

Licensing Panel (Licensing Act 2003 Functions)

Date: **14 September 2023**

Time: **10.00am**

Venue **Virtual**

Members: McGregor, Pickett and Sheard

Contact: **Thomas Bald**
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AGENDA

1 TO APPOINT A CHAIR FOR THE MEETING

WELCOME & INTRODUCTIONS

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.

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

3 PINOT & PICASSO LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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Contact Officer: Charles Boufrahi
Ward Affected: West Hill & North Laine

Date of Publication - Wednesday, 6 September 2023

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Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003		
Premises:	Pinot & Picasso Ground Floor 127 Gloucester Road Brighton BN1 4AF		
Applicant:	Creative Atventures Ltd		
Date of Meeting:	14.09.2023		
Report of:	Executive Director of Housing, Neighbourhoods & Communities		
Contact Officer:	Name:	Emily Fountain	Tel: (01273) 292143
	Email:	emily.fountain@brighton-hove.gov.uk	
Ward(s) affected:	West Hill & North Laine		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a **New** Premises Licence under the Licensing Act 2003 for **Pinot & Picasso**.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a **New** Premises Licence under the Licensing Act 2003 for **Pinot & Picasso**.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

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

The applicant is a franchisee for Pinot & Picasso, as such will be operated and run in the exact same format as all Pinot and Picasso venues.

Pinot & Picasso is Australia's number one 'paint and sip' experience. There are over 75 different venues across Australia and the company is now expanding into the UK.

The idea behind Pinot & Picasso is for local artists to teach modern art in a relaxed fun environment in purpose built studios.

Clients are taught through a step by step process of different mediums and techniques. Each session is between one and a half to three hours long and must be pre-booked. These events are perfect for team building, birthday parties, corporate events etc.

There is always a limit to the maximum amount of people able to attend any one booked session, and this is conditioned within in premises licence, and appropriate to the venue space. The applicant would like the licensable hours applied for to enable freedom of movement for bookings throughout the day.

The service of alcohol is supplementary to the art classes.

The directors of Creative Atventures have both worked in Further and Adult Education at Colleges, Training Providers and Community venues. Amanda worked as a teacher (25 years) and then as a member of the Quality team, so she is familiar with both attending and delivering Safeguarding and Prevent training. Throughout her teaching career she worked extensively with people with a range of vulnerabilities including mental health, learning disabilities and ex-offenders etc.

Tacy has worked in operational management with responsibility for the entire vocational curriculum, Adult and Community and specifically Construction so is aware of the importance of H&S in the workplace as well as ensuring all staff were constantly updated on Safeguarding and Prevent and First Aid on a regular basis. She worked with local authorities and community sector organisations to set up courses for learners with a range of vulnerabilities.

Whilst this is not a bar, and the fact that alcohol is not available throughout the day (unless taking part in a booking) the operating schedule has been compiled as if the premises were a venue more open to the public and walk ups.

However, we have ensured it is appropriate for the applied for use adding a cap and ensuring that alcohol can only be sold during pre-booked events.

3.2 Section 18 (Operating Schedule) of the application is detailed at Appendix A and the plan of the premises is attached at Appendix B

3.3 Summary table of proposed activities

	Proposed
Supply of Alcohol	Every day: 10:00 – 23.00 On the Premises
Hours premises are open to public	Every day: 10:00 – 23.00

3.4 Cumulative Impact. The premises falls within the Cumulative Impact Area (“The Area”) (see paragraphs 3.1 – 3.1.10).

Representations received

- 3.5 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.6 2 representations were received. They were received from local residents
- 3.7 Representations received had concerns relating to Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance.
- 3.8 Full details of the representations are attached at Appendix C and further correspondence between the applicant and representations are attached at Appendix D. Agreed conditions with Sussex Police are attached to Appendix E and a map detailing the location of the premises is attached at Appendix F.

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

3.1 Cumulative impact

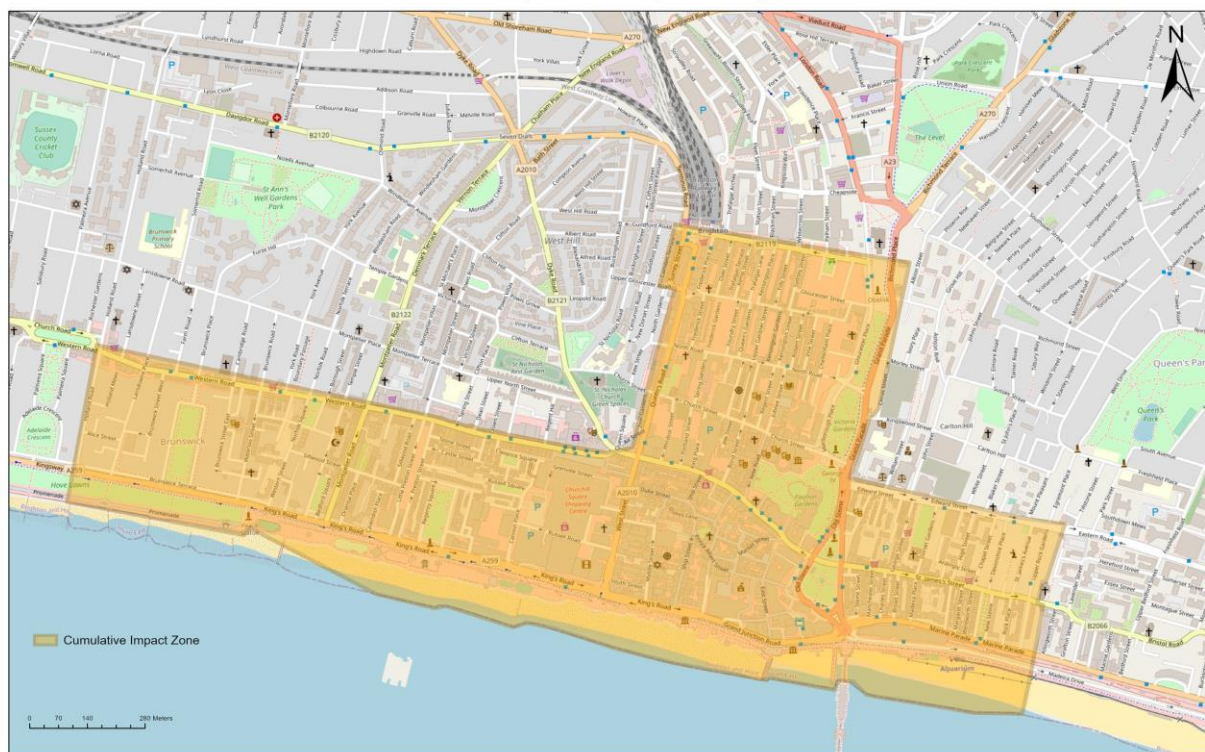
3.1.1 The licensing authority may receive representations from either a responsible authority or other persons that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with 'need' which relates more to the commercial demand for a particular type of premises. The issue of 'need' is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore, does not form part of this licensing policy statement.

