

Licensing Panel (Licensing Act 2003 Functions)

Date: **2 June 2025**

Time: **10.00am**

Venue **Virtual**

Members: **Councillors:** Cattell, Fowler and Pickett

Contact: **Francis Mitchell**
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AGENDA

PART ONE

Page

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.

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

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

3 BURGER KING LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

7 - 50

Contact Officer: Charles Boufrahi
Ward Affected: Goldsmid

Date of Publication - Friday, 23 May 2025

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Francis Mitchell, (01273 294183, email Francis.Mitchell@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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- Do not re-enter the building until told that it is safe to do so.

Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003		
Premises:	Burger King, Goldstone Retail Park, Newtown Road, Hove BN3 7PN		
Applicant:	Leon Kennedy Ltd		
Date of Meeting:	2 June 2025		
Report of:	Corporate Director for City Operations		
Contact Officer:	Name:	Donna Lynsdale	Tel: (01273) 294429
	Email:	donna.lynsdale@brighton-hove.gov.uk	
Ward(s) affected:	Goldsmid		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Burger King.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a New Premises Licence under the Licensing Act 2003 for Burger King.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a New Premises Licence under the Licensing Act 2003. The application proposes:
Burger King is known for serving high-quality, great-tasting, and affordable food. Founded in 1954, Burger King is the second-largest fast-food hamburger chain in the world. The commitment to premium ingredients, signature recipes, and family-friendly dining experiences is what has defined the brand for more than 50 successful years.
- 3.2 Part M (Operating Schedule) of the application is detailed at Appendix A and the proposed plan of the premises is attached at Appendix B

3.3 Summary table of proposed activities

	Proposed
Late Night Refreshment	Every day: 23:00 – 05:00 On and Off the premises
Hours premises are open to public	Every day: 00:00 – 24:00 (24 hours)

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

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 28 representations were received. They were received from local residents, Residents Association, 3 local Councillors and the Licensing Authority.
- 3.7 Representations received had concerns relating to Prevention of Crime and Disorder, and the Prevention of Public Nuisance. Full details of the representations are attached at Appendix C.
- 3.8 Proposed conditions by Sussex Police and Environmental Protection agreed by the applicant are attached at Appendix D.
- 3.9 A map detailing the location of the premises is attached at Appendix E.

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.

3.3 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.

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

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
- Restaurants with outside service - the licensing authority will also consider applications from restaurants that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for cafes, the licensing authority will require evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:
- The sale and supply of alcohol for consumption off the premises shall be restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.

4 Prevention of Crime and Disorder

The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed

premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.

- 4.1.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.
- 4.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

4.2 Care, control and supervision of premises

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.

4.3.6 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.

5.1.3 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.

6.1.5 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.

7 Protection of Children from Harm

The following details and measures are intended to address the need for the protection of children from harm; this includes emotional and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, eg in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).

7.1.4 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking.
- with a known association with drug taking or dealing.
- where there is a strong element of gambling on the premises.
- where entertainment of an adult or sexual nature is commonly provided.
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present.
- age limitations (below 18).
- limitations or exclusions when certain activities are taking place.
- requirements for an accompanying adult.
- full exclusion of people under 18.

The “What to do” booklet is a national one and can be accessed at:

Probably also worth getting him to put in that if you are concerned about a child locally to contact the Multi-Agency Safeguarding Hub (MASH) on 01273 290400, or you can contact Sussex Police on 101. If they think a child is in immediate danger to dial 999.

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

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

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 David Wilder

Date: 23/05/2025

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: 22/05/25

Equalities Implications:

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

Sustainability Implications:

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

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part M of the Application
2. Appendix B – Proposed Plan of Premises
3. Appendix C – Representations.
4. Appendix D – Agreement with Sussex Police and Environment Protection.
5. Appendix E – 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, February 2025.

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

Burger King – Goldstone Retail Park, Old Shoreham Road, Hove

The prevention of crime and disorder.

