

Licensing Panel (Licensing Act 2003 Functions)

Date: **17 October 2022**

Time: **10.00am**

Venue **Virtual**

Members: Knight, Pissaridou and Simson

Contact: **Thomas Bald**
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AGENDA

1 TO APPOINT A CHAIR FOR THE MEETING

2 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

3 STANMER HOUSE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

7 - 50

Contact Officer: Corinne Hardcastle
Ward Affected: Hollingdean & Stanmer

Tel: 0127329

Date of Publication - Friday, 7 October 2022

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Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a Variation of a Premises Licence under the Licensing Act 2003		
Premises:	Stanmer House Stanmer Village Stanmer Park Brighton BN1 9QA		
Applicant:	KSD Support Services Limited		
Date of Meeting:	17.10.2022		
Report of:	Executive Director of Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Sarah Cornell	Tel: (01273) 295801.
	Email:	Sarah.cornell@brighton-hove.gov.uk	
Ward(s) affected:	Hollingdean And Stanmer		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Stanmer House.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Stanmer House.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposes

This is an application to extend the permission for the sale of alcohol, provision of live music and provision of recorded music as follows;
Friday and Saturday from 09:30h until 01:00h the following morning (current permission 09:30h until 23:00h for alcohol- no current permission for regulated entertainment)

To also add the permission for late night refreshment as follows;
Friday and Saturday from 23:00h until 01:00h the following morning.

To add thirty minutes drinking up time every day of the week, so that the opening hours of the premises are now as follows;
Sunday to Thursday from 08:00h until 23:30h (currently 08:00h until 23:00h)
Friday and Saturday from 08:00h until 01:30h the following morning (currently 08:00h until 23:00h)

To remove condition 3 under Annex 2 – conditions consistent with the operating schedule;

3. The consumption of alcohol and other beverages shall be by persons seated at tables and there will be no vertical drinking. Drinks are permitted to be ordered at the bar and carried by the customer to their table.

To add the following conditions;

- Licensable activities that take place on the premises between 23:00 and 01:00h into the morning of a Saturday and Sunday, will be limited to pre-booked functions only for pre-booked functions, records of the party hiring the venue shall be kept for no longer than 3 months and available for inspection by responsible authority officers upon reasonable request.

- Late Night Refreshment will not be permitted to be taken away from the premises.

- The DPS/ manager will risk assess all events at the premises to determine whether door supervisors would be required. The risk assessment will take into account the nature of the event, times, likely attendance numbers, and any other factors identified. Where the risk assessment identifies a need for door supervisors, they shall be employed at the number and for the times set out in the risk assessment. Risk assessments will be held for a minimum of 6 months.

A copy will be made available to Sussex Police and Brighton & Hove licensing officers on request.

- A safeguarding policy will be drawn up and implemented by the DPS. As a minimum, the policy will reference dealing with managing vulnerable customers and drink spiking Staff. will be trained in the policy. A copy will be made available to Sussex Police and Brighton & Hove licensing officers on request.

All other operating times, licensable activities and conditions authorised by the existing Premises Licence to remain unaltered

To remove condition 3 under Annex 2 conditions consistent with the operating schedule

3. The consumption of alcohol and other beverages shall be by persons seated at tables and there will be no vertical drinking. Drinks are permitted to be ordered at the bar and carried by the customer to their table.

To add conditions including: Licensable activities that take place on the premises between 23:00 and 01:00h into the morning of a Saturday and Sunday, will be limited to pre-booked functions only.

3.2 Part M (operating schedule) of the application is detailed at Appendix A

3.3 Summary table of existing and proposed activities

	Existing	Proposed
Live music	None	Friday – Saturday 09:30 – 01:00 Indoors
Recorded Music	None	Friday – Saturday 09:30 – 01:00 Indoors
Late Night Refreshment	None	Friday – Saturday 23:00 – 01:00 Indoors
Supply of Alcohol	Every day 09:30 - 23:00 On Premises	Sunday – Thursday 09:30 – 23:00 (as existing) Friday & Saturday 09:30 - 01:00 On Premises
Hours premises are open to public	Every day 08:00 – 23:00	Friday – Saturday 08:00 - 01:30 Sunday – Thursday 08:00 - 23:30
Conditions removed as a consequence of the proposed Variation	Removal of condition 3 under Annex 2:- 3. The consumption of alcohol and other beverages shall be by persons seated at tables and there will be no vertical drinking. Drinks are permitted to be ordered at the bar and carried by the customer to their table	

3.4 Existing licence attached at Appendix B

3.5 The premises does not fall in the Cumulative Impact Area or the Special Stress Area.

Representations received

3.6 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

- 3.7 7 representations were received. They were received from local residents, Brighton & Hove Estate Conservation Trust and Sussex Police
- 3.8 Representations received had concerns relating to Prevention of Crime and Disorder and Prevention of Public Nuisance.
- 3.9 Full details of the representations are attached at Appendix C. A map detailing the location of the premises is attached at Appendix D.

