




**Brighton & Hove
City Council**

Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	24 July 2018
Time:	10.00am
Venue	Hove Town Hall, Room G91
Members:	Councillors: O'Quinn, Hyde and Deane
Contact:	Gregory Weaver Democratic Services Officer 01273 291214 greg.weaver@brighton-hove.gov.uk

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AGENDA

15 TO APPOINT A CHAIR FOR THE MEETING

WELCOME & INTRODUCTIONS

16 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.

17 BLOC MEMBERS CLUB - TEMPORARY EVENT NOTICE (LICENSING ACT 2003) 5 - 36

Contact Officer: Emma Bullen
Ward Affected: Queen's Park

Tel: 01273 292381

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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

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

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

For further details and general enquiries about this meeting contact democratic.services@brighton-hove.gov.uk

Date of Publication - Monday, 16 July 2018

LICENSING PANEL

(Licensing Act 2003 Functions)

Agenda Item

Brighton & Hove City Council

Subject:	Notification of a Temporary Event Notice under the Licensing Act 2003		
Premises:	Bloc Members Club, 31 Old Steine, Brighton, BN1 1EL		
Applicant:	Alan Frank Barrett		
Date of Meeting:	24 July 2018		
Report of:	Director of Neighbourhoods, Communities & Housing		
Contact Officer:	Name:	Emma Bullen	Tel: (01273) 292381
	Email:	emma.bullen@brighton-hove.gov.uk	
Ward(s) affected:	Queens Park		

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 and Public Safety** 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: **3rd – 5th August**
- 3.2 The proposed activities are:

	Proposed Activities
Sale by Retail of Alcohol	3 rd – 4 th : 13:00 – 02:00 – both on and off the premises 4 th – 5 th : 10:00 – 03:00– both on and off the premises 5 th : 11:00 – 00:00– both on and off the premises
Regulated entertainment	3 rd – 4 th : 13:00 – 02:30 4 th – 5 th : 10:00 – 03:30 5 th : 11:00 – 00:00
Late Night Refreshment	3 rd – 4 th : 23:00 – 02:00 4 th – 5 th : 23:00 – 03:00 5 th : 23:00 – 00:00

- 3.3 The area to be covered by the temporary event notice: **whole premises**
- 3.4 Please see a copy of the Temporary Event Notice attached at **Appendix A**.

Objections received

- 3.5 The **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, Prevention of Public Nuisance and Public Safety**.
- 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 in **Appendix C**.
- 3.8 A copy of the current Premises Licence is attached in **Appendix D**.

4. COMMENTARY ON THE LICENSING POLICY

- 4.1 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.

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: 16/07/2018

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 2016 as amended 24th March 2016.

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018.

Background Documents

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

APPENDIX A

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 checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	BARRETT		
Forenames	ALAN FRANK.		
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		Day	Month
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Post town		Postcode	
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Brighton & Hove City Council

09 JUL 2018

Health, Safety & Licensing

chq barbed
 9/7/18 118891
 DL

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

2. The premises

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)

31 OLD STEINE, BRIGHTON
BN1 1EL.

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

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)

Please describe the nature of the premises below. (Please read note 4)

CLUB/BAR PREMISES AT PRESENT NOT OPERATING.

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

BRIGHTON PRIDE WEEKEND - TO PROVIDE SNACKS, SOFT DRINKS, AND ALCOHOLIC DRINKS.

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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 checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" 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)	
3RD 4TH 5TH AUGUST 2018.	
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)	
3RD AUGUST 13-00 - 4TH AUGUST 02-00 ALCOHOL & REFRESHMENT 02-30 4TH AUGUST 10-00 - 5TH AUGUST 03-00 ALCOHOL & REFRESHMENT 03-30 5TH AUGUST 11-00 - 00-00.	
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)	75
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 <input checked="" type="checkbox"/>

<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> <p>RECORDED MUSIC</p> <p>TIMES AS IN APPLICATION FOR EACH DAY ABOVE FROM OPENING TO CLOSING</p>
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority		
Licence number		
Date of issue		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" 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 checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
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 checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

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	
Date	6th JULY 2018
Name of Person signing	ALAN BARRETT

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	

Risk assessment

Company name:

Date of risk assessment:

What are the hazards?	Who might be harmed and how?	What are you already doing?	Do you need to do anything else to control this risk?	Action by who?	Action by when?	Done
Opening during Pride weekend in the early mornings at a time when there are increased persons on the street and customers may be more highly excitable due to occasion and intoxication	Staff and customers may be harmed or confrontation caused when persons trying to gain entry are refused or asked to move on	General good housekeeping is carried out. All areas well lit	Re-enforce existing policies, remind staff and carry out further documented training on law and conditions on the licence where required.	All staff, and Manager	Ongoing	
As above	As above		Employ one Door Supervisor each day from 5pm and an extra one from 8pm to Closing on Friday and Saturday	Premise Licence Holder	To be confirmed as soon as possible	
As above	As above		Ensure up to date information from BCRP is available and Duty Manager is fully aware and passes it on.	Premise Licence Holder	To be confirmed as soon as possible	
Increased use of toilets	One person at a time per cubicle for proper use only	Observation from Staff and Management	Ensure Door staff are extra vigilant	All Staff and Management	Ongoing	

APPENDIX B



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

Police Station
John Street
Brighton
BN2 0LA

Tel: 01273 470101 ext 550829

Email: brighton.licensing@sussex.pnn.police.uk

Valid PCD, PN, PS
EB.

EB con ENOS 13/7/18

12th July 2018

The Licensing Technical Support Officers

Environmental Health, Brighton & Hove City Council
Bartholomew House, Bartholomew Square
Brighton, East Sussex
BN1 1JP

**RE: TEMPORARY EVENT NOTICE FOR 31 OLD STEINE, BRIGHTON, EAST SUSSEX, BN1 1EL
FOR 3rd – 5th AUGUST 2018**

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 Temporary Event Notice (TEN) on the grounds of the prevention of crime and disorder, public safety and public nuisance.

The TEN seeks to licence the sale by retail of alcohol (both on and off the premises) and the provision of regulated entertainment with the following timings:

Sale by Retail of Alcohol

3 rd – 4 th August 2018	13:00 – 02:00
4 th – 5 th August 2018	10:00 – 03:00
5 th August 2018	11:00 – 00:00

Sussex Police Headquarters
Malling House, Church Lane, Lewes, E. Sussex, BN7 2DZ

Telephone: 101 | 01273 470101

Email: brighton.licensing@sussex.pnn.police.uk

Regulated Entertainment and Refreshments

3 rd – 4 th August 2018	13:00 – 02:30
4 th – 5 th August 2018	10:00 – 03:30
5 th August 2018	11:00 – 00:00

Of note, the Pride Village Party (PVP) takes place over two days (Saturday 4th and Sunday 5th August) and has a capacity of 42,000 this year. It covers St James's Street and the surrounding roads and is one of the largest annual events in the city. It does not include the Old Steine (where this premises is located) however, the PVP will have a massive impact on the venue with footfall of participants making their way to the entrance of the PVP which is round the corner from the premises.

There is no official PVP event on the Friday 3rd August and so the nearby streets are not closed and are operating as usual.

Although 31 Old Steine has an existing Club Premises Certificate in place, the premises itself has been closed since July 2015 and no licensable activity has been taking place there as far as we are aware.


Sussex Police have the following concerns about this TEN application:

- The TEN offers limited information with no steps as to how the Licensing Objectives will be promoted e.g. Challenge 25, provision of SIA doorstaff, use of plastics etc.
- This premises is situated on the Old Steine, which is one of the busiest areas when the PVP and the Pride event is in progress and is one of the main access/egress routes into the city center.
- The applicant has not consulted with either Brighton Police Licensing or Pride PVP organisers prior to submitting the application.
- The timings being applied for on the TEN do not match the planned and coordinated hours for the surrounding PVP event on any of the 3 days covered.
- The applicant is applying for both on and off sales with no further information as to whether this is from inside the premises or whether an outside bar will be set up. This could mean supplying customers who will be congregating on the pavement outside the premises causing a possible pinch point.
- The TEN also mentioned there will be 'Recorded music – times as in application for each day from opening to closing'. As the premises is very small (capacity on the TEN is listed as 75 people), this again may encourage people to congregate in a potentially crowded area and look to start up to eight hours before the controlled PVP music on Saturday 5th August.

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, risk to public safety and potentially cause issues with 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'.

