





**Brighton & Hove
City Council**

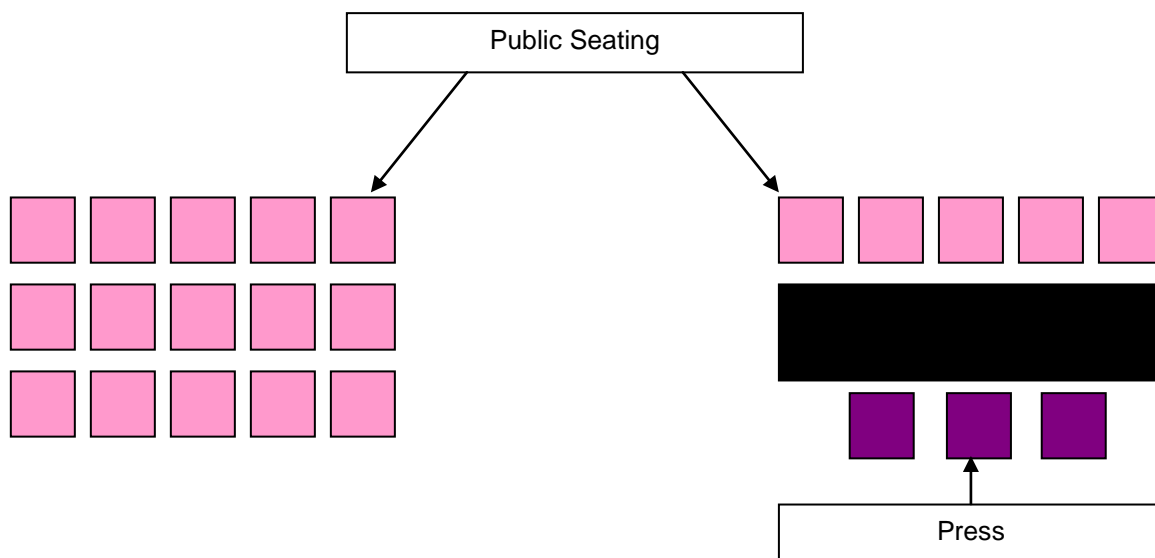
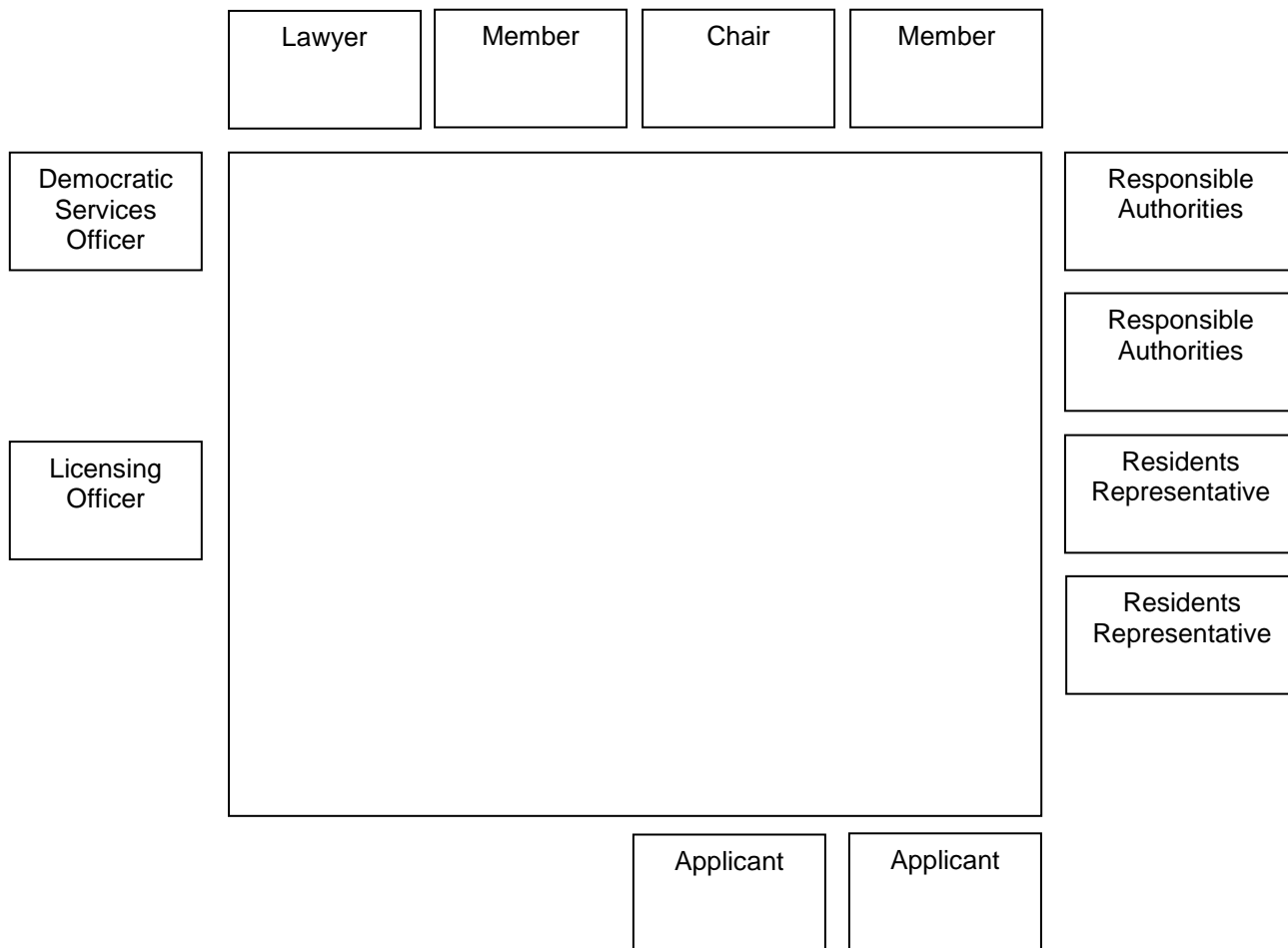
Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	19 March 2018
Time:	1.30pm
Venue	G89, Hove Town Hall
Members:	Councillors: Cattell, O'Quinn and Page
Contact:	Gregory Weaver Democratic Services Officer 01273 291214 greg.weaver@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