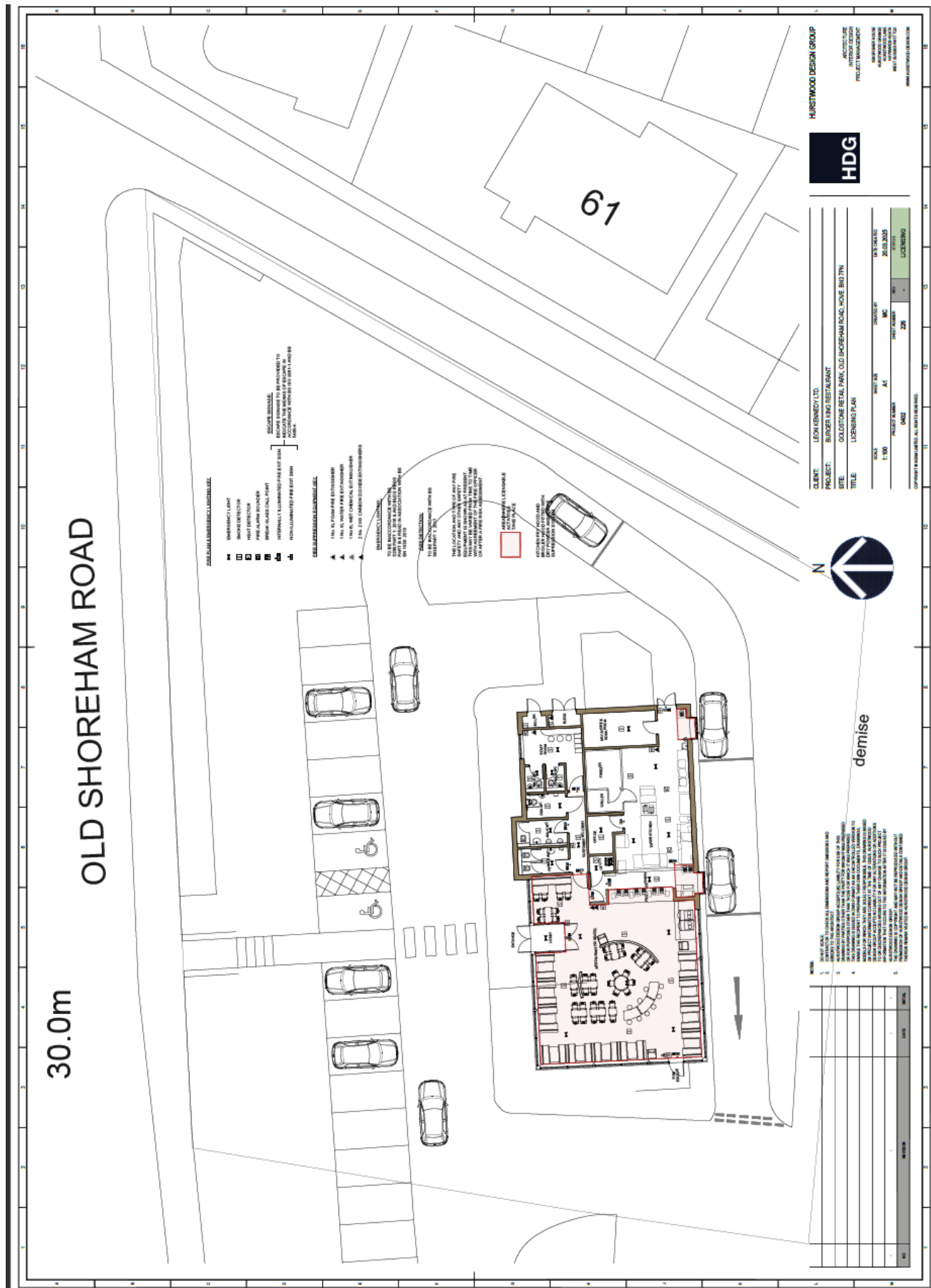
1. A CCTV system shall be installed at the premises.
 - a) The CCTV shall be maintained in good order and recordings shall be retained for at least 31 days.
 - b) The correct time and date will be generated onto both the recording and the real-time image screen
 - c) The footage will be made available for inspection by authorised officers of the Licensing Authority and the Police upon request.
 - d) There shall be signs displayed in the customer area to advise that CCTV is in operation.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Public safety

3. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and 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) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system, searching equipment or scanning equipment
 - g) any visit by a relevant authority or emergency service.
4. The Premises Licence Holder or nominated person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.

The prevention of public nuisance

5. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
7. The sales of hot food & drink are to be via the drive-thru facility only from 23:00 and the internal restaurant will be closed from this time.



Appendix C

REP A

From: **REDACTED**

Sent: 14 April 2025 11:04

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

Subject: Burger King application: 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (A)

14th April 2025

REDACTED

REDACTED

REDACTED

Re: Burger King, Hove retail Park. Opening Hours extension-

Burger King application:

1445/3/2025/02227/LAPREN

Dear Sirs,

We are residents in **REDACTED** overlooking the Burger King located in Hove Retail Park. We would like to object to the proposed opening hours extension application made by Leon Kennedy Ltd. for the following reasons.

Air pollution:

- Burger King is one of the major environmental polluters in this area. From the time they open until they close there is a steady stream of acrid blue smoke emanating from vents located on their site. This is an oil based pollutant which smells foul. During the day it can be smelt in our rooms and in our back gardens. Allowing Burger King an additional ten or twelve hours opening extends the time that we will be exposed to these harmful airborne emissions- ALL DAY AND ALL NIGHT. This is unacceptable.

Anti social/noise:

- All night opening increases the potential for people to congregate and to create a noise nuisance particularly over weekend and bank holiday periods. There is a culture of "boy racers" in the retail car park doing 'wheelies' late at night. Late night opening will increase this.

- The longer hours will also mean that there will be more vehicles arriving throughout the night (both customer and retail related) which again is unacceptable in a residential area.
- These vehicles will also contribute additional POLLUTION levels to that mentioned above.

It is for these reasons that we are objecting to the extension of opening hours for this retail unit.

Yours sincerely,

REDACTED

REP B

From: **REDACTED**

Sent: 14 April 2025 15:56

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

Subject: OBJECTION to Burger King application to extend licence to (Goldstone Retail Park

Burger King's application to extend its licence to sell food (Goldstone Retail Park) – objection 14th April 2025

DL CON END 23.04.2025 VALID PCD and PPN (B)

Ref: **1445/3/2025/02227/LAPREN**

<https://licensingregister.brighton-hove.gov.uk/licence/14453202502227lapren>

I am one of the residents of **REDACTED**, which is immediately adjacent to the Goldstone Retail Park.

I wish to make an objection to this licence application on the grounds of:

- the prevention of crime and disorder
- the prevention of public nuisance

The residents of **REDACTED**, are impacted by anything that happens in the Goldstone Retail Park, which we overlook, only a few metres away.

We fear that all night opening would encourage noisy, loitering around the retail park and along **REDACTED**. There would also be more traffic (from both customers and supply lorries). Noise disturbance at night would be inevitable.

We have already experienced problems with antisocial activity in the retail park and in **REDACTED**, particularly at night, e.g.

- Theft from property and vehicles.
- Graffiti.
- Noise at night from gangs of young people.
- Young people performing “wheelies” in the car park on motorbikes.
- Urinating in the street (typically, at night during school holidays).
- Discarded Burger King cartons and cups. Sometimes food is discarded (which attracts rats and foxes etc.)

- Bottles being thrown, leaving broken glass in the road.