3.1.2 **Special Policy - Cumulative Impact** is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

3.1.3 The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to 'Cumulative Impact' is necessary as part of its statement of licensing policy. The first Special Policy incorporating a Cumulative Impact Zone (CIZ) and Special Stress Areas (SSA's) was adopted in March 2008. Since that date, the licensing authority has kept the CIZ and SSA's under review. On 15 December 2011 Full Council resolved to expand the CIZ and the special stress area, covering 1.5% of the administrative area of Brighton & Hove City Council. On 20th November 2014 Licensing Committee resolved to confirm the current CIZ and SSA as defined in the current Statement of Licensing Policy. On the 29th November 2018 Licensing Committee resolved to expand the SSA into Central Hove. It is now proposed to expand the SSA into Preston Road and Beaconsfield Road. The licensing authority has published a Cumulative Impact Assessment which can be found at Appendix E.

3.1.4 This special policy will refer to a Cumulative Impact Zone ("the CIZ") in the Brighton city centre, a detailed plan of which is shown below.

Cumulative Impact Zone, January 2021



Brighton & Hove Public Health Intelligence, 2021
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3.1.5 The Cumulative Impact Zone comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Holland Road to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Air Street with the west side of Queens Road and then northward to the north-west corner of Surrey Street junction with Queens Road; thence along the north side of Trafalgar Street eastwards to its junction with York Place and continuing south-east across to Grand Parade, then south to the junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Lower Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Holland Road; northward to that point and along the west side of Holland Road to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Holland Road.

3.1.6 The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licences or club premises certificates within the area, or variations which are likely to add to the existing Cumulative Impact will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.

3.1.7 This special policy also applies to all new premises licences and club premises certificates, for example pubs, restaurants and take-away establishments. Off licences also come within this policy as they can contribute to problems of street drinking, proxy purchasing, dispersal issues, preloading and excessive drinking and related disorder.

3.1.8 The presumption of refusal does not relieve responsible authorities or other persons of the need to make a relevant representation. If there are no representations, the licensing authority must grant the application in terms consistent with the operating schedule submitted.

3.1.9 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the cumulative impact of the area, it may be granted. The impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant, theatre or live music venue (where alcohol is not the primary activity) may be considered exceptional circumstances. The fact that a premises will be/is exceptionally well managed with a well-qualified applicant, or that there are no residential premises nearby, will not be considered exceptional.

3.1.10 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.

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.

3.5 Off licences

In recent years there has been a noticeable shift towards more people buying alcohol from shops and drinking at home prior to going into premises such as pubs and clubs. The council is concerned that alcohol loading from off-licence sales is a significant problem in the city and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children. Representations from the police, local residents and the director of public health at licensing panel hearings have testified to these problems and Information published in the Public Health Framework for assessing alcohol licensing presents a ward by ward analysis of crime and disorder and health data which is relevant in this respect.

3.5.1 The special policy on cumulative impact and the special stress areas apply to off licences as explained in the matrix approach at 3.3. But in general, where applications are made for new premises or variations to existing licences, and where the police or others make representations against the grant of a further licence for off sales, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises. Decisions will be grounded in the Public Health Framework for assessing alcohol licensing. The council will want to be assured that the operating schedule of premises, and their overall management, training and levels of staffing, are appropriate to ensure that the licensing objectives are promoted in what may be challenging circumstances. Retail outlets and stores where the provision of fresh produce is the principal product sold maybe considered more favourably.

3.5.2 The Licensing Authority encourage off licences to join the Council led “Sensible on Strength” scheme to reduce the availability of cheap super strength beers and ciders. Off licences voluntarily sign up not to sell cheap super-strength beers and ciders over 6% ABV and operate good practice measures (see 3.5.3) for which they receive an accreditation as a responsible retailer.

