

Licensing Panel (Licensing Act 2003 Functions)

Date: **11 August 2025**

Time: **3.15pm**

Venue **Microsoft Teams**

Members: **Councillors:** Cattell, Parrott and Thomson

Contact: **Francis Mitchell**
Democratic Services Officer
01273 294183
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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.

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 SUMMARY HEARING - ZAFRON

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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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- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Licensing Panel (Licensing Act 2003 Functions)	Agenda Item Brighton & Hove City Council
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Subject:	To consider the representation submitted under S53B(6) of the Licensing Act 2003 against the interim steps decision made under S53B(5) of the same Act.		
Premises:	Zaf'ron 99 North Road Brighton BN1 1YE		
Premises Licence Holder:	Zaf'ron Limited		
Date of Meeting:	11 August 2025		
Report of:	Corporate Director of City Operations		
Contact Officer:	Name:	Emily Fountain	
	Email:	emily.fountain@brighton-hove.gov.uk	
Ward(s) affected:	West Hill & North Laine		

NOT FOR PUBLICATION

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To consider a representation made by the Premises Licence Holder, Zaf'ron Limited against the decision made by the licensing authority regarding interim steps, pending a summary review of the premises licence issued for Zaf'ron.

2. RECOMMENDATIONS:

- 2.1 That the Panel consider the representation submitted by the Premises Licence Holder, consider whether the interim steps are appropriate for the promotion of the licensing objectives and determine whether to withdraw or modify the steps taken.

3. CONTEXT/BACKGROUND INFORMATION

- 3.1 On 5 August 2025 the licensing authority received a summary review application from Sussex Police, under S53A of the Licensing Act 2003, regarding Zaf'ron Limited. The summary review application was accompanied by a certificate issued by a senior officer of the rank of Superintendent, who was of the opinion that the premises are associated with serious crime.
- 3.2 As per the requirements of S53A(2)(a) and 53B of the Licensing Act 2003, on 6 August 2025 the licensing authority considered whether it is necessary to take interim steps pending the determination of the review applied for. The licensing authority decision was to suspend the licence with immediate effect.

- 3.3 On 7 August 2025, the Premises Licence Holder made representation to the licensing authority against the interim step decision, which has resulted in this hearing being arranged.

Documents received

- 3.4 The current premises licence can be viewed at Appendix A.
- 3.5 Details of the certificate which accompanied the summary review application can be viewed at Appendix B. The summary review application can be viewed at Appendix C. (Not for publication).
- 3.6 The licensing authority decision notice on interim steps can be viewed at Appendix D. (Not for publication).
- 3.7 The representation made against the interim step measures can be seen at Appendix E. (Not for publication).
- 3.8 Sussex Police have also made further representation to be considered at this hearing, which can be viewed at Appendix F. (Not for publication).

COMMENTARY ON THE LICENSING ACT 2003 AND GUIDANCE ISSUED UNDER S182 OF THE ACT

- 3.9 The following extracts are taken from Section 53B – Interim steps pending review:

53B Interim steps pending review

(1) This section applies to the consideration by a relevant licensing authority on an application under section 53A whether it is necessary to take interim steps pending the determination of the review applied for.

(2) The consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant licensing authority.

(3) The interim steps the relevant licensing authority must consider taking are—

- (a) the modification of the conditions of the premises licence;
- (b) the exclusion of the sale of alcohol by retail from the scope of the licence;
- (c) the removal of the designated premises supervisor from the licence;
- (d) the suspension of the licence.

(4) For the purposes of subsection (3)(a) the conditions of a premises licence are modified if any of them is altered or omitted or any new condition is added.

(5) Where on its consideration of whether to take interim steps the relevant licensing authority does take one or more such steps—

(a) its decision takes effect immediately or as soon after that as that authority directs; but

(b) it must give immediate notice of its decision and of its reasons for making it to—

(i) the holder of the premises licence; and

(ii) the chief officer of police for the police area in which the premises are situated (or for each police area in which they are partly situated).

(6) Subject to subsection (9A), If the holder of the premises licence makes, and does not withdraw, representations against any interim steps taken by the relevant licensing authority, the authority must, within 48 hours of the time of its receipt of the representations, hold a hearing to consider those representations.

(7) The relevant licensing authority must give advance notice of the hearing to—

(a) the holder of the premises licence;

(b) the chief officer of police for the police area in which the premises are situated (or for each police area in which they are partly situated).

(8) At the hearing, the relevant licensing authority must—

(a) consider whether the interim steps are appropriate for the promotion of the licensing objectives; and

(b) determine whether to withdraw or modify the steps taken.

(9) In considering those matters the relevant licensing authority must have regard to—

(a) the certificate that accompanied the application;

(b) any representations made by the chief officer of police for the police area in which the premises are situated (or for each police area in which they are partly situated); and

(c) any representations made by the holder of the premises licence.

(9A) Where the relevant licensing authority has determined under subsection (8) whether to withdraw or modify the interim steps taken, the holder of the premises

licence may only make further representations under subsection (6) if there has been a material change in circumstances since the authority made its determination.

(10) In computing the period of 48 hours mentioned in subsection (6) time that is not on a working day is to be disregarded.