If Burger King is licenced to sell refreshments all through the night, there will be yet more antisocial activity.

The population of the area will shortly be multiplied nearly ten-fold when the new developments south of the retail park are inhabited. What will the area be like then?

REDACTED
REDACTED
REDACTED
REDACTED

REP C

From: **REDACTED**

Sent: 15 April 2025 12:37

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

Subject: Burger King application.

DL CON END 23.04.2025 VALID PPN (C)

Ref 1445/3/2025/02227/LAPREN

Dear Licensing team,

I've just found out that Burger King wish to apply for a late license at Goldstone retail park in Hove.

I wish to strongly object to this application.

As a near neighbour I have found that the premises already pollute the local environment with smoke and oil based smells and noise - especially noticeable on warm evenings when windows are open which is most concerning for my children who are at the front of the house facing the premises.

Also a big nuisance is the litter already caused by Burger King which manifests as food/drink waste and the wrappers and containers which I frequently have to pick up from the street and driveway around my house, especially as there are no public litter bins on the local streets.

As an aside to this even the local public bins in Hove Park are frequently overwhelmed by the amount of rubbish already generated by this takeaway and is regularly strewn around the park by local wildlife on any given morning. The local taxpayer essentially picks up the cost of clean up and disposing of vast amounts of this un-recyclable waste and rubbish from this corporate business and laid on us to pick up the bill.

I hope these considerations are duly taken into account.

REDACTED
REDACTED
REDACTED

REP D

From: **REDACTED**

Sent: 15 April 2025 19:30

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

Subject: 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (D)

Dear colleagues

As a resident of **REDACTED**, I am writing to express my strongest objection to the proposed extension to opening hours at Burger King.

It can not be necessary to have access to junk food 24/7.

Extending the opening hours will mean cars in the car park when it is normally empty. This leads to increased pollution, noise and risk of accidents.

It will lead to large gatherings of young people with increased risk of noise, crime and disorder.

None of the above is appropriate in a residential area.

I urge you to reject this application.

Thank you

REDACTED
REDACTED
REDACTED

REP E

From: Cllr Jacqueline O'Quinn <**REDACTED**>

Sent: 16 April 2025 08:54

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

Subject: Objection to Licence application form Burger King - Hove Retail Park

15th April 2025

DL CON END 23.04.2025 VALID PCD and PPN (E)

Dear officer,

I am writing to object to the following Licence application for Burger King:
Licence-1445/3/2025/02227/LAPREN

The applicant is Leon Kennedy Ltd. and the address of the premises is:

Burger King
Goldstone Retail Park
Newtown Road
Hove
BN3 7PN

I am objecting on behalf of residents in the surrounding area as the Eastern side of Hove Retail Park is heavily residential. The grounds for objection are:

- the prevention of crime and disorder
- the prevention of public nuisance

At present Burger King has a license to sell food both as a restaurant and a takeaway for the following times:
Monday to Thursday 10am-10pm
Fridays and Saturdays 10am-11pm
Sundays 11am-10pm

The above hours have worked well for local residents as they are not disturbed by people visiting the restaurant and drive-in during these hours. However, the applicant is now asking for the following licence:
24 hour opening every day of the week
late night refreshments from 11pm-5am every day of the week

These hours would undoubtedly raise many concerns for local residents for at present Goldstone Retail Park has no premises open past 10pm and this has been the case since it's inception. If the hours were to be extended as requested there would be considerable public nuisance due to the noise of people coming and going to Burger King, either in cars or on foot into the early hours of the morning. People talking and sometimes shouting, the noise of car doors opening and closing and engines being started up would all be heard quite clearly by local residents who have already fought a number of battles, and won, to ensure that the delivery of goods to retail outlets in the park are not at unsociable hours. There is also the issue of delivery drivers, either by car or by motorbike as this would cause further public nuisance to local residents. This site would no doubt be attractive because of the easy parking but delivery drivers coming and going until the early hours would present serious issues for local residents. Sound tends to carry more in this area as the retail park is set below many of the surrounding properties and thus the sound is amplified – a bit like an amphitheatre.

There is also a considerable risk that young people would congregate in the Hove Retail Car park late into the night and cause considerable disturbance to local residents. The Retail Park could quite easily become a magnet for this type of gathering as it's both convenient and away from the kind of surveillance there might be in more central areas of Hove and Brighton. Such gatherings could lead to crime and disorder as late night refreshment venues often attract people who have been drinking heavily, and altercations ensue, even though the late night refreshment premises themselves do not sell alcohol. This is often a major issue in more central late night refreshment premises in the city and the cause of many fights.

Cllr Muten has concerns about the potential for increased traffic choosing to come to this area late at night, both private vehicles and delivery vehicles, and that there might be increased speeding and greater risk of accidents as a result.

Thus, I urge you very strongly to not grant this licence to Leon Kennedy Ltd.
Regards

Jackie O'Quinn Goldsmid Ward Councillor
Birgit Miller Goldsmid Ward Councillor
Trevor Muten Goldsmid Ward Councillor

REP F

From: REDACTED

Sent: 16 April 2025 12:30

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

Subject: Re: Ref: 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (F)

Dear All

I object to Burger King becoming a 24 hours business as I expect this will attract more antisocial behaviour into the area including crime and disorder. I often hear cars be raced, revved up loudly and unnecessarily and spun in the car park area at night time.

I believe this extension to 24 hours will also increase public nuisance incidents. These could include Environmental pollution & Excessive noise.

I am disappointed that pollution is not a consideration for this committee. The environment should be primary in all decision making. Running for 24 hours would mean more smoke is emitted. Furthermore so should society and in this case societies health as we do not need it and it does great damage to the population and cost to the NHS of this primary diet in Ultra High Proceed Food which is what Burger King offers. I do not think there will be a significant creation of jobs and besides night shifts should be avoided as much as possible because these hours are also not natural for humans. Please do not give into the greed of the corporetates. Start making a stand and represent your people properly.

