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## Brighton & Hove Licensing Unit

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12<sup>th</sup> October 2021

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

**RE: TEMPORARY EVENT NOTICES X 3 FOR THE BRIGHTON ZIPWIRE, MADEIRA DRIVE, BRIGHTON, EAST SUSSEX, BN2 1TB**

**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 that that it will undermine the licensing objective of the prevention of crime and disorder and public safety. We also make reference to the Public Health Framework report for Assessing Alcohol Licensing 2019 edition.

The notices seek to licence the sale by retail of alcohol 'on' the premises for the following dates:

Saturday 23<sup>rd</sup> October and Sunday 24<sup>th</sup> October 2021 – 264 people including staff  
Saturday 30<sup>th</sup> October and Sunday 31<sup>st</sup> October 2021 – 264 people including staff  
Saturday 6<sup>th</sup> November and Sunday 7<sup>th</sup> November 2021 – 264 people including staff

Each TEN is to cover the following hours:

**Saturdays** (on all 3 TENs)

Opening Hours: 12:00 – 23:30

Sale of Alcohol: 12:00 – 23:00

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

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**Sundays** (on all 3 TENs)

Opening Hours: 12:00 – 22:30

Sale of Alcohol: 12:00 – 22:00

The location of the premises is on the beach prom just East of Brighton Palace Pier and the events are to be held within the premises of which most of this is open air.

The premises held an alcohol licence that was granted in April 2019 and lapsed due to non transfer following the premises licence holder company being dissolved. The alcohol licence granted in 2019 had strict restaurant conditions due to the risks associated with alcohol and especially due to the Zip Wires location on the beach. It was required that the premises only sold alcohol via waiter/waitress service to people seated at tables and ancillary to a meal. By having this condition it reduces the risk of people becoming intoxicated as they are eating a substantial meal with their drinks.

Throughout August 2021 Police Licensing officers made a number of visits to the Zip Wire site to go through the then licence conditions. Breaches were found relating to the sale of alcohol with food as this had not been taking place. Customers had been able to purchase alcohol at the bar without purchasing food. Current signage surrounding this was also not on display.

The previous TENs submitted for the Zip Wire stated they would operate under restaurant conditions but these TENs see a move to the sale of alcohol with no requirement for food to be purchased with it, just that food has to be available. Sussex Police are aware that the applicant has submitted a new premises licence application and that this is asking for café bar conditions e.g. sale of alcohol by waiter/waitress service to be consumed at tables but with no food purchase requirement. While Sussex Police acknowledge that the applicant has included a schedule of these conditions (Annex A) that they state will be adhered to throughout the periods covered by these TENs, Sussex Police continue to have no confidence that the premises will be run in a responsible manner. This is due to the fact that the premises were breaching when operating under a premises licence and as a TEN is a 'notice', as such, conditions are only 'in trust' as opposed to being legally enforceable.

Sussex Police have seen the negative effect that alcohol has, particularly in areas where there are a high number of licensed premises in a small area e.g. the seafront. It can result in persons being made vulnerable and becoming victims of numerous types of crimes. Reviewing the Public Health Framework report for assessing alcohol licensing 2019 edition, Queens Park ward, of which this location is within, is ranked 3<sup>rd</sup> highest out of 21 wards for police recorded alcohol related incidents.

There is an additional concern around the TEN covering 30<sup>th</sup> – 31<sup>st</sup> October 2021 as this falls on Halloween. Sussex Police are expecting the evening of Saturday 30<sup>th</sup> October into the early hours of Sunday 31<sup>st</sup> October as well as the evening of Sunday 31<sup>st</sup> October to be incredibly busy. The nature of Halloween events have changed over the last few years and they now require a large Police operation due to it being the most large scale celebration of the year, far surpassing New Year's Eve. Due to this, Sussex Police are applying a higher level of scrutiny to Temporary Event Notices wishing to provide licensable activity across these dates to ensure that the prevention of crime and disorder and public safety licensing objectives are not at risk of being undermined.

The TEN for 30<sup>th</sup> and 31<sup>st</sup> October 2021 provides minimum information and does not include any written provisions of additional measures that will be put in place to help reduce the risks around crime and disorder, drunkenness or vulnerability with the hours being applied for. Sussex Police are do not feel adequate provisions have been made or outlined to prevent the potential for disorder, increased risk of drunkenness/vulnerability or sufficiently promote public safety throughout the

duration of the event. We are not satisfied that the above licensing objectives will be promoted by allowing this TEN.

Therefore, the Chief Officer of Police contends that permitting these premises to be used in accordance with the notice is likely to undermine the licensing objectives of the prevention of crime and disorder as well as public safety. For these reasons, we ask that a Counter Notice is issued to all 3 TENs by the Licensing Authority Committee.

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

Yours faithfully,



**Insp Michelle Palmer-Harris**  
**Ops Planning and Events (inc. Licensing) Inspector**  
**Sussex Police**

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