4. COMMENTARY ON THE LICENSING POLICY

- 4.1 The following extracts from Brighton & Hove City Council Statement of Licensing Policy are considered relevant to this application and **are numbered as they appear in the policy**:

1 Introduction

1.1 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Licensing Act 2003 (the Act) and having regard to Guidance issued by the Home Office under Section 182 of the act. This policy takes effect from the 4th February 2021. The licensing authority is Brighton & Hove City Council. The purpose of this statement is to promote the licensing objectives and set out a general approach to making licensing decisions. The discretion of the licensing authority in relation to applications under the act is only engaged if 'relevant representations' are made by other persons or responsible authorities. This policy will inform the approach to be taken when deciding applications and imposing conditions when relevant representations are received. It is also intended as a guide for applicants as to what to include in their operating schedules, always recognising that if no representations are received, the application must be granted. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this policy is framed around those objectives. Each application will be given individual consideration on its merit. The scope of this policy covers the following:

- Retail sales of alcohol.
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club.
- The provision of regulated entertainment.
- The provision of late night refreshment.

1.2 The licensing objectives are:

- (a) the prevention of crime and disorder.
- (b) public safety.
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

1.3 Scope

1.3.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual

licensees and others with relevant authorisations, i.e. the premises and its vicinity. Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the act.

3 Special Policies and Initiatives

3.3 The Matrix Approach

The Licensing Authority will support:

3.3.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports mixed use venues encouraging a wider age balance.

3.3.2 A "matrix" approach to licensing decisions has been adopted and is set out below. It provides a framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investor and businesses making applications.

Matrix approach for licensing decisions in a Statement of Licensing Policy (times relates to licensable activities)

	Cumulative Impact Area	Special Stress Area	Other Areas
Restaurant	Yes (midnight)	Yes (midnight)	Yes (midnight)
Café	Yes (10 pm)	Yes (10 pm)	Yes (10 pm)
Late Night Takeaways	No	Yes (midnight)	Yes (midnight)
Night Club	No	No	No
Pub	No	Yes (11pm)	Yes (midnight)
Non-alcohol lead (e.g. Theatre)	Yes (favourable)	Yes (favourable)	Yes (favourable)
Off-licence	No	No	Yes (Up to 11pm but if in densely residential area may be earlier – see note 7 below)
Members Club (club premises certificate)	Yes (<100 capacity) (11pm)	Yes (<100 capacity) (11pm)	Yes

Notes on matrix

Subject to the following notes, the policy, as represented in the matrix, will be strictly adhered to:

- 1) Each application will be considered on individual merit
- 2) Applications within the CIZ are subject to the special policy on cumulative impact at para 3.1, and those within the special stress area to the special stress policy considerations at para 3.2.
- 3) Departure from the matrix policy is expected only in exceptional circumstances
- 4) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix.
- 5) Exceptional circumstances may include: consultation with and meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as financial

contribution to infrastructure), community support, alcohol sale ancillary to business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts).

6) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre.

7) Other Areas; consideration will be given to the nature of the area and location in relation to any application. In a residential area for example the concerns of local residents will be relevant when considering applications for off-licences, pubs or cafes, especially if there is evidence of anti-social behaviour, street drinking or underage drinking. Earlier closing times may be appropriate. Regard will be had to the Public Health Framework for assessing alcohol licensing on our website www.brighton-hove.gov.uk/licensingact.

8) In an area where there are already several existing off-licences or where the premises is situated within a parade with another off licence and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds or restrictions placed on the terminal hour to reflect opening hours of other shops.

9) Outdoor events will be supported where arranged through the council's event planning process. Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The licensing authority will have regard to Noise Council guidance.

10) Non-alcohol led category does not include "alcohol in shared workplaces". It is recommended that sale of alcohol in shared workspaces should have a terminal hour of no later than 10pm. For further advice and guidance on "alcohol in shared workplaces" please see paragraph 3.3.4-3.3.6.

3.3.3 Cafes - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house.

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables.
- Substantial food shall be available at all times. The licensing authority shall judge each case on its own merits but as a general rule, a bowl of crisps, nuts, or olives does not constitute substantial food.

3.3.3 Restaurants - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following restaurant condition.

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.

- Restaurants with outside service - the licensing authority will also consider applications from restaurants that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for cafes, the licensing authority will require evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:

- The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.

4 Prevention of Crime and Disorder

The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.

- 4.1.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 4.1.2 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.
- 4.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 4.1.4 Measures put in place should support the intentions of Operation Marble (police operational order), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the city centre; to deal positively with offences and offenders; to secure and preserve evidence which will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

4.2 Sussex Police

4.2.1 Sussex Police have a specific Operation relating to the night time economy called Operation Marble (detailed in 3.4.1) and work closely with partners to ensure a safe and vibrant city centre. There continues to be an increasing demand for resources further into the early hours of the morning with the highest concentration of crimes occurring between 21:00 and 06:00 on a Friday into a Saturday and between 20:00 and 06:00 on a Saturday night into a Sunday. The data set used shows that up to 80% of arrests made in the timeframe 20:00 – 06:00 on these days were affected by alcohol. For full details of these statistics see the Cumulative Impact Assessment at Appendix E.

4.2.2 The dealing and use of drugs remains an issue across the city and Sussex Police welcome proactive policies from licensed premises. A drug safe and seizure recording initiative is in place of which further details can be obtained by contacting Brighton & Hove Police Licensing (brighton.licensing@sussex.pnn.police.uk). This initiative encourages licensed premises with Door Supervisors to search and seize drugs from persons attempting to enter their premises and ensures that once drugs are removed from persons, they can be safely collected and destroyed by Sussex Police.