92 TO APPOINT A CHAIR FOR THE MEETING

93 WELCOME & INTRODUCTIONS

94 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.

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

95 HOLLYWOOD BOWL LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

1 - 28

Contact Officer: Sarah Cornell
Ward Affected: Rottingdean Coastal

Tel: 01273 295801

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

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

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

For further details and general enquiries about this meeting contact Penny Jennings, (01273 29-1214, email greg.weaver@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 9 March 2018

Licensing Panel (Licensing Act 2003 Functions)

Agenda Item 95
Brighton & Hove City Council

Subject:	Application for a Variation of a Premises Licence under the Licensing Act 2003		
Premises:	Hollywood Bowl Brighton Marina Village Brighton BN2 5UT		
Applicant:	The Original Bowling Company Limited		
Date of Meeting:			
Report of:	Executive Director of Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Sarah Cornell	Tel: (01273) 295801
	Email:	sarah.cornell@brighton-hove.gcsx.gov.uk	
Ward(s) affected:	Rottingdean Coastal		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Hollywood Bowl.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Hollywood Bowl.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposes to amend the current SIA security condition and to remove condition 3 under the Prevention of children from harm under Annex 2. No change to hours or layout of the premises.
- 3.2 Part M (operating schedule) of the application is detailed at Appendix A

