

Premises Licence
Brighton and Hove City Council

Premises Licence Number

1445/3/2016/06239/LAPRMV

Part I – Premises Details

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

British Airways 1360
Kings Road Arches
Brighton
BN1 2LN

Telephone number 0333 772 0360

Licensable activities authorised by the licence

Performance of Dance
Exhibition of a Film
Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance
Performance of Live Music
Performance of Recorded Music
Performance of a Play
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Dance - both on and off the premises

Every Day 09:00 - 00:00

Exhibition of a Film - both on and off the premises

Every Day 09:00 - 00:00

Outside spaces until 23:00

Anything of a similar description to a performance of live music, any playing of recorded music or a performance of dance - both on and off the premises

Every Day 09:00 - 00:00

Outside spaces until 23:00

Performance of Live Music - both on and off the premises

Every Day 09:00 - 00:00

Non Standard Timings:

A live music performance lasting until 1am may take place a maximum of 12 times a year subject to the event plan detailed in the conditions.

Performance of Recorded Music - both on and off the premises

Every Day 09:00 - 00:00

Outside spaces until 23:00

Non Standard Timings:

If a private event is going on inside the premises then recorded music may continue until 1am.

Performance of a Play - both on and off the premises

Every Day 09:00 - 00:00

Outside spaces until 23:00

Late Night Refreshment

Every Day 23:00 - 00:00

Non Standard Timings:

In case of a pre-organised event where the restaurant is included in the venue area then it is authorized until 1am.

Sale by Retail of Alcohol – on the premises only

Every Day 09:00 - 23:30

Non Standard Timings:

All outside sales cease at 23:00 at all times.

When the Beach Building is booked for a pre-arranged private or ticketed event then alcohol can be served no later than 00:30

The opening hours of the premises

Every Day 09:00 - 00:00

When the Beach Building rooms are booked for a private or special event, then that part of the premises will stop open until no later than 1am.

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

Alcohol is supplied for consumption on the Premises only.

Part 2

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

Brighton I360 Ltd
Lower Kings Road
Brighton
BN1 2LN

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

Registered Business Number 05528127

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

Courtney Lawrence- Hedges

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 20; mandatory condition: exhibition of films

1. Where a premises licence authorises the exhibition of films, the licence 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 licence, 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 licence, or

(b) The relevant licensing authority has notified the holder of the licence 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).

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.

Annex 2 – Conditions consistent with the Operating Schedule

General

1. The Ticket Office Toll Booth will only be used for the sale of alcohol on very rare occasions for invited VIP's as it will entail shutting it off for ticket sales and will never be for more than 20 persons.
2. Entry to the Boarding Deck and Pod is by ticket only and will always be under the control of SIA Door Supervisors. Boarding takes place either from the Boarding Deck (on the Upper Esplanade) or from the Beach Building. Licensable Activities in this area are a prelude to the flight in the Pod and therefore will be continually moving groups of customers any sales of alcohol will be from a few brands of high quality wines, spirit and beer and drinks may be taken onboard the Pod for further consumption, sales will cease at 22.30. The boarding deck is available for hire for private events such as weddings and conferences where alcohol may continue to be served along with other licensable activities until 23:00.
3. The Tea Room [Toll Booth] is a separate refreshment area open directly to the public normally but also available for hire and private use, it will be open from 09.00 to 23.00 for licensable activities and the sale of alcohol will cease at 22.30. When open to the public and not closed for private hire then food and non-alcoholic drinks will be obtainable by buffet style self service but alcohol will only be served to persons seated at tables and chairs and will be by waiter waitress service.
4. When hired for a private event then licensable activities including the sale of alcohol will continue until 23.30 with the premises closing at 24.00. The outside area will be closed for service from 23.00 onwards and no drinks permitted to be taken outside or removed from the Tea Room and the requirement for waiter/waitress service to tables will not apply.
5. The Sky Bar within the Pod will be in use when passengers are boarding and a flight is underway and will sell a restricted range of high quality alcoholic drinks. Last sales will always be no later than 22.30. A flight on the Pod lasts 20 minutes before 18.00 and thereafter 30 minutes so customers have a limited time to consume alcohol.
6. In the case of a private hire of the Pod then the same limitations apply. (There are no toilets on board the Pod) however the sale of alcohol will continue until no later than 24.00.
7. Members of the public will be permitted to take unfinished alcoholic drinks which they have purchased on the pod with them, into the Beach Building (the area into which the Pod descends and lets its passengers off). These persons will be directed into one of the following areas:
 - (a) The West Beach Bar & Kitchen Restaurant where there is seating/tables (hatched in blue on the floor plan).
 - (b) Into the Volk Room where they can view a free exhibition whilst finishing off their drink (hatched in yellow on the floor plan).
 - (c) To a specifically cordoned off area in "Constable" room on the western side (which is marked in green on the floor plan) where seats will be provided.No drinks will be permitted to be consumed outside of any of the licensed areas.