3.5.3 Areas of best practice that may be included in an Operating Schedule include

- the installation of a digital CCTV system by liaison with, and to a standard approved by Sussex Police
- Challenge 25 policy
- Refusals system
- Documented staff training including underage sales, drunkenness and proxy sales
- Voluntary restriction of high strength alcohol - operating schedules may be used to limit high ABV beers and ciders
- BCRP membership (or other accredited scheme)
- No sale of single cans

- Displays should not be located at the entrance/exit points or near checks out

3.5.4 The Licensing Authority and Sussex Police have specific concerns around the delivery of alcohol off the premises due to issues around the end location of delivery, age verification checks (Challenge 25), the increased possibility of the alcohol coming into the CIZ and SSA from other areas, as well as the personal safety of drivers when having to refuse a delivery at the end destination.

3.5.5 Alcohol delivery poses a unique set of challenges as it often transfers the final age verification to a person who has no responsibility in relation to the Premises Licence which authorised the sale of alcohol. A premises licence holder needs to be satisfied that their drivers or the delivery drivers of the third party company they chose to use, have received regular and comprehensive training in age verification and identifying persons who have consumed too much alcohol.

3.5.6 Evidence has shown that customers have previously used landmarks/businesses not related to them as addresses for delivery so that alcohol could be consumed in open spaces/parks. The risk being that this may lead to increased crime and disorder including anti-social behaviour and criminal damage, as well as the possibility that underage persons can gain access to alcohol. Concerns have also been raised about the delivery of alcohol to known street drinking hotspots. Therefore, a condition requiring all deliveries to be to a verifiable residential or business address and a face to face ID verification is vital in mitigating some of this risk.

3.5.7 While the Licensing Authority and Sussex Police recognise this is a growing area of business, new or variation applications to include the delivery of alcohol off the premises will be subject to increased scrutiny. Suggested conditions for the provision of an alcohol delivery service can be found at Appendix A. These are not exhaustive and each application will be considered on its own merits.

3.6 Street drinking

3.6.1 The Licensing Authority will have regard to areas highlighted by Sussex Police that are at risk from alcohol related anti-social behaviour. The nature of these areas can be fluid/seasonal and so updated maps and data will be produced regularly to ensure the information is current. These hot spot areas are considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and anti-social behaviour when considering applications in this area.

3.9 Promoters and irresponsible drinks promotions

3.9.1 The Licensing Act 2003 makes no mention or provision for the use of promoters within licensed premises. Many of the late night bars and clubs within the Brighton & Hove Cumulative Impact Zone regularly hire promoters to sell nights at their venues. In recent years with the introduction of promoters within the Brighton night time economy, several issues have arisen. This includes promoters vouching for underage customers to get them inside licensed premises where they can access alcohol, providing flyers to passers-by who throw them on the floor and irresponsible promotions for their nights. Many premises now have an agreement with their promoter for acceptable promotions and behaviour which includes the

signing of a written contract of expectations. This shows premises evidencing their due diligence and ensures that promotion companies know what is expected of them. The contract could include, obligations to pick up self-generated litter, verification of ages of their customers and users of their social media, promoters being over the age of 18 and responsible advertising on social media.

3.9.2 The Licensing Authority expect licensed premises to develop staff policy and training on recognising signs of drunkenness and vulnerability, for example, offering drinking water and tips for refusing customers who appear drunk. And discourage company policies that promote bonuses and sales incentives for selling alcohol. Licensing Authority will expect necessary precautionary processes to restrict drunkenness, e.g. Licensing Guidance states happy hours should not be designed to encourage individuals to drink excessively or rapidly.

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).

5 Public Safety

The following details and measures are intended to address the need for the protection of public safety which may be associated with licensed premises and certificated club premises.

5.1.1 The permitted capacity is a limit on the number of persons who may be on the premises at any time, following a recommendation by the relevant fire and rescue authority under the Regulatory Reform (Fire Safety) Order 2005. For any application for a premises licence or club premises certificate for premises without an existing permitted capacity where the applicant wishes to take advantage of the special provisions set out in section 177 of the 2003 Act, the applicant should conduct their own risk assessment as to the appropriate capacity of the premises. They should send their recommendation to the fire and rescue authority which will consider it and decide what the “permitted capacity” of those premises should be.

5.1.2 Normally in the city centre, pubs and clubs will be expected to operate using polycarbonate or toughened/shatterproof glass.

5.1.3 Conditions may be imposed in accordance with operating schedules to protect public safety including where justified:

- (a) provision of closed-circuit television and panic buttons.
- (b) use of shatterproof drinking vessels; bottles requiring use of toughened glass or plastic should normally be required unless applicants can show exceptional reasons.
- (c) use of door supervisors, licensed by the Security Industry Authority.
- (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.

- (e) occupant capacity conditions will be applied where appropriate.
- (f) the provision of designated and suitably trained first aiders.

5.1.4 Where appropriate, licence holders or their authorised representatives will submit event safety plans and operating manuals, attend Event Planning Teams or Safety Advisory Groups and similar meetings prior to large events and shall be part of Event Liaison Teams during such events. Due regard shall be had to relevant guidance and publications including, for example: HSE approved code of practice for events

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.

APPENDIX A – Licensing Best Practice Measures

Best Practice Measures to be included for consideration, in particular in SSA: Matters that would normally be expected in operating schedules:

- the adoption of a policy (e.g. Challenge 25) with acceptable proof of ID as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Sussex Police
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise

Items to which positive consideration would be given:

- membership of Business Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of 'Night Safe' radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Recommend best practice for both on and off premises

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Challenge 25 would be the norm, particularly in the off licence trade
- Signage – proxy sale – deterrence

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: 05/09/23

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: 25/08/23

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 – Section 18 (Operating Schedule) of the application
2. Appendix B – Plan of Premises
3. Appendix C – Representations
4. Appendix D – Applicants response to representations
5. Appendix E – Agreed Conditions with Sussex Police
6. Appendix F – 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

Section 18 of 21

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - a. all crimes reported to the venue.
 - b. all ejections of patrons.
 - c. any complaints received concerning crime and disorder.
 - d. any incidents of disorder.
 - e. any faults in the CCTV system.
 - f. any visit by a relevant authority or emergency service.

2. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to authorised officers of the Council or the Police upon request. Right to work documents must be retained at the premises for a minimum of 12 months after employment has ceased.

3. A recognised member of the premises management must attend all police/council licensing forums/meetings when invited.

Crime and Disorder

4. CCTV shall be installed, operated and maintained at all times that the premises is open for licensable activities, so as to comply with the following criteria;

- The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and time of the person checking, shall be kept and made available to police or authorised council officers on request.
- The police and local authority must be informed if the system will not be operating for longer than one day of business for any reason.
- One camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering.
- The system will provide coverage of any exterior part of the premises accessible to the public.
- The system shall record in real time and recordings will be date and time stamped.
- Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to police or authorised council officers on request, (subject to the Data Protection Act 1998) within 24 hours of any request, and
- At all times the premises are open for licensable activity, there will be a person on the premises who can operate the system sufficiently to allow police or authorised council officers to view footage on request.
- Repair records / invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised persons upon request.
- All CCTV electrical and data storage equipment shall be connected via a surge protected extension lead/cable.

Continued from previous page...

5. Signage stating that CCTV is in operation at the premises will be clearly displayed at the premises.
6. The use of CCTV at the premises will be registered with the Information Commissioners officer (ICO)
7. Alcohol will only be sold to attendees of pre-booked events.
8. The number of persons permitted within the premises during licensable events will not exceed 40 persons (excluding staff)
9. No "miniature" bottles of spirits of 50ml or less shall be sold or supplied at the premises.
10. No alcoholic goods will ever be purchased or taken from persons calling to the premises. All alcohol products shall be purchased from outlets registered with HMRC's Alcohol Wholesale Registration Scheme. Invoices for all purchases of alcohol products shall be retained on the premises for 12 months and produced to authorised officers of the council and the Police upon request. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol products.
11. Ultra-violet light will be available at the premises and will be used for the purpose of checking the UK Duty Stamps on spirits as soon as practicable after purchase. The premises licence holder shall notify the Council's Trading Standards team and HMRC as of any spirits that do not fluoresce under ultra-violet light and the bottles shall be removed from display and stored separately for collection by Council officers.
12. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale, a description of the person who was refused service and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by authorised officers of the Council and the Police upon request.
13. Food will be available during all pre-booked events

Public Safety

14. A first aid box will be available at the premises at all times.
15. A fire safety risk assessment will be completed as per government guidelines on an annual basis (Regulatory Reform (Fire Safety) Order 2005) And produced to authorised officers of the Council, the Police and the Fire Service upon request.
16. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.
17. The edges of treads and steps to be conspicuous.

Prevention of Public Nuisance

18. The premises shall prominently display signage informing customers to leave the premises quietly and to respect the neighbours.
19. A dispersal policy will be in existence which shall, so far as is possible, ensure that minimum disturbance or nuisance is caused to neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.
20. The removal of rubbish to outside the premises will not take place between the hours of 9pm and 7am
21. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply

Continued from previous page...

with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

22. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

23. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

24. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and glasses emanating from the premises. A final check should be made at close of business.

25. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

Protection of Children from Harm

26. The premises shall at all times operate a Challenge 25 policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years without having first provided identification. Only a valid British driver's licence showing a photograph of the person, a valid passport or proof of age card showing the 'Pass' hologram are to be accepted as identification. Military ID Cards can also be accepted. Notices and/or posters advertising the Challenge 25 policy shall be placed in prominent positions at the premises.

27. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs.

b) The prevention of crime and disorder

See above

c) Public safety

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Continued from previous page...

See above

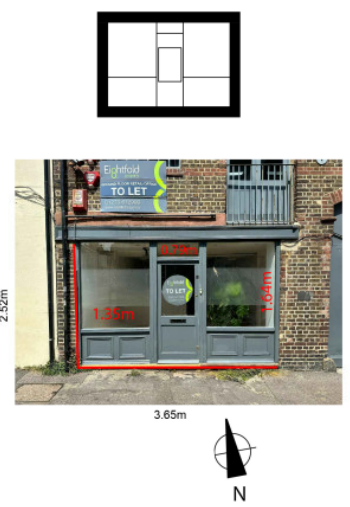
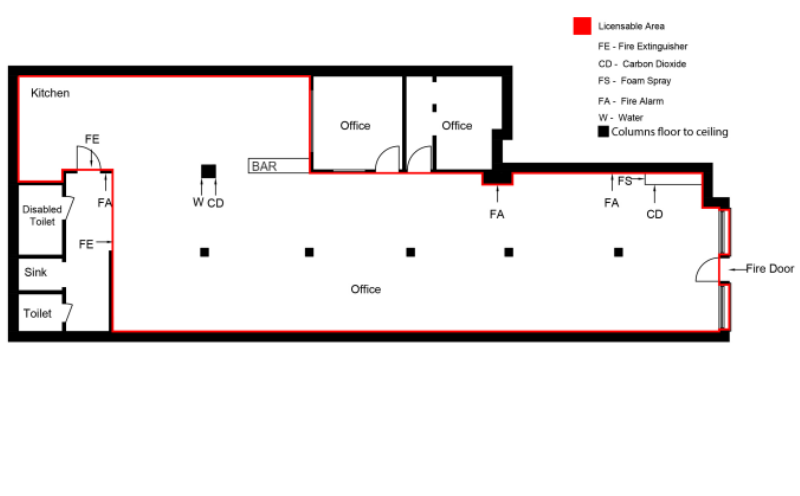
d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Appendix B



