



**Brighton & Hove  
City Council**

**LICENSING PANEL (LICENSING ACT  
2003 FUNCTIONS)  
ADDENDUM  
(AGREEMENT OF CONDITIONS)**

**10.00AM, FRIDAY, 12 MARCH 2021**

**VIRTUAL**



# ADDENDUM

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| 3 APPLICATION FOR A NEW PREMISES LICENCE, MR TIPSY ICE CREAM, 46 GEORGE STREET, BRIGHTON  | 5 - 8 |
| <b>LETTER OF AGREEMENT TO CONDITIONS AND WITHDRAWAL OF REPRESENTATION) – Conditions Agreed Between the Applicant and Police</b> |       |



## Proposed Conditions – Mr Topsy George Street Brighton – v3

### General

1. Should the premises licence holder, Tom Gathercole cease trading at 46 George Street, Brighton, BN2 1RR then the licence will be surrendered and any new occupants will need to apply for a new premises licence.
2. The only permissions permitted under this licence for both on and off sales of alcohol is by way of ice cream where alcohol forms part of the ingredients. No other form of alcohol is permitted to be sold for consumption on or off the premises.
3. No deliveries will be permitted to open spaces.
4. Alcoholic ice cream offerings will be no more than 70% of the total ice creams on offer meaning that at least 30% will be non-alcoholic.
5. Alcoholic and non-alcoholic ice cream will be on display separately within the display units.
6. 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.

Additional conditions as stated in original application or agreed with another Agency.

### Prevention of crime & disorder

7. (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 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.

8. (a) An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week.
- (b) The log book 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.
- (c) Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

Additional conditions as stated in original application or agreed with another Agency.

#### Public safety

Additional conditions as stated in original application or agreed with another Agency.

#### Prevention of public nuisance

9. Deliveries will only be conducted by persons on a bicycle or via the premises tricycle – i.e. no deliveries by motorbikes, mopeds, cars or similar. This is to assist with reducing congestion on George Street. Exception to this is when a vehicle is used to transport wholesale orders or to attend events.
10. Any form of music played within the premises is to be set at a noise level that would be considered by any reasonable person to be background music.

Additional conditions as stated in original application or agreed with another Agency.

#### Protection of children from harm

11. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcoholic products 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.
12. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
13. In regards to delivery - Challenge 25 policy will be in operation and all forms of advertising and promotional literature detailing the delivery service (including internet sites and flyers/leaflets) will clearly and prominently state that ice cream containing alcohol will only be delivered to the person named on the payment card used for payment, and that upon arrival at the address if the person named appears to be under the age of 25, they will be required to show an approved form of ID prior to the item being handed over. Failure to show the required form of ID will result in non-delivery of the item. This includes click & collect. The advertising will clearly and prominently state the forms of ID that will be accepted and are as stated in condition 11 within Annex 2.

14. (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.

Additional conditions as stated in original application or agreed with another Agency.

