

BRIGHTON & HOVE CITY COUNCIL
LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

10.00am 3 JUNE 2019

ROOM G90, HOVE TOWN HALL

MINUTES

Present: Councillor ; Deane, O'Quinn and Wares

Officers: Emma Bullen (Licensing Officer), Mark Savage-Brooks (Licensing Authority Officer), Liz Woodley (Lawyer), Gregory Weaver (Democratic Services Officer)

PART ONE

1 TO APPOINT A CHAIR FOR THE MEETING

1.1 Councillor Jacqueline O'Quinn was appointed Chair for the meeting.

2 PROCEDURAL BUSINESS

2a Declaration of Substitutes

2.1 Councillor Wares declared that he was substituting for Councillor Carol Theobald.

2b Declarations of Interest

2.2 There were none.

2c Exclusion of the Press and Public

2.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Panel considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

2.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of Item 3 onwards.

3 UNIT 1, SAVOY CENTRE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

3.1 The Panel considered a report of the Executive Director of Neighbourhoods, Communities & Housing in relation to an application for a variation of a Premises

Licence under the Licensing Act for Unit 1, The Savoy Centre, 10 Pool Valley, Brighton, BN1 1NJ. Present at the hearing were: Emma Bullen (Licensing Officer), Matthew Dimmack (applicant), Paddy Whur (Applicant Solicitor), Mark Savage-Brooks (Licensing Authority Representation), Mark Thorogood (Sussex Police) and Debbie Gibson Leigh (BOTLAT Representation)

Introduction from the Licensing Officer

3.2 The Licensing Officer highlighted the following:

- This was an application for a new premises licence for Unit 1 Savoy Centre, 10 Pool Valley, Brighton
- The application was for live music venue, arts space and bar and was applying for various regulated entertainment from 11am-4am every day with on sales of alcohol until 3.30am and late-night refreshment until 4am.
- The Licensing Authority received 6 representations. They were received from Sussex Police, the Licensing Authority, the Environmental Protection team, a local Councillor, a resident association and a Local Action Team. The representations had concerns relating to all four licensing objectives and Cumulative Impact
- The premises was situated in the CIZ. The Special Policy stated that application which are likely to add to the existing cumulative impact would be refused following relevant representations. This presumption of refusal could be rebutted by the applicant if they could show that their application would have no negative cumulative impact on licensing objectives
- The special policy was not absolute. Upon receipt of a relevant representation, the licensing authority would always consider the circumstances of each case and whether there were exceptional circumstances to justify departing from its special policy
- The Panel would also be aware of the Matrix approach to licensing decisions found within the Statement of Licensing Policy and Page 11 of the Agenda. This included a table with provisions for a terminal hour for licensed activities for different classes of license premises in a particular area, recognising the diverse operations and different risks prevented by those premises.

Questions to the Licensing Officer

3.3 In response to Councillor O'Quinn, the Licensing Officer stated that she did not know the capacity limit for the venue.

3.4 Matthew Dimmack, applicant, clarified that a risk assessment estimated that capacity was around 501.

Representation from Sussex Police

3.5 Mark Thorogood, Sussex Police addressed the panel and stated the following:

- This was an application for a new late night premises licence impacting Pool Valley and East Street both of which were within the Cumulative Impact Area as defined by the Brighton & Hove City Council Statement of Licensing Policy 2019