Persons attending private events in another part of the premises will be permitted to take their drinks with them from the Pod into the Private Event.

8. There are no 'On' Sales intended in this area for the general public, however there are 8 areas of the Beach Building which can be partitioned off from public use and made available for private hire ranging from weddings to conference and on some occasions could entail the use of the whole area and include the Restaurant as well and the outside patio areas. These include –
 - The Attenborough Room
 - The Birch Room
 - Constable Room
 - The Nash Room
 - The Greene Room
 - Austen Room (The Children's play zone)
 - Volk Room
 - The West Beach Bar & Kitchen Restaurant
9. The outside area on the Lower Esplanade including the West Beach Bar & Kitchen will have demarcation for private events where access may be gained from specific points along its perimeter but would be under the supervision of Door supervisors.
10. On those occasions when any of the Beach Building and Outside Terraces are in use for a private or ticketed event then licensable activities may occur including the sale of alcohol, sales and service to the outside patio areas will cease by 23.00 under these circumstances and inside the premises all licensable activities will cease no later than 00.30 with closure at 01.00.
11. On those occasions when part of Beach Building with or without the Outside Terraces or the Restaurant is in use for a private event where more than 480 customers are attending then an event plan will be created, a full risk assessment will be made and an events management plan will be in place and copies of this will be available at least 28 days in advance of the event and served on the Licensing Authority, Environmental Health and Sussex police for consultation and approval. The final approval of any such event will be subject to agreement of the Licensing and those two responsible bodies. Should the event be planned as one where tickets are on sale then the sales will only be made by advance payment and not on the door and the above conditions regarding the event plan will apply but the time limit extended to 60 days notice and no more than 750 tickets will be sold. The total number of such events referred to and requiring an event plan shall not exceed 24 occasions each calendar year
12. The Restaurant will be open to the public from 09.00 to 24.00 for licensable activities but the outside patio area will close for service by 23.00 but may remain in use for smoking only. It may be accessed either from the Beach Building or directly from the Lower Esplanade on the seafront and will have suitable barriers maintained to define its outside area.
13. In the Restaurant alcohol will be served by waiter/waitress service to persons seated at tables. There is substantial food offer available and there will be no vertical drinking.

14. If the restaurant is closed to the general public for a specific private event which will mainly occur when this area is incorporated into the whole of the Beach Building, then the Restaurant conditions for the sale of alcohol will not apply but the restrictions regarding managing the area under an event plan will.
15. A monthly diary of events other than those requiring an event plan will be submitted to the Licensing Authority and the police licensing team with any updates made if hiring occurs at less than a months' notice. (Email communication is acceptable for this)

The Prevention of Crime and Disorder

16. , The whole complex will have a comprehensive CCTV system installed with over 100 cameras and continual monitoring of it when the premises is open. The Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to Data Protection 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 for the police without difficulty or delay and without charge to Sussex Police.
 - Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
17. Whenever the premises is open there will be registered door supervisors on duty, numbers being subject to an internal risk assessment.
18. Entry to the boarding deck and into the Pod is totally restricted and anyone entering this area will be subject of search conditions and supervision by a high number of operational attendants including further Door Supervisors.
19. When any private or ticketed event occurs then the risk assessment will include Door Supervisors identified with specific roles regarding controlling entry to that part of the premises. If an event plan has been submitted to the authorities is planned then that risk assessment will include what minimum numbers of Door Supervisors will be in place.

Public Safety

20. The Fire Risk Assessment will be updated accordingly
21. All drinks that are dispensed into glass type vessels in the Pod or any of the outside areas shall dispensed into polycarbonate or the like.
22. Smoking will only be permitted on the boarding deck if it is hired for a private event.
23. The only area where members of the public are permitted to smoke is the outside terraces to both of the restaurants (i.e., the one on the upper level next to the tea rooms and the one on the lower level next to the restaurant).

The Prevention of Public Nuisance

24. The premises will join the Brighton Crime Reduction Partnership 'Nightsafe' or like organisation should it be available.
25. No live or amplified music will be played outside after 23.00 at which time all doors and windows will be closed and kept shut except for entry and exit.
26. When open to the public then the playing of live or recorded music will cease at 23.00 after which it will only occur on the Lower Esplanade within the Beach Building in any area which is subject to a private hiring or restricted event.

The Protection of Children from Harm

27. Children under the age of 13 must be accompanied by a responsible adult, aged 18 years or over, and must remain under the supervision of that adult at all times.
28. Children aged 13 to 17 years are permitted to visit the Vertical Cable Car before 6pm without an adult supervisor, providing the maximum group size does not exceed five children.
29. From 6pm (when the Vertical Cable Car changes to the Sky Bar), children aged under-18 years must be accompanied by a responsible adult aged 18 years or over.
30. The Vertical Cable Car may only be hired by persons aged 18 years or over.
31. Children under the age of 18 are permitted in the Vertical Cable Car or British Airways i360 bars and restaurant where alcoholic beverages may be available but will not be served alcohol.
32. 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.