4.2.3 Dispersal from the city centre during the late evening and early morning remains a policing challenge. Over recent years, there has been a proliferation of off-licences and late night refreshment venues along the city's arterial routes. This has led to incident 'hot spots' where patrons from the night time economy continue to interact, albeit away from any safety measures afforded by on-licences. As such, Sussex Police support the Council's Special Policy in offering guidance to both applicants and the Licensing Committee in relation to off-licences and late night refreshment licences.

4.2.4 Sussex Police have continuing concerns that, despite staff training in age-restricted sales, under age individuals are still being served alcohol both on and off the premises in some of the city's licensed premises. As such, regular intelligence-led 'test-purchase' operations are conducted to highlight premises where sales are taking place and ensure appropriate enforcement action is taken to prevent further sales. The introduction of identification scanning machines at premises throughout the city has proved successful in mitigating some risk, but operators must maintain vigilance regarding the fraudulent use of genuine IDs. Sussex Police continue to work alongside the Business Crime Reduction Partnership to tackle the problem of those who use false or another's identification to enter licensed premises and purchase alcohol.

4.2.5 Sussex Police work closely with venues and other organisations within the city to protect vulnerable people from becoming victims of crime. As well as work to prevent under age sales, vulnerability training is offered to identify persons who may have been made vulnerable through alcohol or drugs. Sussex Police also support initiatives such as (but not limited to) safe spaces, mobile teams of volunteers actively checking people's well-being and the Beach Patrol.

4.2.6 Public Space Protection Orders have proved an effective tool for Sussex Police in targeting enforcement action in problem areas of the city. It 'allows Police Officers and Police Community Support Officers to remove alcohol from any person in a public place if that person is involved in anti-social behaviour (ASB) or the officer believes that by having alcohol in their possession there is an increased risk of ASB. It is an offence to refuse to hand over alcohol when required to do so.' They have been particularly effective in the day time economy where members of the street community are causing ASB issues for members of the public and local businesses, especially during the summer months where there is a large influx of visitors to Brighton & Hove.

4.2.7 Policing the night time economy continues to provide a challenge and in the climate of limited resources and newly emerging problems, Sussex Police support maintaining the council's Special Policy which defines cumulative impact and special stress and will continue to take enforcement action where appropriate if the actions of a Premises Licence Holder, Designated Premises Supervisor, Door Supervisors or Staff have fallen below the high standard expected across the city. Sussex Police also recognise and support businesses which are aware of their social responsibilities and as such, actively contribute towards keeping Brighton & Hove a safe and enjoyable city.

4.3 Care, control and supervision of premises

4.3.1 The Licensing authority supports the Business Crime Reduction Partnership and other approved schemes. Where appropriate, premises licence holders should be members of the BCRP for the deterrence to violent crime that such membership provides. The BCRP NightSafe radio scheme is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed pub-watch schemes provide information exchange between the premises licence holders and responsible authorities that reduce and deter violent crime and disorder. The council will support a responsible licensing scheme.

4.3.2 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, eg type of licence, capacity, operating hours restrictions.

4.3.3 Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with racist or homophobic crime. The licensing authority will keep itself well briefed on the nature, location and type of premises where alcohol related violence and disorder are occurring so it can take full account of the facts and avoid exacerbating problems as required by the Community Safety Strategy. Where licensed premises are found to cause nuisance or be

associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions may include use of closed-circuit television, licensed door supervisors and earlier closing times. Such action to restrict the operation may be taken for trial periods to allow businesses an opportunity to remedy existing disorder, nuisance or disturbance.

4.3.4 This policy recognises the use of registered Door Supervisors All Door Supervisors will be licensed by the Security Industry Authority. Mobile security units and similar systems are in use by some premises operators as a means of providing security cover at very short notice at premises which may not normally require a permanent security presence. This policy endorses the use of units following such guidance and standards in appropriate circumstances.

4.3.5 The development of codes of practice and general operating standards for security companies is encouraged for local businesses; premises operators are urged to ensure that security services, when engaged, are provided by suitably qualified businesses operating to recognised standards and who should be working towards SIA accreditation.

4.3.6 Enforcement will be achieved by the enforcement policy appended (Appendix B).

6 Prevention of Public Nuisance

The following details and measures are intended to address the need for the prevention of public nuisance which may be associated with licensed premises and certificated club premises:

6.1.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (eg in order to smoke).

6.1.2 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.

6.1.3 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.

6.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

6.1.5 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport

availability and location of taxi ranks to aid dispersal of customers.

6.1.6 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 6.2 below).

6.2 Smoking Advice

6.2.1 Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence you may find it necessary to request a variation of your licence.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980. These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Employ staff and/or SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage

doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.

- Ensure door supervisors maintain order outside venues and protect customer safety. BCRP supports the use of Night Safe. Radio net and other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

6.2.2 Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

8 Integration of Strategies

8.1.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by:-

- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
- Liaising and consulting with Public and Alcohol Programme Board
- Liaising and consulting with the East Sussex Fire & Rescue Service
- Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
- Liaising and consulting with the Planning authority
- Liaising and consulting with the Highways authority
- Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
- Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice

8.1.2 In line with statutory requirements and the council's Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.

8.1.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.

8.1.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.