Best C

REDACTED
REDACTED

REP G

Donna Lynsdale
Licensing Team
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 16 April 2025
Our Ref: 2025/00773/LICREP/EH
Phone: 01273 292100
e-mail: **REDACTED**

DL CON END 23.04.2025 VALID PCD and PPN (G)

Dear Donna Lynsdale

Licensing Act 2003 - Representation regarding the application for a New Premises Licence for Burger King, Goldstone Retail Park, Newtown Road, Hove, BN3 7PN
Premises Licence Application Reference - 2025/02227/LAPREN

I refer to the application made by Leon Kennedy Ltd for a new Premises Licence for the provision of Late-Night Refreshment at Burger King, Goldstone Retail Park, Newtown Road, Hove, BN3 7PN.

The Licensing Team, in its role as a Responsible Authority, has concerns about this application and I am submitting this representation on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and to uphold our Statement of Licensing Policy (SoLP).

The applicant has applied for a Premises Licence for late night refreshment every day 23:00hrs – 05:00hrs via the drive-thru facility.

It is recognised that this premises is not in either the Cumulative Impact Zone (CIZ) or Special Stress Area (SSA). However, this representation is submitted as there are concerns that the application does not meet the requirements of the Council's SoLP, with regards to applications made for late night takeaways.

The Council's SoLP includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model recognises the diverse operation and different risks presented by different classes of licensed premises. The SoLP provides a vision of what the Licensing Authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications.

The Matrix Model, on page 18 of the Council's SoLP, states that in all other areas outside of CIZ and SSA, new applications for late night takeaways off licences shall be granted up to 12:00midnight. The policy does state that each application is still considered on its individual merit and there is discretion to depart from the policy where justified. However, departure from the Matrix Model is only expected in exceptional circumstances.

The applicant has offered conditions within the operating schedule. However, I do not believe they have demonstrated exceptional circumstances to depart from our policy or how the grant of a late-night refreshment licence until 05:00am would not impact on the area.

The Licensing Team makes this representation to uphold the Council's SoLP, which we believe this application contradicts, as The Matrix states that no late-night takeaways beyond 12:00midnight should be granted in "Other Areas" and request the Panel determine the outcome of this application.

Yours sincerely

REDACTED

Corinne Hardcastle
Licensing Officer
Regulatory Services - Licensing Team

REP H

From: REDACTED

Sent: 15 April 2025 18:33

Subject: 1445/3/2025/02227/LAPREN,

DL CON END 23.04.2025 VALID PCD and PPN (H)

Dear Sir/Madam,

I would like to object to the 24 hour extension to the Burger King Restaurant in Goldstone Retail Park.

It would create a nuisance and anti social behaviour to **REDACTED** where I live and hoVE
pARK IN GENERAL.

Kind Regards

REDACTED
REDACTED
REDACTED
REDACTED

REP I

From: **REDACTED**

Sent: 15 April 2025 20:24

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

Subject: Burger King licence application - goldstone retail park

DL CON END 23.04.2025 VALID PCD and PPN (I)

I am writing to object to the extension of the licence for Burger King. The restaurant already attracts large numbers of teenagers who often make a nuisance of themselves unfortunately. When large crowds of teams gather outside Burger King, they make lots of noise causing a public nuisance. By extending the opening hours throughout the night it will encourage these young people to gather late at night, presumably many of them under the influence of alcohol.

There are many youngsters, for whom it is not their fault as they have nowhere else to go, that are often seen using the trolleys in the car park as a form of entertainment. I fear that an extension of the opening hours of the restaurant will be an attraction. There have been a number of fights in Burger King, documented on social media and in local news. These have happened in the evenings amongst teenagers who have been consuming alcohol in hove Park.

Again, by extending the license, it is inviting more of those occasions to occur. Whilst the retail park is an important business centre, there needs to be closing time for these businesses to allow local residence to sleep, there are many families in the area and with more new flats being built, there are many people who deserve some point in the day when things might be peaceful. Down Goldstone Lane, there are often large groups of people who have come out of Burger King, and as they leave they drop litter, move bins take trolleys down the street et cetera. We have had our car scraped on numerous occasions as well as our wing mirrors bashed off. Again, by teenagers, who are the main target market of Burger King and would be the main users late at night.

REDACTED
REDACTED

REP J

From: **REDACTED**
Sent: 19 April 2025 13:54
To: EHL Licensing <ehl.licensing@brighton-hove.gov.uk>
Subject: 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (J)

to whom it may concern

I would like to raise an objection to the Application by Burger King on the Goldstone retail park to extend their opening to 24 hours from the current maximum of 10 am to 11 pm.

I feel that this will bring an undue amount of noise and pollution at times when Otherwise, the neighbourhood , which is residential, is quieter .

It may increase other antisocial behaviour such as litter dropping and outdoor urination, Which is already a problem here.

I feel that this is an unacceptable and unnecessary application And will be detrimental to the residential area surrounding it.

Yours sincerely

REDACTED
REDACTED

REP K

From: **REDACTED**
Sent: 19 April 2025 12:49
To: EHL Licensing <ehl.licensing@brighton-hove.gov.uk>
Subject: Quote Ref:1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (K)

Hello

I am sending this email to object to the application for a 24 hour licence for Burger King in Goldstone Retail Park. I believe the granting of this licence will attract a cohort of intoxicated young adults when the surrounding pubs empty out, as there are no alternatives in the area to get food late at night. Many of these will wander into Goldstone Lane, generating noise and causing disruption. Indeed this happens on occasion presently and this licence would only increase this behaviour substantially.