3.3 Summary table of **existing and** proposed activities.

	Existing	Proposed
C) Indoor sporting Events	Ten-pin bowling is the primary activity of the complex but is for the entertainment of the players. Very occasionally, on a maximum of two occasions per annum there may be bowling tournaments that will be attended by some spectators. There are no standard timings. If tournaments take place it will be during the opening hours of the premises. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.	No Change
E) Live music	There may be very occasional employment of live bands to perform music for dancing. There will be no standard timings because it will be occasional. It will always take place during the hours for dancing. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.	No Change
F) Recorded Music	Sunday to Thursday 09:00 - 23:30 Friday and Saturday 09:00 - 00:00 NYE: 09:00-01:00	No Change
L) Late Night Refreshment	Friday and Saturday 23:00 to 00:00 NYE: 23:00-01:00	No Change
M) Supply of Alcohol	Sunday to Thursday 10:00 - 23:00 Friday and Saturday 10:00 - 00:00 On the premises NYE 09:00-01:00	No Change
O) Hours premises are open to public	Sunday to Thursday 09:00 – 00:00 Friday and Saturday 09:00 - 00:30 NYE 09:00-01:30	No Change
P) Conditions removed as a consequence of the proposed Variation	To amend the current SIA security condition and to remove condition 3 under the Prevention of children from harm under Annex 2.	

- 3.4 Existing licence attached at Appendix B
- 3.5 The premises does not fall in the Cumulative Impact Area or the Special Stress Area.

Representations received

- 3.6 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.7 One representation was received. It was received from Sussex Police
- 3.8 Representation received had concerns relating to Prevention of Crime and Disorder, Public Safety & Protection of Children from Harm.
- 3.9 Full details of the representation are attached at Appendix C. A map detailing the location of the premises is attached at Appendix D.

4. COMMENTARY ON THE LICENSING POLICY

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

1. Introduction

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

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

1.2 The licensing objectives are:-

- (a) Prevention of crime and disorder;
- (b) Public safety;
- (c) Prevention of public nuisance;
- (d) Protection of children from harm.

1.3 Scope

Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations; i.e. the premises and its vicinity. Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.

3 Special Policies and Initiatives

3.3 The Matrix Approach

The Licensing Authority will support:

- 3.3.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports: mixed use venues encouraging a wider age balance.
- 3.3.2 A "matrix" approach to licensing decisions has been adopted and is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investor and businesses making applications.

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

	Cumulative Impact Area	Special Stress Area	Marina	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes	Yes (midnight)
Café bar	Yes (11.30)	Yes (midnight)	Yes	Yes (midnight)
Late Night Takeaways	No	Yes (midnight)	Yes	Yes (midnight)
Night Club	No	No	Yes	No
Pub	No	Yes (11pm)	Yes	Yes (midnight)
Non-alcohol lead (e.g. Theatre)	Yes (favourable)	Yes (favourable)	Yes	Yes (favourable)
Off-licence	No	No	Yes	Yes (Up to 11pm but if in densely residential area may be earlier – see note 7 below)
Members Club (club premises certificate)	Yes (<100 capacity) (11pm)	Yes (<100 capacity) (11pm)	Yes	Yes

Notes on matrix

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

- 1) Each application will be considered on individual merit
- 2) Applications within the CIZ are subject to the special policy on cumulative impact at para 3.1, and those within the special stress area to the special stress policy considerations at para 3.2.
- 3) Departure from the matrix policy is expected only in exceptional circumstances
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.

- 5) Exceptional circumstances may include: consultation with and meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to off set impact (such as financial contribution to infrastructure), community support, alcohol sale ancillary to business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).
- 6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.
- 7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the concerns of local residents will be relevant when considering applications for off-licences, pubs or café bars, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Regard will be had to the Public Health Framework for assessing alcohol licensing and the Street Community and Drug Activity Profile. These documents are available on the following page of our website www.brighton-hove.gov.uk/licensingact.
- 8) In an area where there are already several existing off-licences and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds.
- 9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

4 Prevention of Crime and Disorder

- 4.1.1 The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.
- 4.1.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 4.1.3 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.