8.1.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, use of the NightSafe radio system or accredited scheme, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.

8.1.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

8.3 Enforcement

8.3.1 The Enforcement of licensing law and inspection of licensed premises is detailed in the Protocol between Sussex Police, the East Sussex Fire & Rescue Service and Brighton & Hove City Council. This protocol reflects the need for more efficient deployment of Police and Local Authority staff commonly engaged in licensing enforcement and can be found at Appendix D (Lead Agency Status) of the Statement of Licensing Policy. In addition, the Licensing Authority will have regard to its published Licensing Enforcement Policy in making enforcement decisions in accordance with Brighton & Hove City Council's Statement of Licensing Policy (Appendix B). In order to better target enforcement resources, inspections will be undertaken outside of normal office hours and the sharing of information between all enforcement agencies will be encouraged through joint meetings or similar arrangements.

8.3.2 Attention is drawn to the targeting of agreed problem and high risk premises requiring greater attention as identified in the protocol. A number of other council and government policies, strategies and guidance documents must be taken into account to complement the policy, including:

- Community Safety & Crime Reduction Strategy
- Drugs and alcohol strategies – local alcohol harm reduction strategy
- Objectives of the Security Industry Authority
- The Anti-Social Behaviour Act 2003/ASBPC Act 2014
- The Health Act 2006
- The Violent Crime Reduction Act 2006
- Policing and Crime Act 2009

10 Live Music, Dancing & Theatre

10.1.1 This policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues the potential for limited disturbance in neighbourhoods will always be carefully

balanced with these wider benefits, particularly for children. The impact of licensing on regulated entertainment, particularly live music and dancing, will be monitored. Where indications are that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how such situations might be reversed.

10.1.2 The Licensing Committee represents the general interests of a community in determining what conditions should be attached to licences and certificates as a matter of necessity for the promotion of the licensing objectives. All members of the Licensing Committee will be trained on Licensing Act 2003 and S182 Guidance. The Licensing authority is aware of the need to avoid measures which deter live music, dancing and theatre - such as imposing indirect costs out of proportion to the income of the licence holder and to the risks presented. Only appropriate, proportionate and reasonable licensing conditions should impose any restrictions on such events.

10.1.3 The licensing committee will support the cultural zones, outdoor eating areas, food led operations, community pubs, live entertainment and protect living conditions in mixed use areas.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

Finance Officer Consulted Michael Bentley

Date: 04/10/22

Legal Implications:

5.2 The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell

Date: 03/09/22

Equalities Implications:

5.3 Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

Sustainability Implications:

- 5.4 Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part M Operating Schedule
2. Appendix B – Part A of Premises Licence
3. Appendix C – Representations
4. Appendix D – Map of area

Documents in Members' Rooms

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, April 2018.

Public Health Framework for Assessing Alcohol Licensing – January 2022.

Background Documents

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.

Appendix A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)

As per current licence, save for those conditions added/removed by way of this application.

b) The prevention of crime and disorder

As per current licence, save for those conditions added/removed by way of this application.

- Licensable activities that take place on the premises between 23:00 and 01:00h into the morning of a Saturday and Sunday, will be limited to pre-booked functions only
- For pre-booked functions, records of the party hiring the venue shall be kept for no longer than 3 months and available for inspection by responsible authority officers upon reasonable request.
- Late Night Refreshment will not be permitted to be taken away from the premises.
- The DPS/ manager will risk assess all events at the premises to determine whether door supervisors would be required. The risk assessment will take into account the nature of the event, times, likely attendance numbers, and any other factors identified. Where the risk assessment identifies a need for door supervisors, they shall be employed at the number and for the times set out in the risk assessment. Risk assessments will be held for a minimum of 6 months. A copy will be made available to Sussex Police and Brighton & Hove licensing officers on request.
- A safeguarding policy will be drawn up and implemented by the DPS. As a minimum, the policy will reference dealing with managing vulnerable customers and drink spiking Staff. will be trained in the policy. A copy will be made available to Sussex Police and Brighton & Hove licensing officers on request.

c) Public safety

As per current licence, save for those conditions added/removed by way of this application.

d) The prevention of public nuisance

As per current licence, save for those conditions added/removed by way of this application.

e) The protection of children from harm

As per current licence, save for those conditions added/removed by way of this application.



Brighton & Hove City Council

Appendix B

Schedule 12

Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2021/01229/LAPREN

Part 1 – Premises Details

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

Stanmer House
Stanmer Village
Stanmer Park
Brighton
BN1 9QA

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

Everyday 09:30 - 23:00 On the premises only

The opening hours of the premises

Everyday 08:00 - 23:00

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



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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

KSD Support Services Limited
Patcham Place
London Road
Brighton
BN1 8YD

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

Registered Business Number: 04212679

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

Cheikhou Oumar Loum
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



Brighton & Hove City Council

Annex 1 – Mandatory conditions

S19; 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



Brighton & Hove City Council

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;



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- (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,

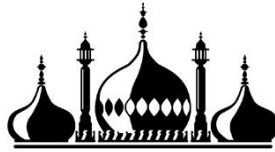
(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(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



Brighton & Hove City Council

(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.

