



# Brighton & Hove City Council

## Appendix A Schedule 12 Part A

Regulation 33, 34

### Premises Licence Brighton and Hove City Council

**Premises Licence Number**

1445/3/2023/02830/LAPREN

#### Part 1 – Premises Details

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

Karen's Diner  
Unit 3B  
Boardwalk Level  
Waterfront  
Brighton Marina  
Brighton  
BN2 5WA

**Telephone number**

**Licensable activities authorised by the licence**

Sale by Retail of Alcohol

**Times the licence authorises the carrying out of licensable activities**

**Sale by Retail of Alcohol**

Every Day                      12:00 - 22:00                      On the premises

**The opening hours of the premises**

Everyday                      12:00 - 22:30



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

Alcohol is supplied for consumption on the Premises.

### Part 2

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

Karens Diner Brighton Ltd  
254 Upper Shoreham Road  
Shoreham-By-Sea  
BN43 6BF

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

Registered Business Number 14899068

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

Thomas Rooney  
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**

REDACTED



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## Annex 1 – 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.



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- (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 —



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(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.



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### **Annex 2 – Conditions consistent with the Operating Schedule**

#### **General:**

1. All staff will receive training in the Licencing Act 2003 and the Licencing objectives.
2. No staff will work at the premises until this training has been completed and the required refreshment training have been completed.
3. Refresher training should take place once a year.
4. All staff Licencing Act 2003 and Licencing Objective training will be documented and sign by both the trainer and trainee.
5. No staff to work at the premises until this training has been completed. Training records to be made available to any of the responsible authorities on request.
6. Authorised civilian 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.
7. Alcohol will be served by waiter/waitress service to persons seated at tables and ancillary to a main table meal only.
8. There shall be no vertical drinking at the premises.

#### **The Prevention of Crime and Disorder:**

9. Subject to GDPR guidance and legislation:
  - 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 entrances/exits to the premises as well as any outside space. 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.



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- 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) 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 Police e.g. USB) or provide footage via an online link as initiated by Police, without difficulty or delay and without charge.
  - g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable - [brighton.licensing@sussex.police.uk](mailto:brighton.licensing@sussex.police.uk).
  - h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by 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.
10. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises and any refusals of alcohol. The incident log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The logbook 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. Any refusals made at any of the bars/point of alcohol service e.g., for intoxication, will also be recorded in writing.

### **Public Safety:**

11. Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures and risk assessments are in place for a premise of this size.

### **The Prevention of Public Nuisance:**



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12. Patrons attending the premises will be reminded of their responsibilities to leave the premises quietly.
13. A smoking policy will be available on site for inspection as required.
14. No more than 5 patrons from the premises will be permitted to smoke in the smoking area at any one time.
15. Cigarette bins will be provided to encourage smokers to dispose of their cigarettes in a safe manner.
16. The smoking area will be cleaned every evening at the close of trade.
17. Signage relating to Taxi services available, including phone numbers, will be displayed at the entrance to the premises.

### **The Protection of Children from Harm:**

18. a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive 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
  - 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.
19. 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, driving licenses with a photograph 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 and the Licensing Authority without the need to amend the licence or conditions attaching to it.
  20. Signage advertising the "Challenge 25" policy will be displayed in prominent locations inside the premise.



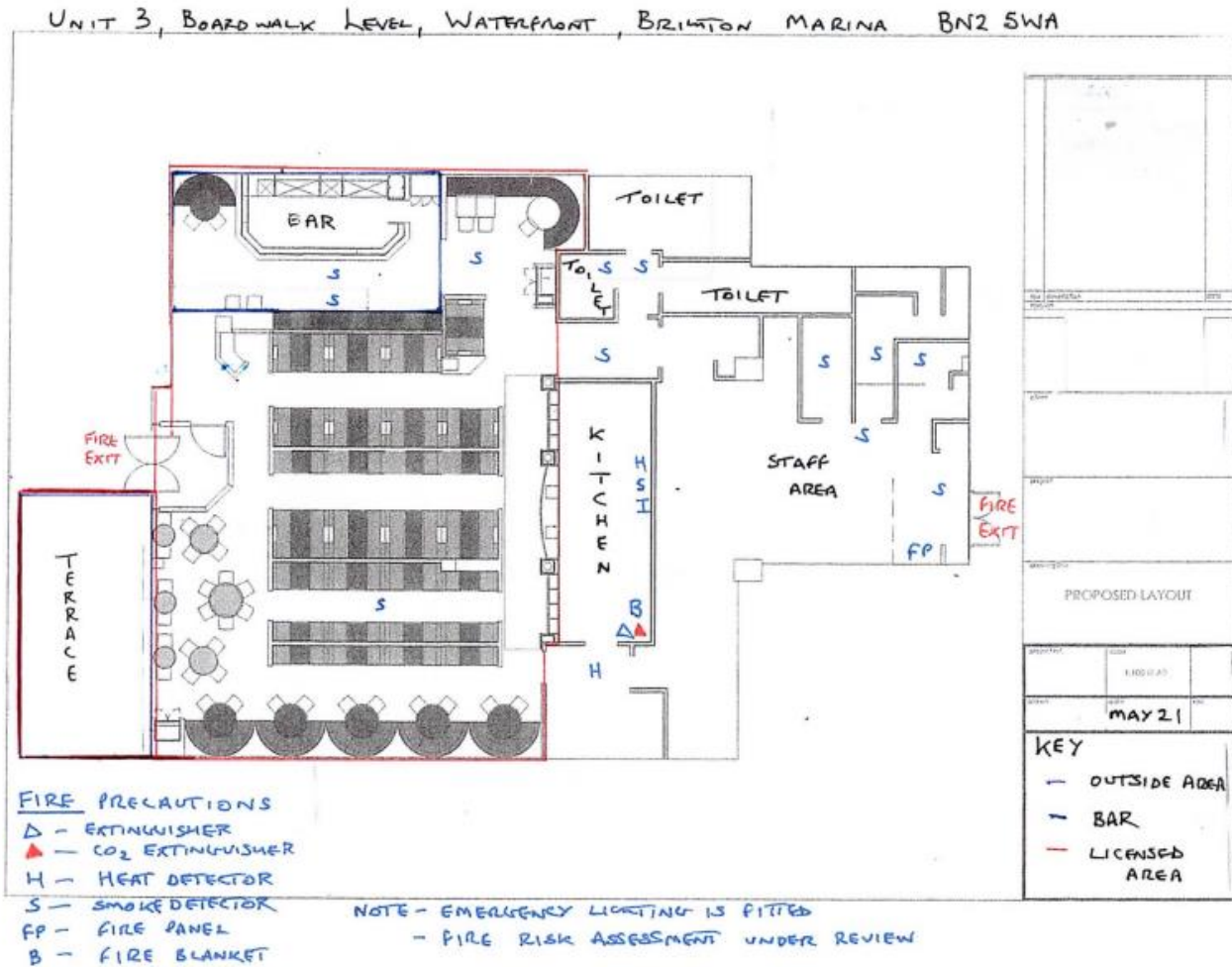


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21. The premises will always follow the Karen's Childrens Policy.

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

## Annex 4 – Plans





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