	Ground Floor 127 Gloucester Road Brighton BN1 4AF	Scale in Meters 		SCALE PLAN	PRINT AT A3
		0 1 2 3 4 5 Print Guide: when printed the line below will measure 5cm		PLAN DRAWN: JULY, 2023	SCALE -1:100

Appendix C

REP A

From: REDACTED

Sent: Saturday, August 12, 2023 9:14 AM

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

Subject: Re License application REDACTED

EF CON ENDS 16.08.2023 VALID PPN and PCD (A)

Hi,

Re License application REDACTED

I object to this license on the grounds of Prevention of Crime and Disorder and Prevention of Public Nuisance

Prevention of Crime and Disorder and Prevention of Public Nuisance

The business says that it is going to offer classes of painting with a glass of wine. Assuming that this will work on the same model as painting pottery cafes but only for adults, they will be looking to attract groups of hens and stags in particular. The likelihood of over drinking and consequent public nuisance is therefore substantial.

Prevention of Crime and Disorder

The company whose only other internet visible venture is to run a climbing wall centre in Wales appears to have no experience of running a licensed premises. The running of a new wine bar without experience and hundreds of miles from their home is a recipe for poor management and hence crime.

Additionally

I am also concerned that this is a defecto wine bar. I ask that the application be judged on this basis rather than an entertainment centre.

With best wishes,

REDACTED

REDACTED

Rep B

From: REDACTED

Sent: Wednesday, August 16, 2023 12:23 PM

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

Subject: REDACTED

EF CON ENDS 16.08.2023 VALID PPN, PS and PCD (B)

Good afternoon,

With this e-mail I express concern regarding license application REDACTED for selling alcohol every day until 23:00 on 127 Gloucester Road. There are already four alcohol-licensed premises at either end of Cheltenham Place, which is excessive for this confined area in relation to residents and other businesses - a fifth definitely tip this over for what is supposed to be a residential conservation area. The traffic on Cheltenham Place of intoxicated people is already high, generating anti-social behaviour, crime and disorder and public nuisance, impacting negatively on residents. Drug-dealing has increased (taking place in plain sight) just over the last six months, as also other crimes such as burglary and attempted break-ins. Littering (broken bottles and glass, fast food wrappers etc.) is an everyday problem. The disproportioned concentration of alcohol-premises in this troubled area with a fifth applying for alcohol license is a real concern for public safety .

Kind regards,
REDACTED

Pc Licensing
REDACTED



Creative Atventures
Ltd
Pinot & Picasso
(Ground Floor) 127 Gloucester Road
Brighton
BN1 4AF

Monday 21st August 2023

Dear Residents,

I write to you on behalf of my client Creative Atventures Ltd, the applicant for the above premises licence.

We would like to thank you for taking the time to write as this assists us greatly in a number of ways, such as establishing relationships and reaching out to explain the business in a more personable manner than the application permits. Each application is based on the business model along with satisfying the licensing objectives and any bespoke points within the local licensing policy. There are often points raised by residents at this stage of an application and those concerns are always useful to know so that we can stride toward a harmonious relationship with our neighbours.

In this letter we'd like to explain a little of the background to the business and the applicants. We received 2 representations to the application including yours, the other was also from a local resident.

None of the responsible authorities have objected to this application, and conditions have been amended/agreed with the police (I'll cover more of this later). You addressed similar concerns and so we thought it easier to write to you both in the hopes that we cover off all of your points raised and any additional that may have popped up since, in the hopes that your concerns will be allayed.

Firstly, I would like to point out that my client Creative Atventures Ltd company number 14733919 is based in Chichester and should not be confused with Creative

Adventures Ltd based in Wales, they are two completely different unrelated companies.

Pinot & Picasso

Pinot & Picasso as the application states, is Australia's premier 'paint and sip' experience with over 75 venues across Australia and New Zealand. There are already three other sites in England and due to popularity, they are set to grow. The focus of each venue is the painting experience. This is above all the most important part of the business, and its main focus. Customers will be taught and guided through a painting experience with friends, family etc in a relaxed fun atmosphere, where the emphasis is entirely on art and fun. Customers must book a session, and depending on which day of the week, there may be up to 4 sessions per day. Each session can only accommodate a maximum of 40 persons due to the space at the venue, bearing in mind the size of equipment needed to host a painting tutorial where each customer has their own easel. It is highly unlikely that there will be 40 persons at each booking, but we feel it necessary to state a cap to show due diligence and assist with each licensing policy.

Whilst the application seeks to licence the premises from 10am to 11pm seven days a week, this does not mean that the venue will be open seven days a week 10am to 11pm. It will only be open when there are bookings, and if you have noted the conditions, alcohol can ONLY be served to those that have pre-booked a session. There are a great many sessions run across Pinot and Picasso venues where little or no alcohol is sold. The hours are to permit fluidity with bookings across the week.

As Pinot & Picasso (P&P) expands across the UK a number of venues will be run by franchisees and a number by P&P themselves. Regardless, ALL venues operate to the same strict ethos, and very similar operating schedules (dependent on need within the specific licensing policy). The fact that one franchisee may not have the full experience of running such a venue before matters not. The P&P team are on hand assisting and guiding 24/7.