Annex 2 – Conditions consistent with the Operating Schedule

General:

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.
2. Substantial food shall be available at all times that alcohol is offered for sale on these premises.
3. The consumption of alcohol and other beverages shall be by persons seated at tables and there will be no vertical drinking. Drinks are permitted to be ordered at the bar and carried by the customer to their table.

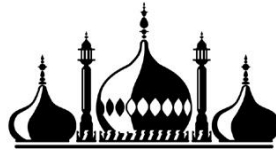


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4. No beer, lager, perry or cider with an ABV of 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, perry or cider with an ABV of 6% or above such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.

For the Prevention of Crime and Disorder:

5. 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 always be on and recording.
- 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 e.g. USB) 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. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request.
- 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.



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6. 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 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.
- c) Any refusals made for alcohol service e.g., underage, will 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.

For Public Safety: N/A

For the Prevention of Public Nuisance: See Annex 3 – Conditions attached after a hearing by the licensing authority on 25 June 2021

For the Protection of Children from Harm:

7. 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.
8. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
9. 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, under the influence of illegal substances, or who appears to be drunk or under the influence of such substances



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- 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.

Annex 3 – Conditions attached after a hearing by the licensing authority on 25 June 2021

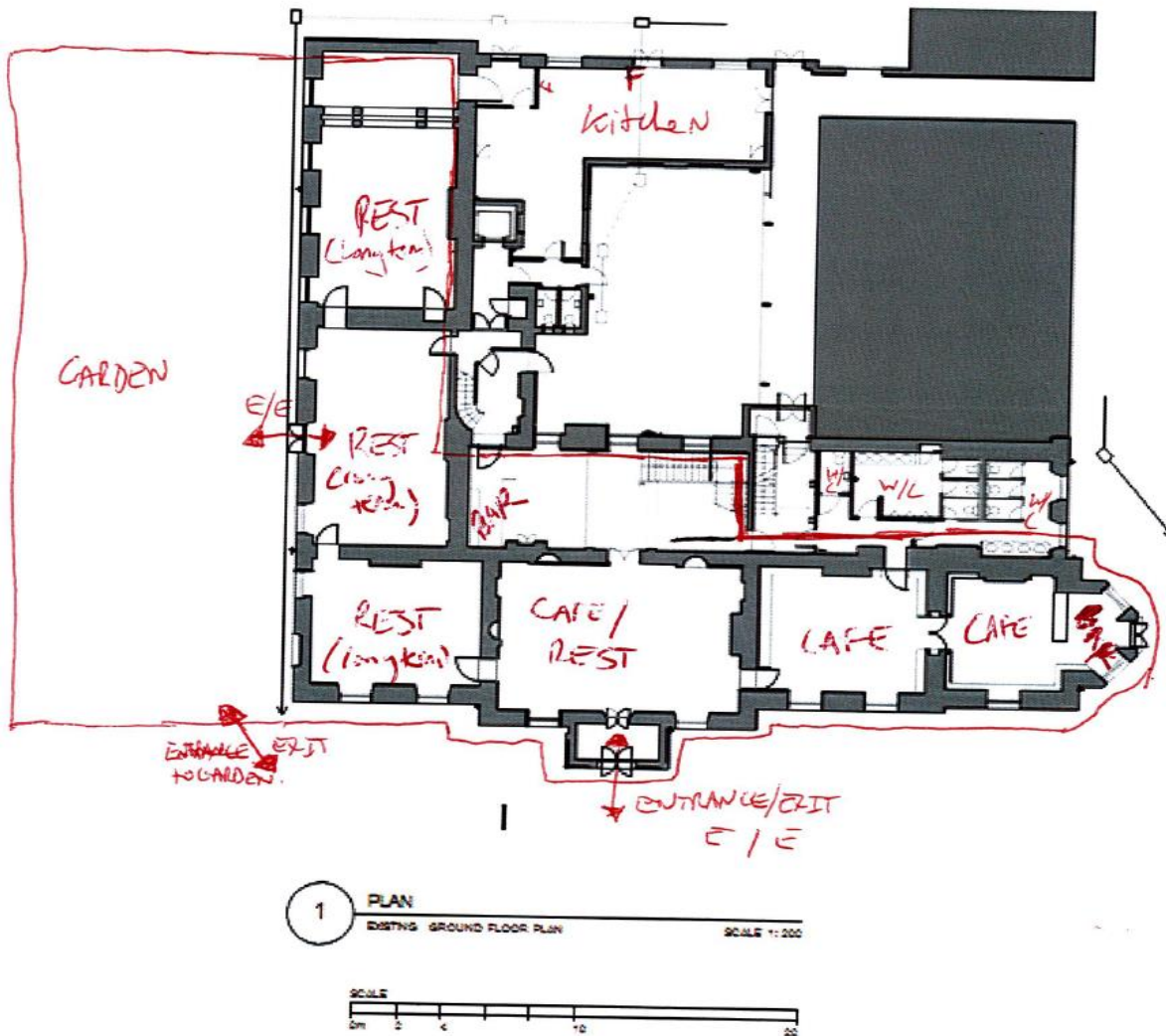
The following conditions addressing public nuisance, offered by the applicant to meet the licensing objectives: -

1. Any outside lighting will be positioned in a way that it does not cause disturbance to any neighbouring properties.
2. Customers will be asked to leave the premises quietly at the end of the evening so as not to disturb any neighbouring properties.
3. The emptying of waste and recycling outside will only take place between 09.30 and 21.00 hours to keep disturbance to a minimum.
4. There shall be no alcohol sales or bar in the garden.
5. Customers will be reminded to drink and drive responsibly by posters in the toilets.