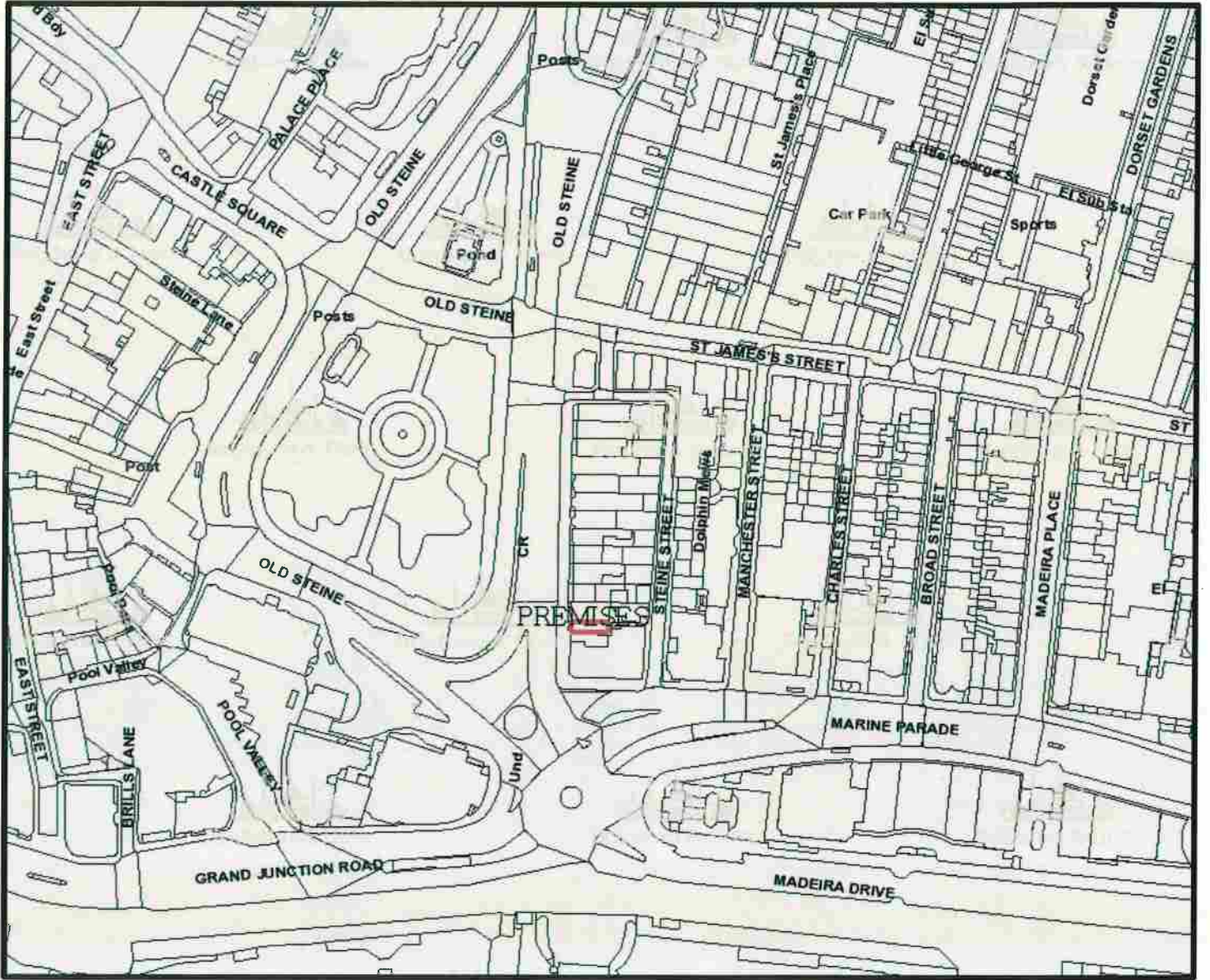
Yours faithfully,



Lisa Bell
Chief Superintendent
Divisional Commander
Brighton & Hove Division

Please address all future correspondence to Brighton & Hove Licensing Unit, First Floor, Police Station, John Street, Brighton, BN2 0LA.

APPENDIX C



APPENDIX D



Brighton & Hove City Council

Club Premises Certificate Brighton and Hove City Council

Club Premises Certificate Number

1445/3/2014/04213/LAPREC

Club Details

Name of club in whose name this certificate is granted and relevant postal address of club, including Post Town, Post Code

Bloc Members Club
31 Old Steine
Brighton
BN1 1EL

Telephone number 01273 803256

Qualifying club activities authorised by the certificate

Supply of Alcohol
Exhibition of a Film
Performance of Recorded Music

Times the certificate authorises the carrying out of qualifying club activities

Exhibition of a Film

Sunday – Wednesday 12:00 – 00:00

Thursday - Saturday 12:00 – 01:30

Performance of Recorded Music

Sunday – Wednesday 12:00 – 00:00

Thursday - Saturday 12:00 – 01:30

Supply of Alcohol

Sunday – Wednesday 12:00 – 23:30

Thursday - Saturday 12:00 – 01:30



Brighton & Hove City Council

The opening hours of the club

Sunday – Wednesday	12:00 – 00:00
Thursday - Saturday	12:00 – 02:00

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

Alcohol is supplied for consumption on the Premises.