- This application followed a similar one that was applied for last July 2018 for the premises currently known as Dirty Blonde to have a new licence and for the Haunt venue to move into – this was granted with a number of conditions. The Haunt now wished to move in to Unit 1 which was originally occupied by Days Buffet restaurant
- It was understood that the premises would be split in to 2 venues. One in Pool Valley with its own entrance and exit which would be used as an event / live music / club venue and then a café / bar in a smaller part of the building with its entrance and exit on East Street
- As with all areas of the City that were in close proximity to late night venues, they attracted a number of issues relating to crime and disorder, public nuisance and public safety. The issues that arose were generally linked to alcohol and the area around the East Street had its fair share of night time economy incidents and as such fell within the Operation Marble area – the Police response to weekend night tie policing. The dedicated officers for Operation Marble were generally deployed in the area between 22:30 – 04:00. After this time, the Marble area falls back under the control of the night duty officers who were also tasked with resourcing the rest of the City.
- The venue was situated in the Regency ward, where under the 2019 Public Health Framework it ranked 2nd highest out of 21 wards for police recorded alcohol related incidents and expected criminal damage, was the highest for all other crime and disorder data including violence and sexual assaults.
- Sussex Police had some concerns over the following aspects of the application:
 - 04:00 licence – Sussex Police were concerned that the 04:00 licence for the whole of the building will have a negative impact within East Street. This was previously a restaurant closing a lot earlier, around midnight I believe. Running as a proposed bar in the evening within the East Street part of the building would mean possibly high intoxication levels and emptying out on to East Street in the early hours of the morning. There was a bar opposite it as well as a number of others within close proximity.
 - There were now a number of licenses within this building complex. To ensure no negative impact, assurances needed to be given that these would be surrendered or variations submitted to ensure there weren't a number of late night licenses that could at any time, increasing the number of late licenses / clubs in the area.
- Currently it was believed that there was a:
 - Night club and casino licence in the current Haunt
 - Possibly a new night club type licence in the old Days Restaurant (what we are here for today)
 - 2 late night club type licenses at Dirty Blonde
- The plan was to possibly alter Dirty Blonde to a Restaurant / café style setup but no variation has yet been submitted and proposals on operating. Unless a variation was submitted and within that opening times were reduced, there was an increase in late night drinking venues on East Street if this licence was granted.
 - Within a case summary pack that was received on Friday 31st May from the applicant, it stated that if the licence was granted the new Haunt would be able to offer a live venue with a 350 seat theatre, rehearsal and recording space as well as a flexible live music and performance space. None of which would be capable

of being accommodated on the current location or within the current Dirty Blonde premises. This raised concerns over the venue being used more regularly than the current location or if it were to move in to Dirty Blonde thus having a negative impact on the area.

- Sussex Police were currently finding it hard to be able to support such an application in its form. Within the pack, a number of conditions had been proposed some of which were originally not approved by the applicant however, conditions had been agreed upon. Though these went some way to promote the licensing objectives it was felt that within the Pool Valley location, some restrictions needed to be considered to ensure there was no impact on the surrounding area by the space being used more regularly and possibly imposing separate trading hours for the East Street Premises with those being heavily reduced from what the applicant was currently asking for.

Questions to Sussex Police

3.6 In response to Councillor Wares, Mr Thorogood stated the following:

- noted that issues had arisen in regards to the changing of licences around units.
- The door staff ratio was 1 for every 100 people, what was currently in the application was enough to ameliorate any concerns in regards to door security
- It was noted that in the past police vans with 6 PCs would be stationed on West Street and that there was a possibility of this taking place again
- It was stated that around 8:30pm shatterproof glasses could be gradually provided

3.7 Paddy Whur, solicitor, stated that the applicant was more than happy to provide shatterproof glasses throughout the evenings as a matter of practice in order to further help address concerns.

3.8 In response to Debbie Gibson Leigh, Mr Thorogood stated that there was also the possibility of 4 further venues opening up in the vicinity this year.

Representation from Licensing Authority

3.9 The Licensing Officer addressed the panel and stated the following:

- The representation was made as the Licensing Team had concerns that the application, as submitted, could have a negative impact on the licensing objectives of prevention of crime and disorder and public nuisance, due to the premises' location within the Cumulative Impact Area.
- There was no reference within the application to the premises' location within the City's Cumulative Impact Area. Applicants were expected to demonstrate an understanding of how the CIZ policy impacted on their application; any measures they would take to mitigate the impact; and why they considered the application should be an exception to the policy.
- In addition to the Special Policy on Cumulative Impact, the Council's Statement of Licensing Policy included a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. In regard

to the Matrix policy, where it clearly indicated that no new nightclub licenses should be granted within the Cumulative Impact Area.