Brighton & Hove City Council

Annex 4 – Plans



Appendix C

REP A

Police Station

John Street

Brighton

BN2 0LA

Tel: 01273 404535 ext 550809

Email: brighton.licensing@sussex.police.uk

SC CON ENDS 19.09.2022 VALID PPN & PCD (A)

16th September 2022

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

Dear Sarah Cornell,

**RE: APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR STANMER HOUSE,
STAMNER PARK, BRIGHTON, BN1 9QA UNDER THE LICENSING ACT 2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder and public nuisance.

This is a proposed premises licence variation application in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the Others area (as defined in the BHCC Statement of Licensing Policy) and sought the following hours and licensable activities in the initial paperwork:

Sale by Retail of Alcohol

To extend Friday and Saturday: 09:30 – 01:00

Late Night Refreshment

Friday and Saturday 23:00 – 01:00

Live Music

Friday and Saturday: 09:30 – 01:00

Recorded Music

Friday and Saturday: 09:30 – 01:00

Opening hours

Sunday - Thursday: 08:00 – 23:30

Friday – Saturday: 08:00 – 01:30

Sussex Police have made contact with the applicant during the consultation period and proposed conditions that Sussex Police would like to see on the licence should this variation be agreed.

Following a Pre consult, Licensing Officer Hannah Staplehurst visited the premises on the 13th of July 2021 and found a number of breaches. Please find breach letter attached.

Following communication from the applicant's representation, we were ensured all breaches had been resolved.

Sussex Police licensing visited again on the 8th of September where there were administration errors leading to breaches of the licence – such as only one page of Part B on display, incident and refusal logs incomplete and a CCTV error.

Sussex Police have asked the applicant to agree to the additional conditions to ensure there is adequate SIA at events, initially completed via a Risk assessment but also monthly communication with the licensing team so we are aware of any events that may take place. As this premises have not be hosting evening events currently, Sussex Police feel it is important to have the information shared with us and to build on regular communication with the premises.

It has also been proposed that no DJ's will be allowed in the garden, as the large garden is included in the licensable area. Therefore, with the addition of live and recorded music, any music in the garden could be consider a rave attracting unwanted guests and be a nuisance to local residents.

Sussex Police believe that if all music is located inside the premises, the event is likely to remain controlled.

Proposed conditions were sent to the applicant's solicitor on the 9th September but an agreement has been unable to be reached before the end of consultation.

Consequently, Sussex Police do not believe the application addresses the concerns and issues that this style of operation attracts. Conditions have been offered on the application but Sussex Police do not believe these go far enough to help mitigate the potential risk, particularly around the offering of SIA during events or in fact using the garden to host DJ's. Therefore, the application is at risk of undermining the prevention of crime & disorder and public nuisance Licensing Objective.

Furthermore, Sussex Police contend that the carrying on of additional licensable activity and the hours applied for at these premises will have a negative impact on the local area.

Therefore, Sussex Police invite the Licensing Authority to consider attaching the proposed conditions from Sussex Police should this premises licence be granted. Please find full proposal attached.

Yours sincerely,

Redacted

Insp Michelle Palmer-Harris

Ops Planning and Events (inc. Licensing) Inspector

Brighton & Hove Division

Sussex Police

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

Proposed conditions for Stanmer House Premises licence Variation.

Black – currently on licence

Blue – proposed on the application

Green – Proposed by Sussex Police.

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.
2. Substantial food shall be available at all times that alcohol is offered for sale on these premises.
3. No beer, lager, perry or cider with an ABV of 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, perry or cider with an ABV of 6% or above such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.
4. Licensable activities that take place on the premises between 23:00 and 01:00h into the morning of a Saturday and Sunday, will be limited to pre-booked functions only
5. Late Night Refreshment will not be permitted to be taken away from the premises.

For the Prevention of Crime and Disorder:

- 6 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 always be on and recording.
- 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 e.g. USB) 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. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request.
- 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.
- 7 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 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.
- c. Any refusals made for alcohol service e.g., underage, will 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.
7. A safeguarding policy will be drawn up and implemented by the DPS. As a minimum, the policy will reference dealing with managing vulnerable customers and drink spiking Staff. will be trained in the policy. A copy will be made available to Sussex Police and Brighton & Hove licensing officers on request.
8. SIA licensed door supervisors shall be employed on any other occasions 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.

9. 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)
10. There will be no DJ's or live music in the garden.

For Public Safety: N/A

For the Prevention of Public Nuisance: See Annex 3 – Conditions attached after a hearing by the licensing authority on 25 June 2021

For the Protection of Children from Harm:

11. 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.
12. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
13. 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, under the influence of illegal substances, or who appears to be drunk or under the influence of such substances
- 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.

Annex 3 – Conditions attached after a hearing by the licensing authority on 25 June 2021

The following conditions addressing public nuisance, offered by the applicant to meet the licensing objectives: -

1. Any outside lighting will be positioned in a way that it does not cause disturbance to any neighbouring properties.
2. Customers will be asked to leave the premises quietly at the end of the evening so as not to disturb any neighbouring properties.
3. The emptying of waste and recycling outside will only take place between 09.30 and 21.00 hours to keep disturbance to a minimum.
4. There shall be no alcohol sales or bar in the garden.
5. Customers will be reminded to drink and drive responsibly by posters in the toilets.

