



# Brighton & Hove City Council

## Appendix B

### Schedule 12 Part A

Regulation 33, 34

## Premises Licence Brighton and Hove City Council

**Premises Licence Number**

1445/3/2019/04178/LAPREV

### Part I – Premises Details

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

Chalk  
Unit 1  
The Savoy Centre  
10 Pool Valley  
Brighton BN1 1NJ

**Telephone number**

**Licensable activities authorised by the licence**

Performance of Dance  
Exhibition of a Film  
Anything of a similar description to live music, recorded music and performance of dance  
Performance of Live Music and 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**

Every Day 11:00 - 04:00 Indoors



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### **Exhibition of a Film**

Every Day 11:00 - 04:00 Indoors

### **Anything of a similar description to live music, recorded music and performance of dance**

Every Day 11:00 - 04:00 Indoors

### **Performance of Live Music**

Every Day 11:00 - 23:00 Indoors

### **Performance of Recorded Music**

Every Day 11:00 - 04:00 Indoors

### **Performance of a Play**

Every Day 11:00 - 00:00 Indoors

### **Late Night Refreshment**

Every Day 23:00 - 04:00 Indoors

### **Sale by Retail of Alcohol**

Every Day 11:00 - 03:30 on the premises

(The East Street Bar shall be closed and cleared of customers by 23.00 hours)

### **The opening hours of the premises**

Every Day 11:00 - 04:30

(The East Street Bar shall be closed and cleared of customers by 23.00 hours)

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

Alcohol is supplied for consumption on the Premises.



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## Part 2

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

Mr Matthew Felton-Dimmack

Redacted

Redacted

Redacted

Redacted

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

N/A

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

Redacted

Redacted

Redacted

Redacted

Redacted

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

Party Reference: Redacted

Licensing Authority: Redacted



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### 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;



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(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;



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(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



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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 –  
Licence issued 12.09.2019



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“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.





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**Annex 2 – Conditions consistent with the Operating Schedule – See below under Annex 3**

**Annex 3 – Conditions attached after a hearing by the licensing authority on 3<sup>rd</sup> June 2019**

### **General**

1. 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**

2. 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.
3. There shall be no sale of spirits.
4. The bar shall be closed and cleared of customers by 23.00 hours.
5. Light food and snacks shall be available at all times.
6. The capacity of the bar shall not exceed the number of seats.

**The prevention of Crime & Disorder – see below**

**The prevention of public nuisance:**

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

7. 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.
8. Patrons will not be permitted to take drinks outside of the premises to consume whilst smoking.
9. 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.



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10. The East Street entrance doors will remain closed, save for entry and exit, after 23.00 hours.
11. Bottles and glass are to be emptied between the hours of 9am and 10pm only.
12. 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.
13. 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.
14. The queue to the premises will be monitored at all times by at least two SIA registered door supervisors.
15. 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.
16. No more than 30 customers shall be permitted to smoke outside the premises at any one time.

### **Conditions agreed with Sussex Police:-**

#### **General**

17. 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.



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### For the Prevention of Crime and Disorder

18. 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.

19. 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).
20. 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.
21. (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.



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- (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.
22. 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.
23. 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.
24. 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.
25. A written drugs policy will be agreed with the police and operated by the premises licence holder.



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26. Crime prevention and security measures shall be instigated throughout the premises following consultation with Sussex Police, as reasonable required.
27. 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.
28. 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.
29. Shatterproof drinking receptacles will be used within the whole premises at all times.
30. A written dispersal plan will be agreed with the responsible authorities and operated by the premises licence holder.

### **Public Safety**

31. 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**

32. 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**

33. 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.



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34. Signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.
35. 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”.
36. 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.

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



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38. (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.

