

Licensing Panel (Licensing Act 2003 Functions)

Date: **29 September 2025**
Time: **10.00am**
Venue **Virtual**
Members: **Councillors:** Cattell, Davis, Parrott

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

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(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 FOUNDRY LICENSING PANEL (LICENSING ACT 2003 FUNCTION)

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Contact Officer: Charles Boufrahi

Ward Affected: Goldsmid

Date of Publication - Friday, 19 September 2025

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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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Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003
Premises:	Foundry, 3 Ellen Street, Hove, BN3 3LN
Applicant:	Foundry Topco LLP
Date of Meeting:	29 September 2025
Report of:	Corporate Director for City Operations
Contact Officer: Name:	Emily Fountain
Email:	emily.fountain@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 **Foundry**.

2. RECOMMENDATIONS:

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

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

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

Co-working office & event space with licensed facilities.

- 3.2 Section M (operating schedule) of the application is detailed at Appendix A and the plan of the premises is attached at Appendix B
- 3.3 Summary table of proposed activities

	Proposed
Supply of Alcohol	Every day: 10:00 – 23:00 On the premises
Hours premises are open to public	Every day: 08:00 – 23:00

- 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** 3 representations were received. They were received from local residents and a local Councillor.
- 3.7** Representations received had concerns relating to the Prevention of Crime and Disorder and the Prevention of Public Nuisance.
- 3.8** Full details of the representations are attached at Appendix C and agreed conditions with Sussex Police and Environmental Protection are attached at Appendix D. 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).

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	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.

4 Prevention of Crime and Disorder

The following details and measures are intended to address the need for the prevention of crime and disorder which may be associated with licensed premises and certificated club premises. Conditions attached to licences and certificates will, as far as possible, reflect local crime reduction strategies.

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

4.1.2 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.

4.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

4.1.4 Measures put in place should support the intentions of Operation Marble (police operational order), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the city centre; to deal positively with offences and offenders; to secure and preserve evidence which will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

4.2 Sussex Police

4.2.1 Sussex Police have a specific Operation relating to the night time economy called Operation Marble (detailed in 3.4.1) and work closely with partners to ensure a safe and vibrant city centre. There continues to be an increasing demand for resources further into the early hours of the morning with the highest concentration of crimes occurring between 21:00 and 06:00 on a Friday into a Saturday and between 20:00 and 06:00 on a Saturday night into a Sunday. The data set used shows that up to 80% of arrests made in the timeframe 20:00 – 06:00 on these days were affected by alcohol. For full details of these statistics see the Cumulative Impact Assessment at Appendix E.

4.2.2 The dealing and use of drugs remains an issue across the city and Sussex Police welcome proactive policies from licensed premises. A drug safe and seizure recording initiative is in place of which further details can be obtained by contacting Brighton & Hove Police Licensing (brighton.licensing@sussex.pnn.police.uk). This initiative encourages licensed premises with Door Supervisors to search and seize drugs from persons attempting to enter their premises and ensures that once drugs are removed from persons, they can be safely collected and destroyed by Sussex Police.

4.2.3 Dispersal from the city centre during the late evening and early morning remains a policing challenge. Over recent years, there has been a proliferation of off-licences and late night refreshment venues along the city's arterial routes. This has led to incident 'hot spots' where patrons from the night time economy continue to interact, albeit away from any safety measures afforded by on-licences. As such, Sussex Police support the Council's Special Policy in offering guidance to both applicants and the Licensing Committee in relation to off-licences and late night refreshment licences.

4.2.4 Sussex Police have continuing concerns that, despite staff training in age-restricted sales, under age individuals are still being served alcohol both on and off the premises in some of the city's licensed premises. As such, regular intelligence-led 'test-purchase' operations are conducted to highlight premises where sales are taking place and ensure appropriate enforcement action is taken to prevent further sales. The introduction of identification scanning machines at premises throughout the city has proved successful in mitigating some risk, but operators must maintain vigilance regarding the fraudulent use of genuine IDs. Sussex Police continue to work alongside the Business Crime Reduction Partnership to tackle the problem of those who use false or another's identification to enter licensed premises and

purchase alcohol.