Questions to the Licensing Authority

- 3.10 In response to Councillor O'Quinn, the Licensing Authority Officer gave a brief history of meetings with applicant.
- 3.11 Paddy Whur, stated that this was agreed with the Environmental Health Team.
- 3.12 In response to Councillor Wares the Licensing Authority Officer stated that the cumulative impact was based on the impact assessed for that area. The officer noted the capacity of venues currently operating in the vicinity.

Representation from Debbie Gibson-Leigh

- 3.13 Ms Gibson Leigh addressed the panel and stated the following:
- There was confusion among residents due to the amount of information being exchanged
 - Main concerns for residents were around noise leakage from the venue, bottles at night and the effect of having another pub at the southern end of east street.
 - It was noted that issues caused by the Haunt were manageable if it remained open till only 11pm.

Questions to Ms Gibson-Leigh

- 3.14 In response to Councillor Wares, Ms Gibson-Leigh stated the following:
- That since meeting in September there was an agreement to give the applicant some time to fulfil what was agreed, however refuse was still being collected at unsociable hours on Brills Lane.
 - It was stated that anti-social behaviour was also of concern and that a move to Unit 1 would be beneficial for residents as it appeared likely that people would move towards Clarendon Mansion.
- 3.15 In response to Councillor Deane, Ms Gibson Leigh stated that licenses had immensely increased recently.
- 3.16 The applicant clarified that there were 2 other businesses operating in the area and confirmed that future plans would have all refuse collection moved away from Brills Lane.

Representation from Paddy Whur

3.17 The Solicitor, on behalf of the applicant, addressed the panel and stated the following:

- Under condition 1, where if unit 4 ceased to be a casino, efforts would be made to make sure this would not add to the cumulative impact.
- Noted that 2 meetings with responsible authorities had taken place.
- It was stated that unit 1 that was being applied for had been through the planning process and was supported by the regeneration and development department as something that could have a positive impact.
- Planning created 3 condition precedents as part of section 106.
- It was noted that there was capacity for 430 people at the Unit 1 along with trading hours set till midnight.
- What was being pursued was a more user friendly system as Unit 3 was compromised in terms of queues towards Clarendon Mansions.
- Condition 1 from the previous licensing panel was referred to as it could now be activated as long as other licences were surrendered.
- It was noted that Police had stated that Dirty Blonde would be downgraded to match the current unit 1 licence as there wouldn't be any cumulative impact.
- Reciprocal benefits were highlighted such as:
 - The ability to hold club nights, a performance space, arts hub rehearsal space and theatre at the venue.
 - It was noted that 150 shows were missed out last year as a result of the lack of this space.
 - 1 million pounds was to be spent on creating something that didn't yet exist in Brighton with a further 1 million pounds due to be spent at the Casino.
- The conditions offered to residents regarding efforts to curtail noise leakage were noted for the panel to consider.
- It was stated that the east street entrance stalls would have patrons expelled at 11pm.
- Bottles and glasses were to be emptied between 9-10am.
- It was stated that queues would be supervised by SIA certified security staff.
- It was stated that the Dirty Blonde licence could be varied to match the current Days Restaurant licence.
- It was stated that the applicant was amenable to accepting all conditions that were put forward.

Questions to Paddy Whur

3.18 In response to Councillor O'Quinn, the solicitor stated the following:

- That patrons would queue in the same place as unit 4 but in a different location and that unit 4 had a lot of queuing space compared to unit 3.
- It was noted that Councillor Druitt did not respond to messages.
- It was further stated that the venue was designed to house shows of 150 upwards including a 350 seated theatre and that independent shows could take place over the Theatre Royal as it only booked ATG productions.
- It was stated that many artists did not come to Brighton as there was not yet a venue of this style available to house them. It was further stated that the applicant

would be working with the Brighton Institute of Modern Music to convert the old underground kitchen space to a rehearsal venue.