4.1.4 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

4.3 Care, control and supervision of premises

4.3.2 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, eg type of licence, capacity, operating hours restrictions.

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

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

4.3.5 The development of codes of practice and general operating standards for security companies is encouraged for local businesses; premises operators are urged to ensure that security services, when engaged, are provided by suitably qualified businesses operating to recognised standards and who should be working towards SIA accreditation.

5 Public Safety

5.1 The following details and measures are intended to address the need for the protection of public safety which may be associated with licensed premises and certificated club premises.

5.1.3 Conditions may be imposed in accordance with operating schedules to protect public safety including where justified:

(a) use of door supervisors, licensed by the Security Industry Authority.

7 Protection of Children from Harm

7.1 The following details and measures are intended to address the need for the protection of children from harm; this includes emotional and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).

7.2 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by police, trading standards officers and their partners in the Licensing Strategy Group (e.g. passport, photo driving licence or pass card).

7.3 It is the licensing authority's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of emotional or psychological harm to them. Each application will be considered on its own merit but particular areas that will give rise to concern in respect of children are to be found in section 5.3 below.

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

- a) Police should exercise powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street
- b) Police and trading standards should implement test purchasing to reduce sales to under 18s in on and off sales licensed premises
- c) Further take-up of proof of age schemes will be promoted

- d) In-house, mystery shopper type schemes operated by local businesses will be supported
- e) Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked

7.5 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where entertainment of an adult or sexual nature is commonly provided;
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.

7.7 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. For exclusively under 18 events reference should be made to police guidelines (available from the Police Licensing Unit, Brighton tel. 101). The licensing authority recognises the Director of Childrens Services as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to the Director of Childrens Services in its capacity as the responsible authority. Copies should be sent care of the Police. The “What to do” booklet is a national one and can be accessed here: <http://www.brightonandhovelscb.org.uk/wp-content/uploads/What-to-do-if-a-child-is-being-abused.pdf> Probably also worth getting him to put in that if you are concerned about a child locally to contact the Multi-Agency Safeguarding Hub (MASH) on 01273 290400, or you can contact Sussex Police on 101. If they think a child is in immediate danger to dial 999.

7.8 Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing. Sussex Police, BCRP and undertake work concerning proxy purchases and counterfeit ID as part of the partnership support work with Community Safety and Trading Standards.

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

8 Integration of Strategies

- 8.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by:-
- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
 - Liaising and consulting with Public and Alcohol Programme Board
 - Liaising and consulting with the East Sussex Fire & Rescue Service
 - Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
 - Liaising and consulting with the Planning authority
 - Liaising and consulting with the Highways authority
 - Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
 - Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice
- 8.2 In line with statutory requirements and the Council's Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.
- 8.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.
- 8.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.
- 8.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, use of the NightSafe radio system or accredited scheme, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.

- 8.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

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

Finance Officer Consulted Michael Bentley

Date: 28/02/18

Legal Implications:

- 5.2 The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell

Date: 02/03/18

Equalities Implications:

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

Sustainability Implications:

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

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part M of the Application
2. Appendix B – Part A of Premises Licence
3. Appendix C – Representation
4. Appendix D – Map of area

Documents in Members' Rooms

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

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, April 2017.

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

Background Documents

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

APPENDIX A

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

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

As existing

b) The prevention of crime and disorder

As existing

c) Public safety

As existing

d) The prevention of public nuisance

As existing

Premises Licence
Brighton and Hove City Council

Premises Licence Number

1445/3/2017/01254/LAPRET

Part I – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post CodeHollywood Bowl
Brighton Marina
Brighton
BN2 5US**Telephone number** 01273 818180**Where the licence is time limited the dates -****Licensable activities authorised by the licence**

Indoor Sporting Event	Performance of Live Music
Performance of Recorded Music	Late Night Refreshment
Sale by Retail of Alcohol	

Times the licence authorises the carrying out of licensable activities:-**Indoor Sporting Event**

Ten-pin bowling is the primary activity of the complex but is for the entertainment of the players. Very occasionally, on a maximum of two occasions per annum there may be bowling tournaments that will be attended by some spectators. There are no standard timings. If tournaments take place it will be during the opening hours of the premises. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.