4.2.5 Sussex Police work closely with venues and other organisations within the city to protect vulnerable people from becoming victims of crime. As well as work to prevent under age sales, vulnerability training is offered to identify persons who may have been made vulnerable through alcohol or drugs. Sussex Police also support initiatives such as (but not limited to) safe spaces, mobile teams of volunteers actively checking people's well-being and the Beach Patrol.

4.2.6 Public Space Protection Orders have proved an effective tool for Sussex Police in targeting enforcement action in problem areas of the city. It 'allows Police Officers and Police Community Support Officers to remove alcohol from any person in a public place if that person is involved in anti-social behaviour (ASB) or the officer believes that by having alcohol in their possession there is an increased risk of ASB. It is an offence to refuse to hand over alcohol when required to do so.' They have been particularly effective in the day time economy where members of the street community are causing ASB issues for members of the public and local businesses, especially during the summer months where there is a large influx of visitors to Brighton & Hove.

4.2.7 Policing the night time economy continues to provide a challenge and in the climate of limited resources and newly emerging problems, Sussex Police support maintaining the council's Special Policy which defines cumulative impact and special stress and will continue to take enforcement action where appropriate if the actions of a Premises Licence Holder, Designated Premises Supervisor, Door Supervisors or Staff have fallen below the high standard expected across the city. Sussex Police also recognise and support businesses which are aware of their social responsibilities and as such, actively contribute towards keeping Brighton & Hove a safe and enjoyable city.

4.3 Care, control and supervision of premises

4.3.1 The Licensing authority supports the Business Crime Reduction Partnership and other approved schemes. Where appropriate, premises licence holders should be members of the BCRP for the deterrence to violent crime that such membership provides. The BCRP NightSafe radio scheme is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of good practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed pub-watch schemes provide information exchange between the premises licence holders and responsible authorities that reduce and deter violent crime and disorder. The council will support a responsible licensing scheme.

4.3.2 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, eg type of licence, capacity, operating hours restrictions.

4.3.3 Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with racist or homophobic crime. The licensing authority will keep itself well briefed on the nature, location and type of premises where alcohol related violence and disorder are occurring so it can take full account of the facts and avoid exacerbating problems as required by the Community Safety Strategy. Where licensed premises are found to cause nuisance or be associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions may include use of closed-circuit television, licensed door supervisors and earlier closing times. Such action to restrict the operation may be taken for trial periods to allow businesses an opportunity to remedy existing disorder, nuisance or disturbance.

4.3.4 This policy recognises the use of registered Door Supervisors All Door Supervisors will be licensed by the Security Industry Authority. Mobile security units and similar systems are in use by some premises operators as a means of providing security cover at very short notice at premises which may not normally require a permanent security presence. This policy endorses the use of units following such guidance and standards in appropriate circumstances.

4.3.5 The development of codes of practice and general operating standards for security companies is encouraged for local businesses; premises operators are urged to ensure that security services, when engaged, are provided by suitably qualified businesses operating to recognised standards and who should be working towards SIA accreditation.

4.3.6 Enforcement will be achieved by the enforcement policy appended (Appendix B).

6 Prevention of Public Nuisance

The following details and measures are intended to address the need for the prevention of public nuisance which may be associated with licensed premises and certificated club premises:

6.1.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, as a result of people entering or leaving the premises or from individuals or groups of customers gathered outside (eg in order to smoke).

6.1.2 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.

6.1.3 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.

6.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

6.1.5 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.

6.1.6 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 6.2 below).

6.2 Smoking Advice

6.2.1 Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence you may find it necessary to request a variation of your licence.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980. These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Employ staff and/or SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Ensure door supervisors maintain order outside venues and protect customer safety. BCRP supports the use of Night Safe. Radio net and other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.

- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

6.2.2 Licensed premises should normally display prominent, legible signs at exits reminding customers to leave in a quiet, peaceful, orderly manner.

8 Integration of Strategies

8.1.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by:-

- Liaising and consulting with the Sussex Police, Community Safety Forum, Sustainability Commission representatives and following the guidance in community safety and crime and disorder strategy
- Liaising and consulting with Public and Alcohol Programme Board
- Liaising and consulting with the East Sussex Fire & Rescue Service
- Liaising and consulting with the Local Strategic Partnership, Safety Advisory Group (Emergency Planning) and Equalities and Social Justice Consultation Forum
- Liaising and consulting with the Planning authority
- Liaising and consulting with the Highways authority
- Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
- Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice

8.1.2 In line with statutory requirements and the council's Inclusion Policy, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between persons of diverse backgrounds, for example communities of interest such as: lesbian, gay, bisexual and transgender people; disabled people; racial and ethnic groups; religious and faith groups.