Brighton & Hove City Council

Annex I - Mandatory conditions

1. (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.
2. The responsible person shall ensure that no alcohol is dispensed 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).
3. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



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4. (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.
5. 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.”
6. 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.



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7. 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(1);
 - (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(2).
8. 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.
9. (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.



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S 74; mandatory condition: exhibition of films

1. Where a club premises certificate authorises the exhibition of films, the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the certificate, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where -
 - (a) The film classification body is not specified in the certificate, or
 - (b) The relevant licensing authority has notified the club which holds the certificate that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section –
“children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

Annex 2 - Conditions consistent with the Operating Schedule:

General:

1. The Committee of the club will supply contact details of email and/or mobile telephone number by which those who made a representation (in respect of the application for new Club Premises Certificate) can contact the Designated Committee Member or responsible person on duty at any time the club is open.
2. There will be no changes to the club rules without the prior written approval of the Licensing Authority (Brighton & Hove City Council) and Sussex Police.
3. During licensable hours council officers and police licensing officers (or police officers authorised for specific entry to this premises by the duty inspector) will be given immediate and full access to the premises for licensing visits.



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For the Prevention of Crime and Disorder:

4. The club will join the Brighton Crime Reduction Partnership (BCRP).
5. On nights it is open after 24:00 hours the club will employ SIA door supervisors from 23:00 hours to monitor persons wanting to gain entry other than members and their guests and to ensure that smokers do not congregate in numbers and make a noise outside the premise.
6. At all other times the use of SIA door supervisors will be based on a risk assessment by the Committee of the club in consultation with the police and receiving any advice offered, the outcome of the risk assessment will be recorded in writing.
7. (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises internally and externally to cover all areas accessible to members, including the entrance to the premises.

(b) The system shall be on and recording at all times the premises licence is in operation.

(c) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(d) CCTV footage will be stored for a minimum of 28 days.

(e) Excepting that the premise is a members club with no automatic right of entry, the Committee will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime at the club or outside in its immediate vicinity.

(f) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(g) Subject to Data Protection guidance and legislation, the Committee of the Club will ensure that key members are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.

(h) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.



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8. A members and guests log book and incident book (which may be in paper or electronic form) will be maintained by the premises showing a detailed note of :
 - Members;
 - Members who have entered the premises (and signed in) during licensable hours;
 - Guests of members (the guest will sign in), including which member has signed in which guest and who is responsible for the guest whilst they are on the premises.
 - The total number of times during the year that an individual guest has been admitted to the premises during a calendar year (re maximum of four guest admissions per person per year).
9. The members log book and incident log will be inspected and signed off (with the date) by a manager or Committee member at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. If in electronic form, a hard copy print out of the contents of the book will be provided to authorised officers of the Licensing Authority or the police upon request.
10. The member who signs in a guest or guests will be responsible for the guest or guests all the time the guest or guests remains on the premises.
11. The front door to the premises will be kept closed (except for entry and egress) at all times there is no SIA door supervisor on duty controlling entry to the premises.
12. When an SIA registered door supervisor is not on duty, a member of the club Committee or a 'controller' appointed by the club committee will be on the premises and supervise admission of members and their guests, together with their recording in the members and guests book.

Prevention of Public Nuisance:

13. After 23:00 all doors and windows will be kept shut except for entry and exit and the Committee will monitor the premise outside to ensure there is no unnecessary noise escape.
14. After 23:00 members will not be allowed to congregate in numbers of more than 8 at a time outside the premise and will not at any time be allowed to take any drinks outside the premise.



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15. A notice will displayed inside the entrance to the club in a position where it can be seen at the door and preferably from outside stating that: "It is a condition of use of the club that Members and Guests are only allowed to smoke outside immediately in front of the premises and not to wander along in front of other adjoining properties and that only 8 persons are allowed outside there after 23:00 hours".
16. Recorded music shall be performed only through a sound level limiter, which shall be set, using tamper proof technology, in conjunction with an authorised officer of Environmental Health and Licensing.

Public Safety: N/A

Protection of Children from Harm:

17. It is a requirement of the club rules that no one under the age of 18 years can be accepted as a member or guest of the club and photographic proof of date of birth is a condition of membership and for guests, when being signed in at any time. Acceptable proof of ID must be photographic and will include passports, other National ID cards, Driving Licences and any card bearing the 'Pass' hologram as approved by the licensing authority.
18. No persons under 18 will be permitted on the premises at any time, whether a member, guest or otherwise.

Annex 3 – Conditions attached after a hearing by the licensing authority: N/A



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Annex 4 – Plans