3.19 In response to Councillor Wares the solicitor stated the following:

- Both ends of the building were not connected all the way through and people would have to leave the building and enter via a separate entrance to provide their tickets.
- It was noted that the East Street venue café would not be a pub.
- The Licensing Act gave flexibility and that it was noted that the applicant had been willing to compromise in order to alleviate any and all concerns as put forth by residents and the police.

3.20 In response to the Licensing Authority Officer, the Solicitor stated that if the casino moved out of unit 4, the licence at the old Haunt would be pulled back to the original hours, it was further stated that this could be offered as part of the condition now that Paddy Whurs was the main solicitor.

Final Summary

3.21 The Licensing Officer addressed the panel and stated the following:

- The Licensing Guidance stated that: in determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority gave appropriate weight to:
 - The steps that were appropriate to promote the licensing objectives.
 - The representations (including supporting information) presented by all the parties.
 - This guidance.
 - Its own statement of licensing policy
- It was important to note that each application would be given individual consideration on its own merits.

3.22 Mark Savage-Brooks stated no change.

3.23 Mark Thorogood, noted Sussex Police's concerns regarding the East Street entrance being used and requested that this be the subject to condition.

3.24 Debbie Gibson-Leigh stated she was happy with the range of issues covered and further noted her concern regarding the use of the East Street entrance and also requested that the ensuing conditions addressed this.

3.25 The Solicitor addressed the panel and stated the following:

- Noted that amendments and surrenders be part of considerations taken.
- Proposed that the East Street entrance be cleared and closed by 11pm.
- The capacity of the area would not exceed the number of seats available.
- Light food and snacks would be available at all times as there were no kitchens. There would be no drinks promotions or discounts.

- In order to future proof the licence, it was proposed that if this were granted then the frontage area would be removed from the licence.

3.26 **RESOLVED** – That the Panel’s decision was as follows:

This is an application for a new premises licence within the Cumulative Impact Zone (CIZ) and therefore is subject to the special policy on cumulative impact as set out in the Statement of Licensing Policy. The application is for a live music venue, arts space and bar to operate from 11:00 to 03.30 every day with licensable activities until 04:00. Representations received were from a Resident Association, the Local Action Team, a ward councillor, Sussex Police, the Environmental Protection Team and the Licensing Authority. Prior to the hearing, the Environmental Protection Team’s representation was withdrawn, following agreement with the applicant about conditions. Conditions were also agreed with the Police, but their representation was not withdrawn as they still had concerns about the potential negative impact on the area of the application.

Our policy states that applications for new premises licences will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative cumulative impact. The special policy will only be overridden in exceptional circumstances. However, the policy is not absolute and the panel must consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in light of these.

The Statement of Licensing Policy also includes a matrix approach to licensing decisions. It provides a framework of what the licensing authority would like to see within its area. It provides that within the Cumulative Impact Area, applications for non-alcohol lead premises will receive favourable consideration, whereas applications Pubs and night clubs are likely to be refused.

We heard from the Police representative that there had been prior consultation of the application with the Applicant. The Police understood that the intention was for the Haunt to relocate from Unit 4 to Unit 1 of the Savoy Centre. Unit 1 would be split into two “venues” – a night club, live music venue and performance space, accessed from Pool Valley and a café bar accessed from East Street. That was not clear from the application. The Police were particularly concerned about the hours for sale of alcohol for the East Street bar. A number of other late night venues were concentrated in that area.

The Licensing Authority’s representative confirmed that he had met with the Applicant last year to discuss the application, and agreed with the Police that it was somewhat lacking in detail. He conceded that the conditions agreed with the Police and Environmental Protection would probably address some of the by Cumulative Impact issues raised in his representation.