Additionally I would rather not have to endure the smell of the plume of oil coming out of their vents all through the night as happens during the day.

Finally the retail park is occasionally used as a racing ground for boy racers when the car park empties out in the evening. This generates a lot of noise. I'd rather not give these guys the opportunity to continue racing all through the night as I'd imagine the barriers to the car park will never be closed if Burger King is open for 24 hours.

Regards

REDACTED
REDACTED
REDACTED
REDACTED

REP L

From: REDACTED

Sent: 19 April 2025 10:07

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

Subject: 1445/3/2025/02227/LAPREN 24 hour licence application Burger King

DL CON END 23.04.2025 VALID PCD and PPN (L)

Hello,

I am writing regarding the licence application

1445/3/2025/02227/LAPREN

For Burger King in Goldstone Retail Park to extend their opening hours to 24 hours a day every day.

REDACTED
REDACTED

Prevention of crime and disorder.

I am very worried that the combination of all night night fast food and a large car park will pull people from all over the district to hang around the car park throughout the night. This will increase the drug taking problem already becoming visible in Hove Park late at night, with drug dealing and threatening behaviour now being validated by the availability of all night fast food.

Don't the Police already have enough to do without having to increase their presence in what should be a quiet residential suburb? Or are the residents simply supposed to put up with this so Burger King can make a bit more money? Maybe they could pay for extra Policing out of their increased profit. Are they offering anything good to the local community except cheap food?

Prevention of Public Nuisance

The car park is already a haven for guys in cars or sometimes motorbikes late at night. This involves a certain amount of engine noise but that usually dies down by midnight. My concern is we will now be dealing with loud engines all through the night when these guys have their 'meets' in the car park.

Given that the area has now almost completely moved away from the old industrial areas and is now already being filled with new high density housing - right next to the car park - surely Burger King have to understand that the residents, both new and old, have the right peace and quiet after midnight, the right to nights sleep.

Will Burger King be making sure their customers and the activities being open all night will attract won't be causing a nuisance after midnight?. I doubt it.

In addition given it is a drive through a major problem will be queues of their customers vehicles all night long which will be a nightmare in terms of engine noise and headlights for all the residents surrounding the car park.

Again who is going to cover the cost of the extra policing this will inevitably require as noise and other complaints mount up? What have Burger King offered to pay for?

Thank you for your consideration,
REDACTED

REP M

From: REDACTED

Sent: 19 April 2025 08:09

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

Subject: Objection to a 24hr License. 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (M)

Objection's to the extended license to Burger King Goldstone Retail Park.

Dear Sirs/Madams

I am a resident of **REDACTED**. I live at No. **REDACTED** on the corner and overlook the Burger King.

I implore you not to extend the License to this premises.

Hove park and Goldstone valley is a residential area, we have a retail park that serves us well, which opens in the morning and closes up at night. We already suffer from the noise and the problems produced during the day, the smell, the delivery drivers both on bicycles and motorbikes, who do not respect the laws of the roads or pavements, an abundance of litter and anti social behaviour with the outside tables at the Burger King.

Once the retail park closes, the gates are closed and there is no longer vehicle access and the we as residence get a little respite before it starts again, please do not take that away from us.

If you allow this fast food establishment to remain open, you will turn it into a destination for people looking for something to do during the night. As a resident I have already witness drug deals, gangs of undesirables and troublemakers in broad daylight, there is no policing, and Burger King do nothing to control their customer, and take no responsibility once their customers walk out the door.

To allow this for 24 hrs, is asking for trouble, apart from traffic noise, when problems arise, due to drunkenness and disorderly behaviour we will be disturbed by the emergency services that will be called. I have lived, over the last 20 years, under a 7eleven who were given a 24hr license and a pub who were given extended hours, and both times these places attracted antisocial behaviour and frequent visits from the police, and as situations like this now are getting worse not better, it would be madness to bring it to our door steps.

Do not do this, it is not needed, nor wanted, it in no way serves the locals.

I thank you in advance on making the right decision

Sincerely your
REDACTED

REP N

From: REDACTED

Sent: 18 April 2025 11:49

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

Subject: Objection to application ref 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (N)

I wish to lodge an objection to the application for change of licence reference 1445/3/2025/02227/LAPREN submitted on behalf of Burger King, Goldstone Retail Park, BN3 7PN.

I am resident in the vicinity of the premises concerned.

The mostly residential area in which this restaurant/take-away/drive-through facility is located is currently relatively quiet during the late evening and early hours of the morning. There would not be sufficient footfall from current pedestrian or motorised traffic in the area to make operation of the facility in the hours 0000-0500 viable. To generate economic benefit from operating during these hours, the business would have to attract custom from people that are not currently active in this area at that time of day. There is a high potential that consequences of providing a focal point to bring in custom from outside the local area during these hours would include increases in noise, anti-social behaviour and, possibly, criminal activity such as trading in drugs and burglary.

If the full or partial aim of the proposed extension to operating hours is to provide food for delivery services to distribute to a wider area, that would create a potential for increased noise from the vehicles of delivery drivers even if it were operated as a dark kitchen with no direct to consumer services.

The grounds on which my objection is made are prevention of public nuisance and prevention of crime and disorder

Regards,
REDACTED

REDACTED
REDACTED
REDACTED

REP O

From: REDACTED

Sent: 22 April 2025 10:42

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

Subject: Burger King licensing objection letter

DL CON END 23.04.2025 VALID PCD and PPN (O)

Application reference 1445/3/2025/02227/LAPREN

Hi,

As a resident on the **REDACTED** on **REDACTED**, I am writing to object to the proposed 24 hour licence application for the Burger King on Goldstone retail park.