First Floor
Police Station
John Street
Brighton
BN2 0LA

Tel: 101 ext 550809

Email:
brighton.licensing@sussex.police.uk

20th July 2022

Redacted,
Stanmer House,

Stanmer Park,

Brighton

BN1 9QA

Dear Mr Redacted,

Licensing Act 2003 – Unauthorised licensable activities

RE: Stanmer House, Stanmer Park, Brighton, BN1 9QA.

Our records show that you are the Designated Premises Supervisor (DPS) for the above premises. I write with reference to the above premises where Police Licensing conducted a visit on Wednesday 13th July 2022 at 15:50. You were not present at this time but a manager was spoken to and the Premises Licence conditions were gone through with him. As part of the licensing checks I would like to highlight the following breaches of the licence that officers witnessed:

- There was no Part B of the premises licence on display in the premises.

Annex 2 – Conditions consistent with the Operating Schedule

General

- Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.

Initially we walked into the premises and met with the manager, however we were asked to view the bar from outside and through a window as there was a meeting taking place. We were only able to enter once the meeting had finished to walk through to the bar and view the toilets.

This included CCTV being brought to us on a phone outside the premises.

For the Prevention of Crime and Disorder:

- 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 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.
- c) Any refusals made for alcohol service e.g., underage, will 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.

No refusal or Incident logs could be seen, words of advice were given during the visit.

- 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.

There was Challenge 21 signage on display, nothing was evidenced to show Challenge 25 was in use.

- Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.

Signage on display was for Challenge 21.

- 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, under the influence of illegal substances, or who appears to be drunk or under the influence of such substances
- d) 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.
- e) 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.

Training had only been completed for the DPS and person on site in June 2021, no training for any other staff, and no refresher training had been documented and available for view.

I have to advise you that it is an offence under Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that:-

(1) A person commits an offence if –

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be carried on.*

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

The highlighted breach constitutes an offence of carrying on licensable activity otherwise than under and in accordance with an authorisation (the premises licence and the attached conditions). Please can you now ensure these breaches are rectified with immediate effect. Police Licensing will conduct a follow up visit and I must advise you that any further breaches of your licence may mean action is taken.

If there are any matters within this letter that you wish to discuss then please do not hesitate to contact Sussex Police Licensing on the phone number or email address above.

Yours sincerely,

Mrs. Hannah Staplehurst

Licensing Officer

Sussex Police

Please address all future correspondence to

Brighton & Hove Licensing Unit, 1st Floor, Police Station, John Street, Brighton, BN2 0LA.

REP B

From: Redacted

Sent: 17 September 2022 14:07

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Objection to Application Notice ID: SUT2495103 Stanmer House

SC CON ENDS 19.09.2022 VALID PPN (B)

To whom it may concern,

We are the owner occupiers of the Redacted. We hereby object to the application to extend the licensing hours at Stanmer House BN19QA. **Notice ID: SUT2495103.**

Redacted is a residential area comprising 7 properties, all of which are owner-occupied by families. Some of these families, including our own, have young children living at the properties. Whilst we are in favour of the commercial use of the bar and restaurant area at Stanmer House in general, we feel that the extension of the current licensing hours will have a negative effect on our community. The close proximity of our home to Stanmer House, particularly the Redacted in our case, means that noise pollution is a serious concern. We feel strongly that the use of the house for regular anti-social hours events is not in keeping with the local residential community or indeed the wider area of Stanmer village itself.

Kind regards,

Redacted

Sent from my iPhone

REP C

From: Redacted

Sent: 18 September 2022 18:08

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: 1445/3/2022/02959/LAPREV

SC CON ENDS 19.09.2022 VALID PPN & PCD (C)

To whom it may concern

Please take this email as an objection to the application for variation of the license terms for the above on the following grounds:

Noise

Redacted is a residential area which directly adjoins Stanmer House, when functions are hosted in the property the noise levels can be intolerable, especially in the summer months. The extension of the current license times would have a detrimental affect on our ability to enjoy our owner occupied home. It also causes distress to our pets.

Anti Social Behavior

When the site has had a license later than 11:00pm previously, we have experienced a rise in alcohol abuse, anti - social behavior, brawling and excessive noise right outside our gates, lasting from kick out time until an hour later, which has caused distress to local residents

AONB

Stanmer Park is a nature reserve and an area of outstanding natural beauty, an extension of the licensed activities at Stanmer House does not seem appropriate in what should be a peaceful setting of historical value.

Whilst we wish the business success, we don't feel that to grant a later license is appropriate in the area.

We do not object to the removal of condition 3 under Annex 2 in relation to vertical drinking.

Best wishes

Redacted

REP D

From: Redacted

Sent: 19 September 2022 12:47

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: NOTICE ID: SUT 2495103 STANMER HOUSE

SC CON ENDS 19.09.2022 VALID PPN (D)

STANMER HOUSE LICENCE EXTENSION.

To whom it may concern

We live at Redacted.

Redacted

We did not object to the original licence application for Stanmer House and welcomed the opening of the cafe/ restaurant.