The Directors of Creative Atventures Ltd

Tacy Riby and Amanda Hammond are based locally in Chichester with Tacy having grown up in Lancing and Worthing, so they have close connections to the community. On days when the paint and sip sessions are operating, they will be staying overnight locally to ensure they are on hand actively supervising the premises and sessions.

As a Head of Adult Education and Director of Vocational Curriculum Tacy has previously been responsible for adult and further education provision with specific duties relating to the behaviour of large numbers of staff and students (aged from 14-

99) in college campuses and community venues. As such she is experienced and familiar with ensuring adherence to codes of conduct and reducing any impact on neighbours whilst also ensuring the delivery of high quality learning experiences. Tacy and Amanda intend to bring that experience to the delivery of paint and sip sessions and as such are equipped with the experience to address any issues clearly and firmly with good customer service.

Tacy and Amanda have also spent a significant amount of time delivering art and craft based education projects in the community, for example for people with mental health and learning disabilities. Building relationships with the local community around the studio will be a clear focus for them and they are keen to meet local residents and address any concerns promptly. For example, they are already planning with local groups and services to deliver well-being and sound bath sessions supporting bereaved families, trauma service and local health professionals. These sessions will be focused on the mindfulness and respite opportunities offered by the ability to switch off and recharge during the painting sessions.

During half terms, holidays and lazy Sunday afternoons the focus will be on creating memories with families and friends including bringing children along to alcohol free sessions.

Sales Data and Pop Up Events

Pinot and Picasso Shoreditch (London) opened on 29th July with sales of 174 tickets to date (excluding the opening weekend). Sales data demonstrates an average of 2 drinks bought per person, NOT all alcoholic.

On the 20th of August Pinot and Picasso Brighton opened a pop up event at Yellow Wave Beach Sports, there were 20 customers in attendance. P&P Brighton were not responsible for the alcohol sales but were able to note that the average remained the same here too.

Generally, guests purchase a drink on arrival and another in the 'drying' break. Approx. 60% of these drinks are alcoholic.

General

With a clear focus on the paint experience ensuring all customers create a memorable experience - with the sip element - whether alcoholic or non-alcoholic being a supporting part not the main focus.

The venue will be stocked with a minimal range of alcoholic products. There will be 4 options of wine (red, white, rose and Prosecco), a craft beer and 2 pre-made cocktails, alongside non/low alcoholic drinks, soft drinks and snacks.

Representations

“There are already four alcohol-licensed premises at either end of Cheltenham Place, which is excessive for this confined area in relation to residents and other businesses - a fifth definitely tip this over for what is supposed to be a residential conservation area”.

The venues you refer to are alcohol led. As has been stated, P&P is in no way alcohol led, it is merely supplementary to the art class and depending on the event, alcohol will not always be available.

“The traffic on Cheltenham Place of intoxicated people is already high, generating anti-social behaviour, crime and disorder and public nuisance, impacting negatively on residents”.

This is the sort of issue that is useful to know to new operators, it also assists to ensure safety of the customers and of the staff. However, the manner in which P&P is operated and managed has never led to any issues like mentioned here. With the experience and strength of management coming into the premises with the two directors it is not something we think will ever be a concern and certainly do not expect to add to the current issues you mention.

“Drug-dealing has increased (taking place in plain sight) just over the last six months, as also other crimes such as burglary and attempted break-ins”.

Again, something useful to know and for the new operators to be aware of. Drugs are not an issue at any of the P&P venues, nor have they ever been. Drugs are not something that is associated with this type of venue.

“Littering (broken bottles and glass, fast food wrappers etc.) is an everyday problem”.

Drinks cannot be taken outside of the venue, there is no outside space or off-sales. Littering will not be an issue.

“The business says that it is going to offer classes of painting with a glass of wine. Assuming that this will work on the same model as painting pottery cafes but only for adults, they will be looking to attract groups of hens and stags in particular. The likelihood of over drinking and consequent public nuisance is therefore substantial”.

P&P do not actively seek to attract such parties. However, based on experience, the venue will attract such, but these mainly take place during the day as part of organised pre-wedding activities. The sessions are organised and delivered to create a memorable experience for all members of the wedding party - whatever their age and as such are not focused on drinking but more on creating family memories. In

our experience P&P is not a destination venue for such events, more of an afternoon activity before heading out to dinner or other venues.

“I am also concerned that this is a defecto wine bar. I ask that the application be judged on this basis rather than an entertainment centre”.

P&P is an art studio. There are a number of conditions offered and agreed with the police that ensure that this venue cannot turn into such.

Operating Schedule

The below operating schedule was submitted with the application. The operating schedule forms the ‘rules and regulations’ by which the premises operates under the applied for licence. As has been previously stated, P&P operate similar operating schedules across their premises with slight variations to accommodate the varying different licensing policies across the country. In some areas the responsible authorities ask to vary the proposed conditions, or to align them with those that are operated by other venues in within the authority. This is exactly what has happened here in Brighton & Hove with the local police, it does not mean that we ‘missed’ anything in our application. The police were satisfied that the proposed schedule did indeed restrict the venue but asked for variation on some points and to add one condition specific to Brighton & Hove - incidentally this ‘new’ condition they asked to be added would have been incorporated within the policies and procedures of the premises. The applicants agreed without hesitation to the proposed amendments. I have highlighted the amended conditions below in italics and noted the new conditions added by the police.

We hope that by reviewing this information and the final operating schedule that your concerns in your rep have been dealt with enough for you to be satisfied that this venue will not add to any issues you have raised.