Not only does this have a potential impact to increased traffic in the area at ridiculous hours of the night / morning (noise, pollution and risk of accidents). It also throws up potential anti social behaviour concerns. As a single female property owner I want to feel safe in my home and surrounding areas. Our building has already seen multiple break ins to our car park including bike shed doors being completely removed from their hinges. Adding 2am drunks to this mix is completely unacceptable. The potential littering and environmental impact clearly has also not been considered.

I also understand that local residents were not consulted before this application was made which is also completely unacceptable given the amount of council tax we pay to live in this area.

Anyone that needs a burger at 2am can use Deliveroo or stock their own freezer from Tesco's! This does not need to be at the end of our road and opposite our lovely park.

With thanks and best wishes

REDACTED

REDACTED

REDACTED

REP P

From: **REDACTED**

Sent: 18 April 2025 19:31

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

Subject: Burger King

DL CON END 23.04.2025 VALID PCD and PPN (P)

To whom it may concern

Burger King has applied to extend their opening to 24 hours from the current maximum of 10am - 11pm. I wish to strongly object to this.

The area already suffers at street level from litter, noise, outdoor urination and much other anti-social behaviour, so the prospect of this becoming round the clock just so that people can indulge in fast food consumption is totally unacceptable. Added to this will be the increase in traffic in a residential area that currently enjoys quieter periods on the roads at night, so higher levels of noise and pollution can be expected, with an increased risk of speeding and accidents.

Your sincerely

REDACTED

REDACTED

REP Q

From: REDACTED

Sent: 21 April 2025 13:05

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

Subject: Application Ref: 1445/3/2025/02227/LAPREN - Objection.

DL CON END 23.04.2025 VALID PCD and PPN (Q)

Dear Brighton & Hove premises licensing.

I am writing to you to object to the proposed 24 hour opening of the Burger King in the Goldstone Retail Park.

The **REDACTED** is less than 50 metres from these premises and am concerned about increased noise, traffic and pollution throughout the night.

Lidl is currently the latest opening retail unit in the retail park and is open to 10pm most evenings. Burger King is currently open to 11pm and serves the late customers in the retail park.

The Burger King backs onto a residential area and all night opening would encourage late night revellers and a constant stream of deliveroo / just eat drivers into the area throughout the night. There are plenty of late night dining spots towards the centre of town, An all night fast food outlet in this area is not needed or wanted.

Please do not grant a 24 hour licesnse to this Burger King for the reasons that I have outlined above.

Regards

REDACTED

REDACTED

REDACTED

REP R

From: REDACTED

Sent: 22 April 2025 00:33

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

Subject: Burger King Goldstone Retail Park

DL CON END 23.04.2025 VALID PCD and PPN (R)

Application to extend their opening to 24hrs

Application reference:

1445/3/2025/02227/LAPREN

I strongly object to the above application due to the following reasons:

This Hove Park Area consists mainly of a highly respected Residential Housing Stock. It's probable that by allowing Burger King an extension of its trading hours to 24hrs, the residents of the whole area are going to experience an increase in litter pollution, very late night noise & disturbances, especially during summer months when youths etc can take food & drink into Hove Park on balmy nights after coming from local bars & clubs in

Brighton. I'm sure the majority will not be placing their rubbish in bins provided by the park. The noise level of chat & shouting within early morning hours no doubt will be very amplified.

Who's going to be picking up all the litter & debris of left over food each morning around the area.... The Council? I doubt that will be the case! They have enough on their plate with our bin collections! B/King even less so! Seagulls will become an even greater pest!

How will B/King be able to control all the above? That's very unlikely!

Where are vehicles going to be parked?

The Retail Park has had many a problem in the past with late night car meetings screeching about the place, we don't need that happening again. Will they be parking all around the Park instead?

What could happen next if this was granted?

Nando's next door request the same?

How about mobile food trucks turning up around the area seeing extra late night /early morning trading opportunities ?

This could open up a can of worms on many fronts.

If PM THATCHER was still around & living in Hove it would be:
NO NO NO!

And it's a NO from me too!!!

REDACTED
REDACTED
REDACTED
REDACTED
REDACTED

REP S

From: REDACTED

Sent: 23 April 2025 09:22

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

Subject: 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PPN (S)

REDACTED
REDACTED
REDACTED
REDACTED

Application reference 1445/3/2025/02227/LAPREN

Application for Burger King to extend opening hours

We strongly and unequivocally object to Burger King's blatant attempt to prioritise profit over the wellbeing of local residents by proposing a 24-hour 'fast food' operation in a quiet, residential neighbourhood. This area is already suffering from the constant disruption caused by delivery drivers—particularly during the night—and this proposal would significantly worsen an already unacceptable situation.

Opening the restaurant for round-the-clock service would inevitably attract a stream of vehicles at all hours, many of them modified with loud exhausts that frequently shatter the peace and disturb our sleep. The cumulative effect of these disturbances represents a serious and ongoing intrusion into our daily lives and wellbeing.

To extend Burger King's operating hours would be a reckless and deeply inconsiderate decision that demonstrates a complete disregard for the community that lives here. We therefore urge you, in the strongest possible terms, to reject this application outright.

We hope you will refuse this application

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REP T

From: REDACTED

Sent: 22 April 2025 22:12

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

Subject: Burger King Late Licence Application - 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PPN (T)

I am writing as a local resident to object the above application submitted by Burger King to allow 24 hour operations for the following reasons :

1. Noise - If Burger King are allowed to operate 24 hours a day, this will mean we will be subjected to the noise of vehicles throughout the night, particularly from delivery firm cars and motor cycles/scooters.
2. Public Nuisance - Over the time the retail park has been in operation there have been a number of times when late night "car meets" have taken place within the car park. This resulted in large gatherings of cars and people making extreme noise late at night. In the past, this was stopped by ensuring the access gate was closed when businesses close. If Burger King is allowed 24 hour operations, this gate cannot be closed, inviting these gatherings to re-start.
3. Non compliance with Planning Consent - It is odd that this Application has come through this system and not the Planning route. When permission was given for the original Retail Park, conditions were attached limiting opening/operating hours as the site is within a residential area (more so now with new residential developments replacing old factories). Over the years there have been a number of Planning Applications requesting 24 hour operations. These have come from Burger King, Nandos, Lidl and a new proposed coffee shop, and all have been rejected due to the original consent restrictions and location.