However, we wish to formally object to the extension of the opening hours on the grounds of noise and disruption.

Redacted we already have disruption from parties held there and the kitchen in particular is noisy.

Late night drinking which will go on into the early hours is not acceptable, and noise of cars leaving will further disturb the peace.

Stanmer is a small quiet village with a number of elderly residents who will be disturbed if this extension is granted.

Therefore, we formally object to the application.

Yours faithfully,

Redacted

REP E

From: Redacted

Sent: 19 September 2022 22:56

To: Jim Whitelegg <Jim.Whitelegg@brighton-hove.gov.uk>

Subject: Objection to licensing application 2022/02959/LAPREV

SC CON ENDS 19.09.2022 VALID PPN (E)

Dear Jim,

The following is Brighton and Hove Estate Conservation Trust's objection to the licensing application from Stanmer House for extended Licensing hours, late night refreshment, live music and recorded music. We are objecting on the grounds of the Public nuisance that will be caused by increasing the hours and terms of the licence.

The extra hours on the licence on Friday and Saturday nights and the request for live and recorded music will cause increased noise for the residents who live nearby, especially in the stable block flats. The noise from vehicles leaving late at night will also disturb them and the residents of Stanmer Village. I understand that so far 27 bookings have been made for next year and the leaseholders of Stanmer House are expecting this number to increase substantially. Thus, it could be every weekend that local residents are subjected to increased noise from the premises and from vehicles leaving the park in the early hours of the morning. The attempt to increase the opening hours both during the week and at the weekends adds to the issues that the venue will create in the local area. Stanmer House itself has no car park and I understand that at the moment they are trying to keep some spaces in the car park at the side of Stanmer House, which does not belong to them, for disabled drivers. Other drivers will have to park in the area next to One Garden, again causing more noise for residents, especially in the stable block.

The Licensing policy states a terminal hour for such a premises of 12 midnight and this should be adhered to on a Friday and Saturday night in order to cause a lesser issue for nearby residents. The applicants can use Temporary Event notices if they wish to open until a later time for certain events. The condition relating to no vertical drinking should remain as this ensures a calmer and less rowdy atmosphere.

Kind regards

Redacted

REP F

From: Redacted

Sent: 18 September 2022 13:23

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Notice ID: SUT2495103; Reference: 1445/3/2022/02959/LAPREV

SC CON ENDS 19.09.2022 VALID PPN & PCD (F)

Dear Sir/Madam,

Re-: Notice ID: SUT2495103; Reference: 1445/3/2022/02959/LAPREV – Stanmer House application for later/music licence

As a local resident, I am writing to strongly object to the application by Stanmer House for an extension to their existing licence. I have only just become aware of it, even though we have recently moved to live within Redacted.

We are surprised that a later licence would be even considered in a residential area, and especially within a protected national park, given there is already a licence in place until 11 PM, and already another late licence venue in the small and precious Stanmer area.

We are especially concerned about adding live and recorded music permission until 1 AM at weekends as the noise carries even up to where we are and completely destroys the natural peace of the area that is so valued by residents and visitors alike. Even more so for those in the Old Stable Block and Courtyard and centre of the village who are much nearer the House.

We are objecting on many counts, principally noise: this is a peaceful, protected area of natural beauty – there are plenty of venues in Brighton and other built-up areas where an extended licence would not impact the local area in the way this would. However, it is also the associated antisocial behaviour that has come with previous late licence events at Stanmer house, and the fact that even the current 11 PM licence has regularly not been adhered to.

We obviously don't want to harm the hospitality business at Stanmer House, but do not see any need or justification for extending the existing weekday licence from 11 PM to 11.30 p.m. and especially not the current 11 PM weekend licence until 1 AM.

Yours faithfully,

Redacted

REP G

From: Redacted

Sent: 16 September 2022 18:37

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Object to Licence - 1445/3/2022/02959/LAPREV

SC CON ENDS 19.09.2022 VALID PPN, PCD (G)

In Confidence.

Dear Panel,

Please accept this as our objection to the above named application for a change in their existing licencing arrangements. We very much believe that the existing arrangements are more than adequate and do not warrant alteration.

There are a number of grounds for this:

- Why would an extension be required - The existing 11 pm curfew is more than adequate. Especially when considering drinking up time, so by the time everyone vacates the premises it is often midnight or beyond
- Noise levels - Living in Redacted we will be detrimentally affected by late-night noise. This will be unsustainable for our ability to be able to peacefully and enjoy our own home.
- Residential area - Stanmer House is located within a residential area., we are Redacted and the noise (music) vibrates and travels, at times often waking our sleeping child. In addition to this there is another venue within the immediate vicinity that has a late-night licence, which in itself causes considerable noise.
- Anti-social - when the previous proprietors had a late-night licence for the same venue it led to regular alcohol abuse, anti-social behaviour, fights and excessive noise well into the early hours with events often not finishing until 3 or 4 in the morning.
- National Park - Stanmer House is set in an Area of Outstanding Natural Beauty. An extension to their existing licence conditions would be completely counterintuitive and go against the grain for such a peaceful setting.

Of course we do not wish to hinder their financial prosperity as a business, however we believe this extension to be excessive. I hope you will take these point in consideration when evaluating the request to permanently extend Stanmer House's licencing hours.

Redacted

Appendix D