Should you wish to discuss the application in person please contact me on the number/email below. Furthermore, should you wish to meet the directors to discuss the application, this can also be arranged. There is a further event to be held at Yellow Wave Beach Sports on Bank Holiday Monday the 28th of August at 2pm. If you would like to come to that event and see what P&P events are like you’d be most welcome, please let us know.

Kind Regards
Peter

Peter Conisbee Q.Inst.Pa Licensing Consultant REDACTED

Operating Schedule

General

1.

(a) An incident and refusals log will be maintained by the premises showing a detailed note of incidents and refusals that occur in the premises. This can be in electronic or written format. The log will be inspected and signed off by the DPS (or a person with delegated authority) at intervals of no more than four (4) weeks.

(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) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

(d) Any refusals made for alcohol service e.g., underage, will be recorded and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

2. The premises licence holder or nominated representative shall keep and maintain all right to work documents for all staff members. Right to work documents shall be kept at the premises and produced to authorised officers of the Council or the Police upon request. Right to work documents must be retained at the premises for a minimum of 12 months after employment has ceased.
3. A recognised member of the premises management must attend all police/council licensing forums/meetings when invited.
4. *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.*

5. *The sale of alcohol will be supplementary to the art classes and only to attendees of a pre-booked class/session.*
6. *Vertical drinking may take place when forming part of a pre-booked painting class/session. All attendees will have pre booked their session and be in possession of a ticket or be named on a guest list.*
7. *Food will be available during all pre-booked classes/sessions.*

Crime and Disorder

8. Subject to GDPR guidance and legislation:

(a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrances/exits to the premises as well as any outside space. The system shall be on and recording at all times the premises licence is in operation.

(b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(c) CCTV footage will be stored for a minimum of 31 days

(d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

(e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(f) The management of the premises will ensure that key staff are fully trained in the operation of the CCTV and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Police e.g., USB) or provide footage via an online link as initiated by Police, without difficulty or delay and without charge.

(g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

(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

9. Signage stating that CCTV is in operation at the premises will be clearly displayed at the premises.
10. The use of CCTV at the premises will be registered with the Information Commissioners officer (ICO)
11. The number of persons permitted within the premises during licensable events will not exceed 40 persons (excluding staff)
12. No “miniature” bottles of spirits of 50ml or less shall be sold or supplied at the premises.
13. No alcoholic goods will ever be purchased or taken from persons calling to the premises. All alcohol products shall be purchased from outlets registered with HMRC’s Alcohol Wholesale Registration Scheme. Invoices for all purchases of alcohol products shall be retained on the premises for 12 months and produced to authorised officers of the council and the Police upon request. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol products.
14. Ultra-violet light will be available at the premises and will be used for the purpose of checking the UK Duty Stamps on spirits as soon as practicable after purchase. The premises licence holder shall notify the Council's Trading Standards team and HMRC as of any spirits that do not fluoresce under ultra-violet light and the bottles shall be removed from display and stored separately for collection by Council officers.

Public Safety

15. A first aid box will be available at the premises at all times.
16. A fire safety risk assessment will be completed as per government guidelines on an annual basis (**Regulatory Reform (Fire Safety) Order 2005**) And produced to authorised officers of the Council, the Police and the Fire Service upon request.

17. All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

18. The edges of treads and steps to be conspicuous.

Prevention of Public Nuisance

19. The premises shall prominently display signage informing customers to leave the premises quietly and to respect the neighbours.

20. A dispersal policy will be in existence which shall, so far as is possible, ensure that minimum disturbance or nuisance is caused to neighbours and to ensure that the operation of the premises makes the minimum impact upon the neighbourhood in relation to potential nuisance and anti-social behaviour.

21. The removal of rubbish to outside the premises will not take place between the hours of 9pm and 7am

22. The Licensee shall ensure that all staff are fully trained and made aware of the legal requirement of businesses to comply with their responsibility as regards the disposal of waste produced from the business premises. The procedure for handling and preparing for disposal of the waste shall be in writing and displayed in a prominent place where it can be referred to at all times by staff.

23. The Licensee shall ensure that any contract for general and recyclable waste disposal shall be appropriate in size to the amount of waste produced by the business. The Licensee shall maintain an adequate supply of waste receptacles provided by his registered waste carrier (refuse sacks or commercial waste bins) in order to ensure all refuse emanating from the business is always presented for collection by his waste carrier and shall not use any plain black or unidentifiable refuse sacks or any other unidentifiable or unmarked waste receptacles.

24. In order to minimise the amount of time any waste remains on the public highway in readiness for collection, the Licensee will ensure the timeframe within which it may expect its waste carrier to collect is adhered to.

25. The Licensee shall instruct members of staff to make regular checks of the area immediately outside the premises and remove any litter, bottles and

glasses emanating from the premises. A final check should be made at close of business.

26. The Licensee shall provide a safe receptacle for cigarette ends to be placed outside for the use of customers, such receptacle being carefully placed so as not to cause an obstruction or trip.

Protection of Children from Harm

27.

(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*

(b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 12 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.

9. 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, biometric residence permit cards 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.

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

11. A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences. (New Condition)

From: Redacted

Date: Friday, 25 August 2023 at 10:51

To: Redacted

Cc: Emily Fountain <Emily.Fountain@brighton-hove.gov.uk>, EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>

Subject: Re: Pinot & Picasso - Premises Licence Application

Hi Peter,

Thank you for your email and the accompanying documentation. I am greatly reassured on many fronts but retain some concerns relating to the conditions agreed between P&P and the police.

Alcohol only served to pre-booked guests

- How is pre-booked defined? Is this 5 minutes before, or 24 hours before? I am concerned that pre-booked could be loosely administered to allow walk-ins.