I am concerned that as a resident overlooking the premises from approx. 50m no official notification seems to have been given. I'm sure that under Planning processes this would have happened, and it would have been easier, and more transparent, to respond using the online system.

Regards

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REP U

From: REDACTED

Sent: 22 April 2025 18:02

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

Subject: Burger King Goldstone Retail Park Application 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (U)

Dear Sir/Madam

I am writing to object in the strongest possible terms to this application for the 24 hour opening of these premises.

Opening until 11.pm as it does now causes anti- social behavior, particularly noise. All night opening would be a magnet - attracting young people who could combine it with using the adjacent park with the inevitable increase in both noise and litter and the real prospect of drug dealing .

Customers would have to travel through our quiet neighbourhood on foot or from all-night bus services.

Therefore I am objecting on the grounds of crime and disorder and public nuisance.

I am objecting in a personal capacity as a resident of **REDACTED**.

I am also objecting as Chair of Hove Station Neighbourhood Forum on behalf of our 300 members, Since the approval of our statutory Neighbourhood Plan we have continued campaigning for the improvement of our neighbourhood which includes the Goldstone Retail Park .An all night facility such as the one proposed would have an entirely negative neighbourhood impact

Yours faithfully

REDACTED
REDACTED
Chair Hove Station Neighbourhood Forum

REP V

From: **REDACTED**

Sent: 23 April 2025 09:06

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

Subject: Burger King 24 hour opening

DL CON END 23.04.2025 VALID PCD (V)

Dear sir/madam

It has come to my attention that Burger King in the Goldstone Retail Park, Hove is applying for a 24-hour opening license.

Please note my objections:

1. This is antisocial next to a residential area and we already have rubbish from Burger King distributed on our road.
2. The traffic would be multiplied in the night and make this a busy nighttime area This would encourage antisocial behaviour in the night hours.

Many thanks

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REP W

From: **REDACTED**

Sent: 23 April 2025 12:04

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

Subject: Burger King Goldstone retail park OBJECTION

DL CON END 23.04.2025 VALID PCD and PPN (W)

Dear Sirs

I believe that Burger King have made an application to enable to open 24 hours.

I wish to object to this extension.

1. The fan noise throughout the night will be intolerable. I already can't open windows at night with the fans noise. Having it working through the night will make it impossible to sleep. The site is in a dip and the noise bounces off the wall over and into our street with the houses elevated it is loud.
2. The smell of cooking throughout the night. Residents already suffer from smell of fumes from the site on and off all day and every day. again I don't open windows on that side. Having no respite from the smell will be detrimental to our health. I have complained in the past but nothing is ever done about it.
3. Extra noise. Coming and going of traffic. Having car park open at night will attract boy racers in their cars to use as a play ground. People coming and going making noise throughout the night will make sleep impossible and cause disturbance and stress again affecting our health mentally.
4. Will attract criminals and cause public nuisance. Encourage car park and the park opposite to be used for drug dealing and associated crimes.
5. We already suffer rubbish in streets and the park from Burger King. People walking home after a night out possibly drunk will cause more rubbish pollution.

6. May cause more traffic up and down narrow road especially when the entrance to Newtown Road Fonthill Road goes ahead.

This is a residential area and not an out of town retail park. Many new builds are in the local area including 2 new houses directly opposite Burger King which have just been built and up for sale. The likelihood of those selling will be in jeopardy.

I hope you have the sense to not grant the extension to the opening hours.

Yours faithfully

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REP X

From: REDACTED

Sent: 23 April 2025 14:03

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

Subject: Application ref 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (X)

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23rd April 2025

Dear Sir / Madam,

RE Burger King Application Reference 1445/3/2025/02227/LAPREN

We write with reference to the above application to extend Burger King's opening hours to 24 hours, and strongly object on the basis:

- Goldstone Retail Park is located in a residential area, and this will lead to increased public nuisance such as increased level of litter and noise, outdoor urination, and other types of anti-social behaviour.
- This site could become a magnet for attracting criminal type activity such as drug dealing.
- This could also increase traffic at a time where residents are sleeping.

Yours sincerely,

REDACTED

REP Y

From: REDACTED

Sent: 23 April 2025 14:11

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

Subject: Ref: 1445/3/2025/2227/LAPREN : Objection to Burger King 24-Hour Opening Application – Goldstone Retail Park

DL CON END 23.04.2025 VALID PCD and PPN (Y)

Subject: Objection to Burger King 24-Hour Opening Application – Goldstone Retail Park

Dear Planning Officer or whoever this concerns,

I am writing to lodge my strongest objection to the current application by Burger King to extend their opening hours to 24 hours at Goldstone Retail Park.

I also wish to express my support for the formal objections submitted by ward councillors Jackie O'Quinn, Trevor Muten, and Birgit Miller. As long-standing residents of the area – in our case, for 24 years – we are deeply concerned about the cumulative effect this application will have on the quality of life, environment, and infrastructure of our neighbourhood.

The area is already under significant pressure from what can only be described as overdevelopment, with hundreds of new residents moving into recently constructed high-rise blocks. This rapid increase in density is placing unprecedented strain on local amenities, which are not expanding at the same rate.

