. Personal licence holders (Please read note 14)                   |                              |  |
|---|------------------------------|--|
| Do you currently hold a valid personal licence?<br>(Please tick)    | Yes                          |  |
|   | x                            |  |
| If “Yes” please provide the details of your personal licence below. |                              |  |
| Issuing licensing authority   | Brighton & Hove City Council |  |
| Licence number  | REDACTED                     |  |
| Date of issue   | REDACTED                     |  |
| Any further relevant details  |                              |  |

| 5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)  |                                 |         |
|--|---------------------------------|---------|
| Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?                        | Yes<br><input type="checkbox"/> | No<br>x |
| If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year                                 |                                 |         |
| Have you already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice? | Yes<br><input type="checkbox"/> | No<br>X |

| 6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)   |                                 |         |
|--|---------------------------------|---------|
| Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?   | Yes<br><input type="checkbox"/> | No<br>X |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.   |                                 |         |
| Has any associate of yours already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice?   | Yes<br><input type="checkbox"/> | No<br>X |
| Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?   | Yes<br><input type="checkbox"/> | No<br>X |
| If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.  |                                 |         |
| Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:<br>a) ends 24 hours or less before; or<br>b) begins 24 hours or less after<br>the event period proposed in this notice? | Yes<br><input type="checkbox"/> | No<br>X |

| 7. Checklist (Please read note 17)  |                          |
|---|--------------------------|
| I have: (Please tick the appropriate boxes, where applicable)   |                          |
| Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated                            | X                        |
| Sent a copy of this notice to the chief officer of police for the area in which the premises are situated                                   | <input type="checkbox"/> |
| Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated | <input type="checkbox"/> |
| If the premises are situated in one or more licensing authority areas, sent at least one  | <input type="checkbox"/> |

|  |                          |
|--|--------------------------|
| copy of this notice to each additional licensing authority   |                          |
| If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police  | <input type="checkbox"/> |
| If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions | <input type="checkbox"/> |
| Made or enclosed payment of the fee for the application  | <input type="checkbox"/> |
| Signed the declaration in Section 9 below  | X                        |

#### 8. Condition (Please read note 18)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

#### 9. Declarations (Please read note 19)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

|                        |                 |
|------------------------|-----------------|
| Signature              | REDACTED        |
| Date                   |                 |
| Name of Person signing | Mr Ben Williams |

For completion by the licensing authority

#### 10. Acknowledgement (Please read note 20)

I acknowledge receipt of this temporary event notice.

|                         |                                      |
|-------------------------|--------------------------------------|
| Signature               | On behalf of the licensing authority |
| Date                    |                                      |
| Name of Officer signing |                                      |



## Notes for Guidance

### General

In these notes, a person who gives a temporary event notice is called a “premises user”.

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

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 8 below).

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

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

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (15 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 16 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (subject to an unlimited fine on conviction);
- allowing the sale of alcohol to children under 18 ( subject to an unlimited fine on conviction);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (subject to an unlimited fine, on conviction );
- allowing disorderly behaviour on the premises (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- the sale of alcohol to a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- obtaining alcohol for a person who is drunk (subject to a fine not exceeding level 3 on the standard scale, on conviction);
- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (subject to a fine not exceeding level 1 on the standard scale, on conviction); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (subject to a fine not exceeding level 3 on the standard scale, on conviction).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

#### Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

### Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

### Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

### Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

### Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers’ market, a discotheque, the performance of a string quartet, a folk group or a rock band.

### Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

### Note 7

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;

- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Films: no licence is required for ‘not-for-profit’ film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser

- gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

#### Note 8

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

#### Note 9

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

#### Note 10

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

#### Note 11

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

#### Note 12

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

#### Note 13

Relevant entertainment is defined in the Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) as *any live performance or any live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means)*. Relevant entertainment therefore includes, but is not limited to, lap dancing and pole dancing.

The 1982 Act requires premises which provide relevant entertainment to be licensed under that Act for this purpose. Premises at which there have not been more than eleven occasions on which such entertainment has been provided within a period of 12 months, no such occasion has lasted for more than 24 hours and there has been a period of at least one month between each such occasion are exempt from the requirement to obtain a licence under the 1982 Act. Such premises are likely instead to require an authorisation under the Licensing Act 2003 to be used for such activities as these are a licensable activity (the provision of regulated entertainment — see note 6 above). A temporary event notice may be given for this purpose.

#### Note 14

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

#### Note 15

As stated under Note 14, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (15 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 16 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that

business involves carrying on licensable activities) count as if they had been given by the premises user. Note 16 below sets out the definition of an “associate”.