Transfer of licence

- Should P&P one day cease trading and the license is transferred. Then I request that the '*alcohol only served to pre-booked guests*' condition be written in to be transferred as part of the transferred licence. This would otherwise be an opening for the arrival of a wine bar.

"Drinks cannot be consumed outside the venue"

- Is this a condition or a statement from P&P. It needs to be a condition.
- I request that a bold and visible sign to this effect be placed near the door.

Smoking

- Do you have a suggestion of how to resolve the issue of groups of people gathering by the front door to smoke? The current proposal allows this which would be very unpleasant (and potentially noisy) for neighbours.

With best wishes,

Redacted

From: REDACTED

Sent: Friday, August 25, 2023 2:55 PM

To: REDACTED

Cc: Emily Fountain <Emily.Fountain@brighton-hove.gov.uk>; EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>

Subject: Re: Pinot & Picasso - Premises Licence Application

REDACTED,

Thank you for your reply, I have responded to each query in red below.

Furthermore, the studio design has been completed and the venue will actually be limited to just 32 customers, not the originally thought 40. Please also take a look at the current website for the venue showing the types of events taking place.

The weblink is

<https://www.pinotandpicasso.uk/brighton/>

Please let me know if there are any further questions or if the answers below have satisfied your concerns.

Many thanks and kind regards

Peter Conisbee [Q.Inst.Pa](#)

Alcohol Licensing Consultant

REDACTED

www.pclicensing.co.uk

From: REDACTED

Date: Friday, 25 August 2023 at 10:51

To: REDACTED

Cc: Emily Fountain <Emily.Fountain@brighton-hove.gov.uk>, EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>

Subject: Re: Pinot & Picasso - Premises Licence Application

Hi Peter,

Thank you for your email and the accompanying documentation. I am greatly reassured on many fronts but retain some concerns relating to the conditions agreed between P&P and the police.

Alcohol only served to pre-booked guests

- How is pre-booked defined? Is this 5 minutes before, or 24 hours before? I am concerned that pre-booked could be loosely administered to allow walk-ins.

All sessions must be pre-booked and paid for via the website. If a session is not fully booked in advance (sessions now limited to 32 people) customers will be able to book and pay for the session

using a QR code on the window, this is obviously dependent on spaces being available. So any potential customers cannot simply 'walk in' and take part in a session.

Transfer of licence

- Should P&P one day cease trading and the license is transferred. Then I request that the *'alcohol only served to pre-booked guests'* condition be written in to be transferred as part of the transferred licence. This would otherwise be an opening for the arrival of a wine bar.

If the licence were ever transferred, it is transferred 'as is'. If any of the current conditions on the licence do not align with their business they would need to submit a variation in order to utilise the licence. The Licensing Act states that any application to amend a premises licence that may affect the licensing objectives must be done by way of a full variation application. The process for such an application is exactly the same as applying for a new premises licence, notices displayed, consultation period etc. Even if the new licensee wanted to submit a minor variation, a notice still needs to be placed on the premises to inform the public.

It is for this reason that we apply bespoke conditions to the licence to ensure that the premises can only be what we set it out to be.

"Drinks cannot be consumed outside the venue"

- Is this a condition or a statement from P&P. It needs to be a condition.
- I request that a bold and visible sign to this effect be placed near the door.

My sincerest apologies, when transferring the requested police conditions I omitted the following by error;

'Customers will not be permitted to take drinks outside at any time'

It is a standard of P&P anyway so was always being implemented. Notices will be placed by the front door to this effect

Smoking

- Do you have a suggestion of how to resolve the issue of groups of people gathering by the front door to smoke? The current proposal allows this which would be very unpleasant (and potentially noisy) for neighbours.

Whilst we appreciate this is nuisance and unpleasant, the smoking population has diminished enormously in recent years, and as such we do not anticipate groups of smokers. However due to its diminishing popularity it can easily be dealt with by the premises. As each session is limited to a small number, it is easy to address at the start of any session to those gathered, along with other rules and safety aspects of the venue. Furthermore it can be added to the notices at the front of the venue.

With best wishes,

REDACTED

Proposed Conditions for Pinot & Picasso – 2nd August 2023

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. The sale of alcohol will be supplementary to the art classes and only to attendees of a pre-booked class/session.
3. Vertical drinking may take place when forming part of a pre-booked painting class/session. All attendees will have pre booked their session and be in possession of a ticket or be named on a guest list.
4. Food will be available during all pre-booked classes/sessions.

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

For the Prevention of Crime and Disorder:

5. Subject to GDPR guidance and legislation:
 - (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrances/exits to the premises as well as any outside space. The system shall be on and recording at all times the premises licence is in operation.
 - (b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - (c) CCTV footage will be stored for a minimum of 31 days
 - (d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - (e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - (f) The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Police e.g. USB) or

provide footage via an online link as initiated by Police, without difficulty or delay and without charge.

(g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

(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.

6.

(a) An incident and refusals log will be maintained by the premises showing a detailed note of incidents and refusals that occur in the premises. This can be in electronic or written format. The log will be inspected and signed off by the DPS (or a person with delegated authority) at intervals of no more than four (4) weeks.

(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) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

(d) Any refusals made for alcohol service e.g. underage, will be recorded 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

For Public Safety:

7. Customers will not be permitted to take drinks outside at any time.

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

For the Prevention of Public Nuisance:

As stated in original application or agreed with Environmental Protection

For the Protection of Children from Harm:

8.

(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

- (b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 12 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.
9. 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, biometric residence permit cards 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.
 10. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
 11. A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

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

Appendix F