The past few years have seen more cigarette butts, litter, broken pavements and rubbish and unkempt trees/ shrubs, pavements and weeds than in previous years since a higher population and less investment in the quality and cleanliness of the area for the long term current paying residents.

The prospect of a fast-food outlet operating round the clock brings with it the likelihood of:

- Increased traffic through residential roads that are currently quiet at night
- Higher levels of noise pollution, particularly from late-night vehicles and customers
- More antisocial behaviour, including public urination, littering, and loitering – issues we already deal with at street level
- Elevated risk of accidents or speeding in the surrounding area
- A deterioration in the residential character and peace of our community

We have also recently been notified, via a flyer from the Fire Station Quarter development and Hyde Housing Association, of plans for a further 300 homes in the immediate vicinity. At an estimated average of three people per household, this would introduce an additional 900–1,000 residents – again, with no corresponding increase in parks, parking, or public space.

There will be more loitering around the area, more noise, more people

Driving through from outside the Residential

Area as it would become known as a 24 hours operational fast food resource increasing traffic, pollution, noise and encouraging more unhealthy habits with unhealthy food as an additional negative impact to people in the community.

This Burger King application, in the context of such ongoing, large-scale development, does not reflect the interests or wellbeing of long-term local residents.

Please confirm receipt of this objection and provide an update on the status of the application.

Yours sincerely,

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REP Z

From: REDACTED

Sent: 23 April 2025 16:51

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

Subject: Objection

DL CON END 23.04.2025 VALID PCD and PPN (Z)

As a long-term resident of central Hove since 1997, I agree with the reasonable objections to the detrimental effects this extended opening will very likely have on the area, as outlined in the latest Hove Station Quarter (issue 6), which responsibly flags the existing anti-social problems the area concerned is subject to.

Ward Councillors Jacqui O'Quinn, Trevor Muten and Birgit Miller are correct I believe in objecting to the above application as solidly outlined in this Hove community newsletter, flagging the increased noise, litter and traffic likely from Burger King operating round the clock just so people can indulge in fast food. This increased opening is unacceptable on public health & environmental grounds, and a meaningful public consultation should first take place on any such proposal.

Yours Sincerely,

REDACTED
REDACTED

REP A1

From: REDACTED

Sent: 23 April 2025 16:43

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

Subject: Objection to application reference 1445/3/2025/02227/LAPREN

DL CON END 23.04.2025 VALID PCD and PPN (A1)

Dear Brighton & Hove Council / Licensing and Planning department.

Further to learning of this application by Burger King at the Goldstone Road Retail Park in

Hove, East Sussex to extend their opening hours to 24hrs from their current limit, this is to strongly object to this application as a local resident.

As a long-term resident of central Hove since 1997, I agree with the reasonable objections to the detrimental effects this extended opening will very likely have on the area, as outlined in the latest Hove Station Quarter (issue 6), which responsibly flags the existing anti-social problems the area concerned is subject to.

Ward Councillors Jacqui O'Quinn, Trevor Muten and Birgit Miller are correct I believe in objecting to the above application as solidly outlined in this Hove community newsletter, flagging the increased noise, litter and traffic likely from Burger King operating round the clock just so people can indulge in fast food. This increased opening is unacceptable on public health & environmental grounds, and a meaningful public consultation should first take place on any such proposal.

Yours Sincerely,

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REP B2

From: **REDACTED**

Sent: 22 April 2025 15:43

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

Subject: Burger King Goldstone Retail Park

DL CON END 23.04.2025 VALID PPN (B2)

Sir,

Ref. 1445/3/2025/02227/LAPREN

As Hove Park is a residential area with local supermarkets that are open late and plenty of 24hour outlets in Brighton, I am objecting to the application for 24 hour opening of Burger King.

If granted there is huge potential for an increase in noise, litter and vehicles would be a nuisance to local residents and cause disturbance at night in what is a residential area.

Yours faithfully

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Appendix D

Leon Kennedy Ltd T/A Burger King, Goldstone Retail Park, Newtown Road, Hove BN3 7PN

Proposed conditions by Sussex Police and Environmental Protection and agreed by applicant.

General:

1. The sales of hot food and drink are to be via the drive-thru facility only from 23:00 and the internal restaurant will be closed from this time.

The Prevention of Crime and Disorder:

2. 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 and including the drive thru 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. This can be via email - brighton.licensing@sussex.police.uk
- h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Police or for any other reason, the premises will be expected to install a replacement hard drive, or a temporary replacement drive as soon as practicable.

Public Safety:

3. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and 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) all seizures of drugs or offensive weapons

- f) any faults in the CCTV system, searching equipment or scanning equipment
 - g) any visit by a relevant authority or emergency service.
4. The Premises Licence Holder or nominated person shall ensure that all relevant members of staff receive training in their responsibilities under the Licensing Act 2003. Such training shall be documented, and records made available upon request from the Police or an authorised officer of the Licensing Authority.

The Prevention of Public Nuisance:

5. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
6. Notices shall be displayed prominently at the entrance and exit of the drive-through, requesting patrons in vehicles to be respectful of the needs of residents and leave the area quietly.
7. Litter patrols to be conducted regularly in the vicinity of the premises and drive-through area.
8. No noise shall emanate from the premises that gives rise to a public nuisance.
9. No fumes, steam or odours shall be omitted from the premises as to cause a public nuisance to residents.
10. Supply Deliveries to the premises shall not take place between the hours of 23:00 and 06:00 daily.

For the Protection of Children from Harm:

11. a) All staff will be trained in:
- Identifying persons who are vulnerable which could include but not limited to, their age or due to intoxication and or drugs as well as identifying potential perpetrators.
 - Conflict management:
The operator will have a policy in place assisting staff in how to deal with such situations.
- b) All 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.
- c) 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.

Appendix E

