

BRIGHTON & HOVE CITY COUNCIL
LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

10.00am 25 JULY 2025

VIRTUAL

DECISION LIST

Part One

POMMY'S PIZZA LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

Contact Officer: Corinne Hardcastle *Tel:* 0127329
Ward Affected: Regency

Licensing Panel (Licensing Act 2003 Functions) - Notification of the Determination of Panel.

Licensing panel hearing held virtually on Friday 25th July 2025 via Teams in respect of the application for a premises licence in respect of premises known as Pommy's Pizza, 12 Imperial Arcade, Brighton BN1 3EA

The Panel has read all the papers including the report, and relevant representations, and has listened to the submissions made today. It has had regard to the Statement of Licensing Policy and the Statutory Guidance.

This is an application for a new premises licence within the Cumulative Impact Zone (CIZ) and therefore subject to the special policy on cumulative impact as set out in the Statement of Licensing Policy.

Our policy states that applications for new premises licences 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. The special policy will only be overridden in exceptional circumstances. However, the policy is not absolute and both the policy and matrix approach indicate that a restaurant within certain hours may be unlikely to add to cumulative impact in the area and therefore be exceptional.

The application is for a small pizza shop within the Arcade to sell a limited range of alcohol to be served with pizza on the premises only from 12:00 hours to 23:00 hours.

Two relevant representations were made by local residents with concerns about noise and disturbance at night. The applicant has agreed to a set of conditions with Sussex Police (within the papers at pp 28 – 30) which reinforce the need for

alcohol to be served with food seated at tables and no vertical drinking.

The panel heard from the applicant about the nature of the premises and style of operation. It was small with a maximum of 20 covers inside and outside and the main concept was takeaway pizza. He did contact those who made representations and had a discussion with one who he said was not receptive and wanted the Arcade to close at 6pm. The Arcade was a challenging environment to operate within, and they hoped to improve it by their presence. The residents were his customers, and he wanted to work with them. He was willing to give out a telephone number or include them in the WhatsApp Group. There would be a limited range of alcohol on sale, mainly beers with premium pricing. Noise was controlled via a decibel meter. He had CCTV and the arcade had cameras managed by Pagoda security. They were not open late and closed mainly around 10pm but wished to have the flexibility to 11:00pm if necessary. There would be 4 staff members including those experienced with alcohol management and they would all be trained.

The panel has considered this application on its merits and taken into account the representations. It is a modest application and one which is consistent with the policy and matrix. The panel considered that the applicant demonstrated a responsible and respectful attitude towards his neighbours and the prevention of public nuisance and would work with them to resolve any issues. The panel did not consider it was the style of operation which would add to problems in the area or have a negative impact and may have a positive impact on the immediate arcade environment.

The panel has therefore decided to grant the application with all conditions agreed with the police and those from the operating schedule, which will promote the licensing objectives.