Performance of Live Music - Indoors

There may be very occasional employment of live bands to perform music for dancing. There will be no standard timings because it will be occasional. It will always take place during the hours for dancing. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.

Performance of Recorded Music - Indoors

Sunday - Thursday: 09.00 - 23.30, Friday and Saturday: 09.00 – 00.00 (midnight)

Background music may be played at all times throughout the premises but recorded music will be used to provide musical entertainment for dancing as and when required. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.

Late Night Refreshment - Indoors

Friday and Saturday: 23:00 – 00:00 (midnight)

Both hot and cold food and drinks may be provided during the times set out. PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year when New Year's Eve.

Sale by Retail of Alcohol - On the premises

Sunday - Thursday: 10.00 - 23.00, Friday and Saturday: 10.00 – 00.00 (midnight)

PLUS From 09.00 on New Year's Eve until 01.00 on 1 January every year.

The opening hours of the premises

Sunday - Thursday: 09.00 - 00.00, Friday and Saturday: 09.00 – 00.30

PLUS From 09.00 on New Year's Eve until 01.30 on 1 January every year.

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

The Original Bowling Company Limited
Focus 31 West Wing
Cleveland Road
Hemel Hempstead
Hertfordshire
HP2 7BW

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

Registered Business Number 05163827

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

Steven Woolgar

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

Annex I - Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

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

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 —

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:
- (b) “permitted price” is the price found by applying the formula—

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

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

S 21; mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
 - b) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:
 - a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films): or

 - b) In respect of premises in relation to:
 - I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or

 - II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:
 - a) “Security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and

 - b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Embedded Conditions:

On Licence

Alcohol may be sold or supplied from the end of permitted hours on New Year’s Eve to the start of permitted hours on the following day.

Public Entertainment Licence

The number of persons permitted on the licensed premises at any one time shall not exceed **500**.

All other conditions and restrictions removed.

Variations to Embedded Conditions:

Annex 2 – Conditions consistent with the Operating Schedule

For the Prevention of Crime and Disorder:

1. On Friday and Saturday evenings from 21.00hrs until close two SIA staff will be employed at the premises. If at any time thereafter numbers present in the Bowl exceed 200 a third door supervisor will be employed and if the capacity reaches in excess of 400 customers a fourth SIA member of staff will be employed.
2. The company will meet with the Police and Licensing Authority officials as and when necessary to ensure any new local crime prevention strategies are taken into account. Any measures agreed in writing between the company and any responsible authorities will be implemented and notified to the Licensing Authority.
3. Should the premises televise any International football matches involving any home national teams (England, Scotland, Wales and Northern Ireland), any European football final games involving British domestic teams, any homeland domestic football finals (FA Cup etc) or Brighton and Hove Albion televised matches, SIA staff will be employed in the premises at a ratio of 2 for the first 100 then 1 per 100 customers thereafter.

For Public Safety:

1. The maximum occupancy figure of 500 will continue to apply.
2. Any measures agreed in writing between the company and any responsible authorities will be implemented and notified to the Licensing Authority.

For the Prevention of Public Nuisance:

1. Any measures agreed in writing between the company and any responsible authorities will be implemented and notified to the Licensing Authority.