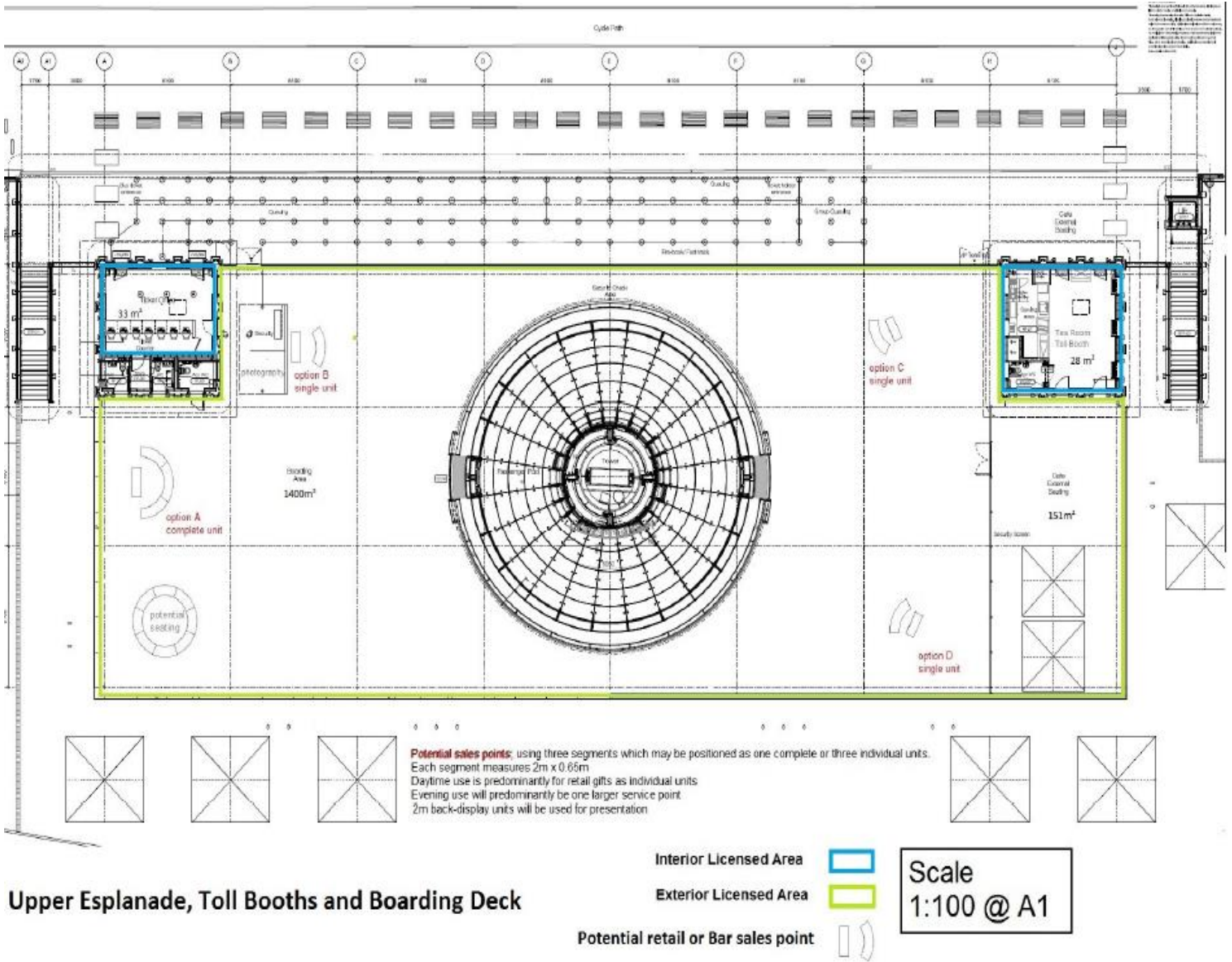
The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

33. Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.
34. 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
35. 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.
36. 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.
37. The premises shall at all times maintain and operate an age-restricted sales refusals recording system (either in book or electronic form) at each part of the premises where alcohol is being sold from which shall be reviewed by the Designated Premises Supervisor at intervals not to exceed 4 weeks and feedback given to staff as relevant. The refusals recording system shall be available upon request to police staff, Licensing Authority staff and Weights & measures.
38. Additionally there will be one incident log maintained by the premises showing a detailed note of incidents that occur in the premises. The log and the Refusals Registers will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The incident log 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.

Annex 3 – Conditions attached after a hearing by the Licensing Authority

1. Because of the comprehensive mixed nature of the venue, in addition to the Designated Premises Supervisor(DPS), there will be a minimum of 2 other personal licence holders appointed and a minimum of 1 personal licence holder on duty at all times when the premises is open who shall be employed by the premises licence management company and who will have complete oversight and control of all licensable activities when the DPS is not present.
2. From 6pm one of the Pod hosts is to be SIA trained.

Annex 4 – Plans



Upper Esplanade, Toll Booths and Boarding Deck