#### Note 16

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or
- d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person’s husband or wife is to be treated as that person’s spouse.

#### Note 17

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

#### Note 18

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

#### Note 19

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and an unlimited fine.

#### Note 20

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.







**Sussex Police**  
Serving Sussex

www.sussex.police.uk

## Brighton & Hove Licensing Unit

REDACTED

26<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

**RE: LATE TEMPORARY EVENT NOTICE FOR THE CAMELFORD ARMS, 30-31 CAMELFORD STREET, BRIGHTON, EAST SUSSEX, BN2 1TQ FOR 6<sup>TH</sup> THROUGH TO 9<sup>TH</sup> AUGUST 2021**

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

To whom it may concern,

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

The TEN seeks to licence the sale by retail of alcohol on and off the premises during the following timings:

#### **Sale by Retail of Alcohol**

7<sup>th</sup> August 2021 01:00 – 03:30

8<sup>th</sup> August 2021 01:00 – 04:00

8<sup>th</sup> August 2021 23:30 through until 09<sup>th</sup> August 2021 02:00

The above dates fall on what would have been Brighton & Hove Pride weekend and would have had a large police operation. Now that Pride is cancelled this is no longer the case.

Sussex Police are expecting this to be a very busy weekend due to a number of factors including people still heading to Brighton & Hove that would have been here for Pride, lockdown restrictions being lifted recently and an increase in stay vacations. Due to this we are running a standalone operation which will see an increase in police resources for that weekend but not on the scale we would have seen had Pride been going ahead.

We have also been working with other agency partners over a number weeks to effectively plan for the unknown. This includes looking at medical provisions and seafront management as well as working with various Council departments.

As with any large scale event they come with safeguards and infrastructure such as road closures, medical provisions, added security and toilets. There is a risk that various agencies including emergency services will have to fill that gap if the City sees a large influx of visitors.

We feel that by allowing premises to stay open later this will keep more people within the area longer so slowing down dispersal as well as increasing intoxication levels. These are two factors that risk crime and disorder to occur. By just permitting venues to run as per their current licence and not allowing any additional extensions or relaxation of conditions we are doing all we can to mitigate risks.

With extended hours also comes increased risk of public nuisance. The premises itself acknowledges people are likely to spill out in to the street. With this being a residential street we could see a pull on resources to deal with calls of the highway and footpath being blocked and noise issues.

The location of the premises sits within the Cumulative Impact Area under the Brighton & Hove Statement of Licensing Policy. An area that is recognised as having a high number of licensed premises and the challenges this brings.

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

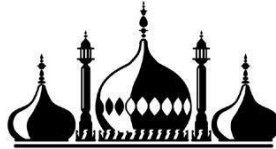
I confirm that a copy of this objection letter has been sent by email to the applicant and every other 'relevant person'.

Yours faithfully,

REDACTED







# Brighton & Hove City Council

## Schedule 12 Part A

Regulation 33, 34

### Premises Licence Brighton and Hove City Council

**Premises Licence Number**

1445/3/2012/00281/LAPREV

#### Part I – Premises Details

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

The Camelford Arms  
30-31 Camelford Street  
Brighton  
BN2 1TQ

**Telephone number** REDACTED

**Where the licence is time limited the dates** -

**Licensable activities authorised by the licence**

Late Night Refreshment  
Sale by Retail of Alcohol

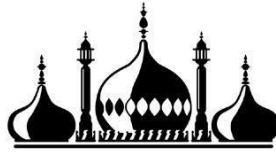
**Times the licence authorises the carrying out of licensable activities**

#### **Late Night Refreshment**

|                    |               |
|--------------------|---------------|
| Monday - Wednesday | 23:00 - 23:30 |
| Thursday           | 23:00 - 00:00 |
| Friday & Saturday  | 23:00 - 01:00 |
| Sunday             | 23:00 - 23:30 |

#### **Sale by Retail of Alcohol**

|                    |               |
|--------------------|---------------|
| Monday - Wednesday | 10:00 - 23:30 |
| Thursday           | 10:00 - 00:00 |
| Friday & Saturday  | 10:00 - 01:00 |
| Sunday             | 12:00 - 23:30 |



## Brighton & Hove City Council

PLUS: A further additional hour every Christmas Eve and/or every Boxing Day when falling on a Monday, Tuesday, Wednesday or Thursday. For all licensable activities listed above from the start time on New Year's Eve until the finish time on New Year's Day.