We heard from about the concerns of local residents, particularly those living in Clarendon Mansions. Their main concerns were the creation of another pub with late hours in East Street and noise, be it from dumping bottles or waste collection at anti-social hours. The representative confirmed that as far as residents were concerned, moving the Haunt from Unit 4 to Unit 1, not using Brills Lane for refuse storage and restricting the hours for waste collection to between 08,00 and 21.00 hours would be an improvement.

The Police and Licensing Authority were concerned that the Applicant had not addressed Cumulative Impact in their application or set out what exceptional circumstances may apply to justify a departure from the policy.

In his presentation to the Panel the applicant's legal representative explained the patchwork of Licensing Act licences applying to the Savoy Centre and expanded on how Unit 1 would be used.

Licensing Act licences in force for Units within the Savoy Centre include the following:-

Unit 1 – sale of alcohol, performance of live and recorded music 11.00 to 23.30. Late night refreshment 23.00 to 00.00. The premises had operated as a restaurant.

Unit 3, 75 -79 East Street – licence granted 28 September 2018 – performance of live music 11.00 to 23.00, performance of dance, exhibition of film, live and recorded music 11.00 to 04.00, late night refreshment 23.00 to 04.00, sale of alcohol for consumption on the premises 11.00 to 03.30. The intention had originally been for the Haunt to move into these premises. Another licence, predating the September 2018 licence is still in force.

Unit 4 –sale of alcohol for consumption on and off the premises 11.00 to 04.00, other licensable activities 11.00 to 04.00. The unit currently operates as “The Haunt”. Rank PLC has successfully applied to move their casino into Unit 4, and they have been granted licences under both the Licensing Act 2993 and Gambling Act 2005 for this. .

The application before the Panel is to allow the Haunt to move to Unit 1, rather than Unit 3. If the application were to be granted, the 28 September 2018 Unit 3 licence and Unit 1 licences would be surrendered, and the remaining Unit 3 licence would be varied so that it mirrored the timings of the existing Unit 1 restaurant operation. The applicant was content for conditions to be imposed on the licence preventing it from coming into effect until such time as these pre-conditions had been satisfied.

In relation to the East Street bar, we were advised that the intention was to operate it as a café in the day, changing to a pre-event bar in the evening, selling wine, beers and lager. It would be closed at 23.00 hours and there was no direct access between the bar and the Pool Valley premises. It was a relatively small venue, accommodating 40-50 customers. In response to our concerns about ensuring that in future the venue could not evolve into a traditional pub, the applicant offered the following conditions:-

Sale of alcohol for consumption on the premises – 12.00 to 23.00 hours

Premises to be closed and cleared of customers by 23.00 hours

Light food and snacks to be available at all times

Capacity not to exceed the number of seats available

During the Panel led discussion, the applicant's representative also agreed to the use of shatterproof glasses at all times, not just after 21.00 hours as agreed with the Police.

We have considered the individual circumstances and merits of this application. On reviewing the application as a whole, we are satisfied that the premises do not fall into the non-alcohol lead category in our matrix. Instead the application falls to be determined as a pub/nightclub.

The circumstances surrounding this application are complex. We were pleased that the applicant had submitted comprehensive conditions in the operating schedule, and had agreed revised and updated conditions with the Police and Environmental Protection to address their concerns.

While we welcome such measures, it would have greatly assisted our deliberations had more details about the operation of the premises had been supplied earlier. Separate applications for the East Street bar and Pool Valley space would also have clarified matters for us. However, the Panel considered that with appropriate conditions the application could represent an improvement to the existing licences in place for the Savoy Centre and did address many of the specific concerns raised by those making representations. On the basis of these unusual and exceptional circumstances the panel considers that the application will not add to cumulative impact and has therefore decided to grant this application. We set out below the conditions and restrictions upon which the licence is to be granted. We are satisfied that they are appropriate to address the licensing objectives.