For the Protection of Children from Harm:

1. Entry to under 18 year olds after 21.00 will be prohibited unless the person is accompanied by a responsible adult.
2. At 21.00 any under 18 year old not accompanied by an adult still in the centre will be asked to leave.
3. Access to the bar area will be prohibited to under 18 year olds.
4. The company will continue to operate its proof of age scheme where there are any doubts about the age of an individual seeking to purchase alcoholic liquor.
The only proof of age documents that will be accepted are:

- a photographic driving licence (which will be checked to ensure that the licence holder is not in possession of a provisional driving licence and still under 18);
- a passport;
- an accredited proof of age card bearing the 'PASS' mark hologram.

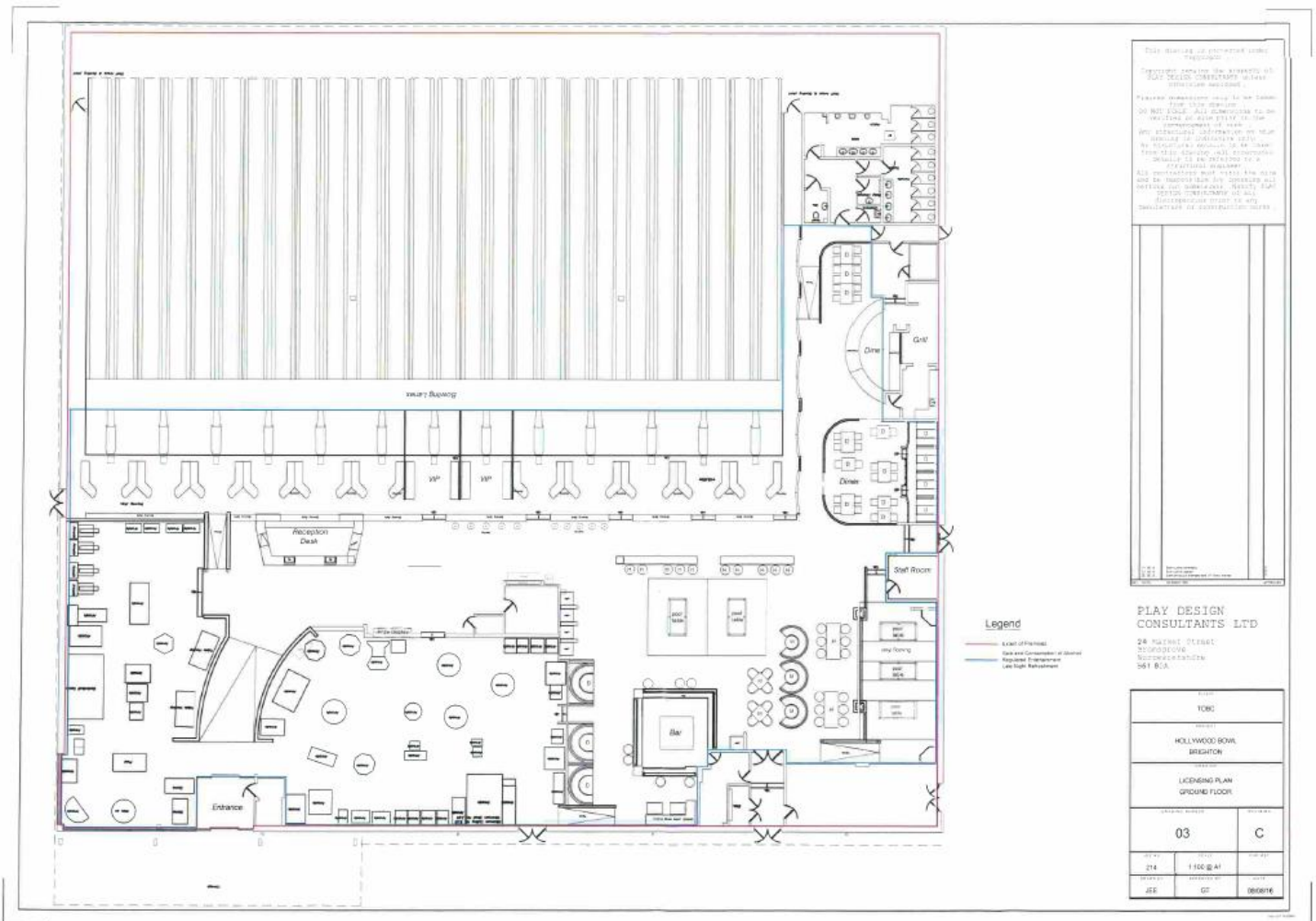
No other form of ID will be accepted unless by prior agreement jointly by the Licensing Authority and the Police.

