

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

10.00am 15 SEPTEMBER 2025

VIRTUAL

DECISION LIST

Part One

3 SURREY STREET LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

Contact Officer: Corinne Hardcastle *Tel:* 0127329
Ward Affected: West Hill & North Laine

RE: Licensing Act 2003 – Licensing Panel Hearing Notification of the Determination of Panel.

Licensing panel hearing held virtually via Teams on Monday 15th September 2025 in respect of the application for a new premises licence for premises known as Surrey Street, 1 Surrey Street, Brighton BN1 3PA

The Panel has read all the papers and has listened to the submissions made at the hearing. It has had regard to the statutory guidance and the Statement of Licensing Policy.

This is an application for a new premises licence for a casual & accessible deli / restaurant / wine bar that focuses on empowering local suppliers and producers. The application is for sale of alcohol on and off the premises from 12:00 to 22:00 Monday to Thursday, and 12:00 to 23:00 Friday and Saturday. Live and recorded music is also applied for but is deregulated if the premises is licensed for the sale of alcohol.

The premises falls within the Cumulative Impact Zone (CIZ) and is 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 indicates that a restaurant/café bar within certain hours may be unlikely to add

to cumulative impact in the area and therefore be exceptional. The Matrix policy approach in the policy indicates a 'no' for off-licences within the CIZ.

2 representations and 8 supporting representations were received from local residents and the licensing authority.

The applicants have agreed a set of conditions with Sussex Police and the Environmental Protection team. These are detailed in the papers and include no vertical drinking, off sales restricted to a very limited offer and entertainment restrictions.

The panel heard from residents in support of the application. They felt that a well-run wine bar/deli would be a welcome addition for the local community and would discourage anti-social behaviour in the area and create a safer environment through natural surveillance. The off sales would be premium products only and thus low risk. The licensing authority was also concerned about the off-sales aspect which was against policy. The panel also had regard to the representation made against the application in the papers.

The panel heard from the applicants about the nature of their premises and style of operation. They had other hospitality premises in the city and were very experienced operators. They appreciated that the off sales element was an issue, but it would be very limited. They had themselves put forward the restrictions as to local craft beer and limited selections of wine to the police who were happy with those and so they were agreed conditions. Off sales would be a small element of the business, not advertised and given the nature of products sold would not be like a normal off licence and so not likely to lead to issues. They needed the extra hour on Friday and Saturday to give a better customer experience especially to those commuting from London. They were collaborating with local creative businesses and organising rotating monthly chefs.

The panel has considered this application on its individual merits and in terms of the policy context and the views expressed by those making representations. It does consider that it the type of premises that is exceptional and not likely to add to negative cumulative impact. The off-licence element is certainly unique, offering premium limited products so as to enable departure from the Matrix approach. This is a small specialist, cafe type premises with experienced applicants who had agreed a robust set of conditions with the police which would promote the licensing objectives. The panel also noted the points made by those in support of the application which they considered to be valid. The panel therefore grant this application as applied for with all the conditions agreed with the police and environmental protection and those from the operating schedule to be attached to the licence.