- i) The mandatory conditions
- ii) Conditions agreed with Environmental Protection - see Appendix 1
- iii) Conditions agreed with the Police, - see Appendix 2. Where these are incompatible with Conditions agreed with Environmental Protection, those agreed with Environmental Protection shall prevail. Condition 13 - shatterproof glasses - is amended following the applicant's concession noted above.

iv) The following special conditions imposed as a result of the hearing:-

General

a) The licence shall not come into effect until the existing Unit 1 licence and the Unit 3 Licence granted on 28 September 2018 have been surrendered, and a variation of the remaining Unit 3 licence has been granted on terms no more generous than those attaching to the current Unit 1 licence

East Street Bar

b) The East Street Bar, shown hatched on the plan, is licensed for the sale of alcohol for consumption on the premises between the hours of 12.00 to 23.00 hours
There shall be no sale of spirits
The bar shall be closed and cleared of customers by 23.00 hours
Light food and snacks shall be available at all times
The capacity of the bar shall not exceed the number of seats.
For the avoidance of doubt, the bar is not licensed for plays, films, live music or performance of dance

v) Conditions consistent with the Operating Schedule to the extent that they have not been superseded by any conditions referred to above.

APPENDIX 1**Conditions agreed with Environmental Protection for the prevention of public nuisance:**

- Prominent and clear notices will be displayed at the exit points requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
- Patrons will not be permitted to take drinks outside of the premises to consume whilst smoking.
- The windows to remain closed after 21.00 hours, while any entertainment is provided. Otherwise all windows shall be closed after 23.00 hours. The management to undertake routine monitoring to ensure levels of music are not excessive and take appropriate action where necessary.
- Bottles and glass are to be emptied between the hours of 9am and 10pm only.
- Other than for emergency purposes and/or disabled access/egress, no public access or egress to the live music area of the premises shall be permitted through the entrance located on East Street.
- Prior to the use of the premises, a full assessment of music noise breakout of both live and recorded music shall be undertaken. This shall be conducted in conjunction with the Environmental Health Team from Brighton & Hove City Council. The results of the assessment shall inform a noise management plan, including the installation of any appropriate physical measures, e.g. noise insulation. The noise management plan shall be approved by the Environmental Health Officer in writing and will be adhered to by the premises licence holder.
- The queue to the premises will be monitored at all times by at least two SIA registered door supervisors.
- Temporary acoustic sound barriers and canopies shall be used at the entrance to the premises to reduce noise breakout from the premises whilst the queue is in operation.
- No more than 30 customers shall be permitted to smoke outside the premises at any one time.

APPENDIX 2

Conditions agreed with Sussex Police
Unit 1, Savoy Centre, Pool Valley, Brighton

General

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.

Prevention of Crime and Disorder

2. SIA door supervisors shall operate as follows:

Pool Valley Entrance / Venue:

At all times this part of the venue is open to the public and using this entrance/exit, SIA trained and licensed door supervisors shall be employed on a ratio of 1:100 with a minimum of two (2) on duty from opening and until the last customer has left the premises and the outside area have been dispersed of customers.

East Street Entrance / Venue:

Thursday, Friday, Saturday and Sunday when the following day is a Bank Holiday, New Year's Eve and Halloween, this part of the venue is open to the public and using this entrance/exit, SIA trained and licensed door supervisors shall be employed on a ratio of 1:100 with a minimum of one (1) on duty from opening and until the last customer has left the premises.

East Street Entrance / Venue:

At all other times SIA licensed door supervisors shall be employed when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority. Records shall be maintained at the premises containing the full name, date of birth and home address of every door supervisor. The record shall include all times and dates when a door supervisor is employed. Also, if employed through an agency, name and address of agency will also be recorded against the entry.

3. If not employed through an agency, authentic proof of identity of door staff shall be obtained in the form of a passport, drivers licence or a birth certificate. Copies of these documents will be held at the premises and made available to the police and/or council licensing authority immediately upon request (subject to the Data Protection Act 2018).

4. The DPS (or in the absence of the DPS the person with delegated authority) will ensure door supervisors display their SIA badges at all times they are on duty.