- 3.10 The following extracts are taken from Guidance issued under Section 182 of the licensing Act 2003:

Making representations against the interim steps

12.17 The premises licence holder may make representations against the interim steps taken by the licensing authority. There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which would have to be completed within 28 days of the application being received by the licensing authority. On receipt of such representations, the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt. When calculating the 48 hour period, any non-working day can be disregarded. Where the licensing authority has already held a hearing to consider representations against the interim steps, the holder of the licence may only make further representations if there has been a material change in circumstances.

12.18 The licensing authority must give advance notice of the hearing to the premises licence holder and the chief officer of police. Given that these measures are designed to deal with serious crime and/or serious disorder on an interim basis only, the process is designed to avoid delay and, as such, significant portions of the Licensing Act 2003 (Hearings) Regulations 2005 (SI 2005/44) (which set out the usual processes governing the conduct of licensing authority hearings) do not apply in order to streamline the hearing process. One result of this is that the licensing authority cannot adjourn the hearing to a later date if the licence holder fails to attend at the scheduled time, as is the case under the normal review procedure. And as is the case with that procedure, the licence holder does not have to be present for the hearing to take place. In addition, there is no timescale for notifying the licence holder of the hearing under the modified process, providing the notification takes place before the hearing is held. However, it is imperative that the licence holder be given as much notice as is possible in the circumstances to afford the holder a maximum practicable opportunity to prepare for and attend the hearing. Licensing authorities should bear in mind that the usual principles of public law decision-making will apply to interim determinations, in a form that has regard to the statutory context of an expedited process.

12.19 At the hearing to consider representations against interim steps the licensing authority must:

- consider whether the interim steps are appropriate for the promotion of the licensing objectives; and
- determine whether to withdraw or modify the steps taken.

12.20 When considering the case the licensing authority must take into account:

- the senior officer's certificate that accompanied the application;
- the chief officer's representations (if any); and
- any representations made by the premises licence holder.

12.21 There is no right of appeal to a magistrates' court against the licensing authority's decision at this stage.

5. LEGAL & OTHER IMPLICATIONS:

Legal Implications:

5.1 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: Simon Court

Date:

Equalities Implications:

5.2 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:

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

SUPPORTING DOCUMENTATION

Appendices:

Appendix A - Part A of Premises Licence.

Appendix B - Certificate accompanying summary review application. (Not for publication).

Appendix C - Summary review application. (Not for publication).

Appendix D - Decision notice regarding interim steps. (Not for publication).

Appendix E – Representation against interim steps decision. (Not for publication).

Appendix F – Sussex Police representation (Not for publication)

Background Documents

Home Office, Revised guidance issued under section 182 of the Licensing Act 2003 (February 2025) [Revised guidance issued under section 182 of the Licensing Act 2003 \(February 2025\) \(accessible version\) - GOV.UK](#)



Schedule 12

Part A

Regulation 33, 34

**Premises Licence
Brighton and Hove City Council**

Premises Licence Number

1445/3/2024/04125/LAPRMV

Part 1 – Premises Details

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

Zaf'ron
99 North Road
Brighton
BN1 1YE

Licensable activities authorised by the licence

Late Night Refreshment

Times the licence authorises the carrying out of licensable activities

Late Night Refreshment

Every Day: 23:00 - 03:00 Outdoors - Takeaways and Deliveries only

The opening hours of the premises

Every Day: 12:00 - 03:00

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

N/A



Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Zaf'ron Limited
37 Chelwood Close,
Brighton,
BN1 8FN

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

Registered Business Number: 14238128

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

N/A

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

N/A



Annex 1 - Mandatory conditions

S 21; mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
 - b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry act 2001 (c12) (premises with premises licences authorising plays or films): or
 - b) In respect of premises in relation to:
 - I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or
 - II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and
 - b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.



Annex 2 – Operating Schedule

In regard to Minor Variation application 2024/04125/LAPRMV to remove and replace with conditions agreed with Sussex Police under Annex 2:

General:

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.
2. All delivery orders shall be to a registered residential or business address. There shall be no deliveries to public/communal areas or open spaces.

Prevention of Crime and Disorder:

3. 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 - 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.
4. There will be a minimum of 1 SIA licensed door staff at all times the premises opens past midnight. The door staff will be on duty from midnight until close.
5. SIA licensed door supervisors shall be employed on any other occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Events e.g. Football, Pride, Music Events. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.
6. At all times the premises is open to the public, the management will contract the backup services of an approved mobile support unit (MSU) that operates at all times the premises is open to the public, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.
7. The premises will become a member of the Brighton Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and nighttime economy.
8. a) An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by a manager at least once a month.
- 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.



Public Safety: None

Prevention of Public Nuisance:

9. The management will ensure that delivery vehicles waiting or arriving to collect orders will be parked/waiting legally and not causing a public nuisance by way of obstructing the highway or footpaths.
10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

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 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
12. No Under 18's are allowed on premises after 23:00 unless they are supervised/accompanied by a responsible adult.

Annex 3 – Conditions attached after a hearing by the licensing authority – 20 August 2024.

13. The operation of the premises between 23.00 and 03.00 every day is to be for takeaway and deliveries only

Annex 4 – Plans