### The opening hours of the premises

|                    |               |
|--------------------|---------------|
| Monday - Wednesday | 10:00 - 00:00 |
| Thursday           | 10:00 - 00:30 |
| Friday & Saturday  | 10:00 - 01:30 |
| Sunday             | 12:00 - 00:00 |

### 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

Rowbell Leisure Ltd  
51B Westbourne Terrace  
London  
W2 3UY

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

Registered Business Number      06820717

### Name and address of designated premises supervisor where the premises licence authorises for the supply of alcohol

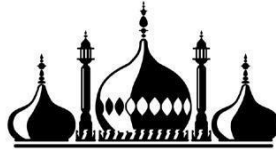
Ben Williams  
REDACTED



## Brighton & Hove City Council

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

REDACTED



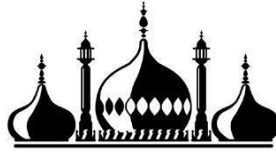
## Brighton & Hove City Council

### 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;



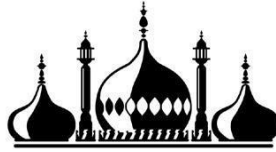


## Brighton & Hove City Council

(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



## Brighton & Hove City Council

(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.”

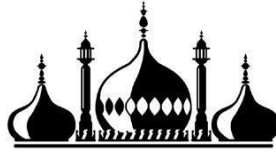
### Minimum Drinks Pricing

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



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(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.

### **Annex 2 – Conditions consistent with the Operating Schedule**

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

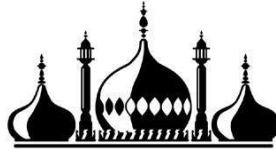
1. Suitable illumination will be provided to the exterior areas of the building.
2. Toilets will be checked regularly.
3. There will be a managed exit policy, under which customers will be asked to leave quietly and in an orderly manner.

#### **For Public Safety:**

4. A licensed taxi service will be promoted for customers to facilitate their onward journeys.
5. Drinking vessels made of standard glass will be phased out to be replaced with toughened glass only.

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

6. Regular noise surveys will be carried out by staff especially when entertainment is being provided.



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7. Staff will organise taxis for customers when required to take them from the premises.

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

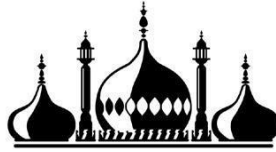
8. Children will not be permitted on the premises

### **Annex 3 - Conditions Attached after a hearing of a Licensing Panel**

9. Amplified music or other entertainment noise from within the premises not to be audible in any residential premises between the hours of 23.00 and 10.00 hours.
10. Noise and vibration shall not be permitted to emanate from the premises as to be audible to nearby premises after 23.00 hours.
11. Windows and doors to be closed after 23.00 hours on any night of trading.
12. Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and area quietly.

### **Annex 3a - Licensing panel hearing held on 13th March 2009 in respect of the review of a premises licence.**

13. No karaoke to take place in the premises at any time;
14. The bar gate into St Margaret's Street to be used as a fire exit only, and not as an alternative access/egress to the pub;
15. Sale of alcohol to be allowed until 01.00 on Friday and Saturday;
16. No tables and chairs to be placed in the rear yard area between 9pm to when the premises closes (or the area is to be closed from 9pm to when the premises closes).
17. Heaters placed in the rear yard to be used in conjunction with the above condition.
18. A maximum of 12 people in the rear yard at any one time.



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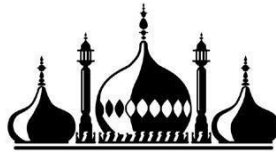
19. No drinks to be taken into the rear yard area between 9pm to when the premises closes.

**Annex 3b - Licensing panel hearing held on 7th December 2009 in respect of the review of a premises licence (the decision of the panel to revoke the premises licence substituted by a decision (consent order 15th April 2010) to modify the conditions and reduce the sales of alcohol and hours of opening on the licence as follows)).**

20. ~~The inner front lobby door shall be kept closed at all times other than for access and egress.~~ The front door leading on to the pavement shall be closed (other than for access and egress) between 9pm to when the premises closes Sundays to Thursdays and 10pm to when the premises closes on Fridays and Saturdays. Both doors shall be fitted with self door closers.

**Annex 3c - Licensing panel hearing held on 16th April 2012**

21. A single microphone may be used for public address only, and not for any musical performances. When in use, all doors and windows are to be kept closed save for access and egress.
22. The inner front lobby door shall be kept closed save for access and egress between 21:00 and closure of premises.



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## Annex 4 – Plans