5. (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 (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and

externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

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

(c)CCTV footage will be stored for a minimum of 31 days

(d)The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

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

(f)Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

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

(h)In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

6. The management and premises will have an absolute zero tolerance policy in respect of drugs, with notices advising customers of this clearly displayed at the entrance. Any illegal drugs seized will be documented as required by the Police and stored in a secure "drugs box", and periodically the management will request the Police to come and remove all such drugs for destruction.

7. In the event a person is found on the premises actively or believed to be dealing in drugs, Police will be called and if practicable and safe to do so, the individual detained until Police arrival.

8. The management will permit the Police to use an "ION Track" drugs detector or other similar device inside the premises to detect the illegal use of drugs and will sign the Police consent form.

9. A written drugs policy will be agreed with the police and operated by the premises licence holder.

10. Crime prevention and security measures shall be instigated throughout the premises following consultation with Sussex Police, as reasonable required.

11. The management of the premises will meet with the Police to discuss the safe and proper management of the premises on a minimum three (3) monthly basis, unless the Police confirm in any one quarter that such a meeting is not necessary.

12. The premises will become a member of the BCRP or similar scheme approved by the Licensing Authority that operates with radios and uses the Nightsafe & Yellow Card Scheme or similar reporting scheme.

13. Shatterproof drinking receptacles will be used within the whole premises at all times.

14. A written dispersal plan will be agreed with the responsible authorities and operated by the premises licence holder.

Public Safety

15. When the Designated Premises Supervisor (DPS) is not on site, there will be a control document held and maintained on site which will state who is in effective control and management of the premises in the absence of the DPS. Other persons in control and management of the premises will be a Personal Licence Holder, and will be fully competent in licensing matter, health and safety and emergency evacuation measures.

The Prevention of Public Nuisance

16. Prominent and clear notices will be displayed at the exit points requesting customers to respect the needs of local residents and to leave the premises and the area quietly.

17. Patrons will not be permitted to take drinks outside of the premises to consume whilst smoking.

18. The windows to remain closed after 21:00 hours, while regulated entertainment is provide. Otherwise all windows shall be closed after 23:00 hours. The management to undertake routine monitoring to ensure levels of music are not excessive and take appropriate action where necessary.

19. The East Street entrance doors will remain closed save for entry and exit, after 23:00hrs.

20. Bottle and glass are to be emptied between the hours of 09:00hrs and 21:00hrs only. There will be no collection of bottles and waste between the hours or 21:00hrs and 08:00hrs every day.

21. On no more than twelve (12) occasions and with no less than 7 days written notice to Sussex Police, live music will be permitted until 00:00hrs (12 Midnight).

The Protection of Children from Harm

22. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

23. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

24. Under 18's will not be permitted on the premises after 22:00 hours. A clear notice shall be displayed at the premises so that it can easily be read by persons entering the premises stating "No persons under 18 will be admitted after 22:00 hours".

25. The use of a recognised identification scanning system shall operate as follows:

Pool Valley Entrance / Venue:

Excluding exclusive under 18's events, the system shall be operated all times from 23:00hrs (or Midnight when Condition No.21 is being used).

At all other times the system shall be operated when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.

All persons entering the premises will be scanned. The system should have the ability to share alerts with other venues using similar ID scanning equipment, identify the hologram of an ID and read both Passports and ID cards, including PASS cards. The system should be able to conduct tests to determine if a document is genuine or counterfeit. The system must be compliant with the Information Commissioners good practice guidance for ID scanning in clubs and bars.

As an exception to the use of the recognised ID scanning system to scan ALL customers, the name and date of birth of customers who appear to be over the age of 30, without ID, shall be recorded and a photographic image obtained. This information will be made available to the Police Licensing Officer or Local Authority Officer upon request.

East Street Entrance / Venue:

The system shall be operated when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.

26. No adult entertainment will be provided on the premises.

27. (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

*The lawful selling of age restricted products.

*Refusing the sale of alcohol to a person who is drunk*Refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues.

(b)Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.

(c)All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of