All staff and management at the premises will be trained and undertake to check physically and examine all proof of age documentation presented to them to check their authenticity and that the date of birth shown on the ID confirms that the person is genuinely over 18 years of age.

5. All cash gaming machines on the premises will be closely supervised and situated within direct line of sight of staff both fixed and mobile. No children will be allowed to play on them.
6. Any measures agreed in writing between the company and any responsible authorities will be implemented and notified to the Licensing Authority.

Annex 3 – Conditions attached after a hearing by the Licensing Authority - N/A

Annex 4 – Plans



APPENDIX C

First Floor
Police Station
John Street
Brighton
BN2 0LA

22nd February 2018

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

SC CON ENDS 22.02.18 VALID PCD, PS & PCH (A)

Dear Sarah Cornell,

RE: APPLICATION TO VARY THE PREMISES LICENCE FOR HOLLYWOOD BOWL, BRIGHTON MARINA, BN2 5US UNDER THE LICENSING ACT 2003. 1445/3/2018/00353/LAPREV

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above variation application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder, public safety and for the protection of children from harm. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy (SoLP).

This is a proposed licence variation for a premises that is located in Brighton Marina. The application asks for the below conditions to be removed from the Premises Licence:

Annex 2- Conditions consistent with the Operating Schedule

For the Prevention of Crime and Disorder

1. *On Friday and Saturday evenings from 21.00 hours until close 2 SIA staff will be employed at the premises. If at any time thereafter numbers present in the Bowl exceed 200 a third door supervisor will be employed and if the capacity reaches in excess of 400 customers a fourth SIA member of staff will with employed"*

For the Protection of Children from Harm

3. *Access to the bar area will be prohibited to under 18 year olds.*

Sussex Police have concerns over this premises removing the SIA staff on a Friday and Saturday night, and have raised this with the premises and their Agent.

The main concern being that condition 2 under protection of children from harm is still to remain on the Premises Licence. It reads as follows:

2. *At 21.00 any under 18 year old not accompanied by an adult still in the centre will be asked to leave*

This condition has the potential to be breached if there are no SIA doorman on the door to challenge any under 18 year old's entering the premises or asking any young persons to leave.

The applicant proposes that this condition will be managed by the proposal:

"Age checks will be done by staff who know that under 18's post 9pm must be accompanied"

Sussex Police believe this is not a strong enough proposal and is a cause for concern as staff members acting as door staff or security must be SIA accredited. Therefore this could potentially put staff members at risk. Additionally, there is no provision made for staff training around this specific condition and so any member of staff not aware of the restrictions could allow a number of under 18 years to move freely around the premises after 21.00.

Referring to the Statement of Licensing Policy 5.1.3 Part C - Conditions may be imposed in accordance with operating schedules to protect public safety including where justified (Section C) use of door supervisors, licensed by the security Industry Authority.

Sussex Police strongly feel the presence of SIA door staff at this venue is reducing crime and disorder and increasing public safety as the premises has not experienced many incidents over the last 12 months on a Friday and Saturday evening. The Premises will be running a risk of increased Crime and Disorder and undermining the Licensing Objectives should SIA door staff be removed due to multiple issues in the locale.

The applicant did not seek pre consultation with Sussex Police prior to submitting their application and a number of proposed conditions have been offered to the Premises and their agent which have been declined.

Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,

Insp Di Lewis
Licensing & Response Inspector
Local Policing Support Team
Sussex Police

APPENDIX D