8.1.3 This policy supports the aims of the tourism strategy, recognising the benefits for the tourism economy of creating a safer and more attractive city centre and improving competitiveness with other European cities. The Licensing Committee should receive any reports relevant to the needs of the local tourist economy and the cultural strategy for the area to ensure that it considers these matters.

8.1.4 The Licensing Committee should receive relevant information relating to the employment situation of the area and the need for new investment and employment where appropriate.

8.1.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit

television cameras, use of the NightSafe radio system or accredited scheme, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening. Certificates issued to club premises shall reflect local crime prevention strategies and may include any or all of the requirements listed above.

8.1.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.

8.3 Enforcement

8.3.1 The Enforcement of licensing law and inspection of licensed premises is detailed in the Protocol between Sussex Police, the East Sussex Fire & Rescue Service and Brighton & Hove City Council. This protocol reflects the need for more efficient deployment of Police and Local Authority staff commonly engaged in licensing enforcement and can be found at Appendix D (Lead Agency Status) of the Statement of Licensing Policy. In addition, the Licensing Authority will have regard to its published Licensing Enforcement Policy in making enforcement decisions in accordance with Brighton & Hove City Council's Statement of Licensing Policy (Appendix B). In order to better target enforcement resources, inspections will be undertaken outside of normal office hours and the sharing of information between all enforcement agencies will be encouraged through joint meetings or similar arrangements.

8.3.2 Attention is drawn to the targeting of agreed problem and high risk premises requiring greater attention as identified in the protocol. A number of other council and government policies, strategies and guidance documents must be taken into account to complement the policy, including:

- Community Safety & Crime Reduction Strategy
- Drugs and alcohol strategies – local alcohol harm reduction strategy
- Objectives of the Security Industry Authority
- The Anti-Social Behaviour Act 2003/ASBPC Act 2014
- The Health Act 2006
- The Violent Crime Reduction Act 2006
- Policing and Crime Act 2009

APPENDIX A – Licensing Best Practice Measures

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

- the adoption of a policy (e.g. Challenge 25) with acceptable proof of ID as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours

- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Sussex Police
- policies for dispersal of customers which may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise

Items to which positive consideration would be given:

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

Recommend best practice for both on and off premises

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

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

Finance Officer Consulted David Wilder

Date: 19/09/25

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: 18/09/25

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 (Operating Schedule) of the Application
2. Appendix B – Plan of Premises
4. Appendix C – Representations
5. Appendix D – Agreed Conditions with Sussex Police
6. 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

August 2025

Thomas & Thomas
Partners LLP

Application for Premises Licence

Foundry, 3 Ellen Street, Hove, BN3 3LN

Proposed Hours

Sale of Alcohol (On sales only):	Monday – Sunday: 10:00 – 00:00
Late Night Refreshment:	Monday – Sunday: 23:00 – 00:00
Opening Hours:	Monday – Sunday: 08:00 – 00:00
Non-standard hours:	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Applicant: Foundry Topco LLP

Description: Co-working office & event space with licensed facilities.

Proposed DPS: Adam Walker

Proposed Conditions

1. Licensable activities shall be ancillary to the use of the premises as a co-working office and events space.
2. No members of the public will be admitted to the premises. The sale of alcohol for consumption on the premises shall only be available to:
 - a) Office tenants - those persons with a membership to occupy office space at the premises;
 - b) Day-pass visitors - with a ticket for entry that same day;
 - c) Co-working members of Foundry or its affiliated companies;
 - d) Persons who have pre-booked a meeting room that same day;
 - e) Directors and employees of Foundry and its affiliated companies;
 - f) Persons attending a private pre-booked event or function, a list of functions and persons attending to be kept at reception for inspection by the relevant authorities;
 - g) Any guests of the above.

A list of attendees shall be kept on the premises at all times together with a record also showing the names and dates of attendance of any guest introduced by members. All records shall be kept for a minimum period of 31 days and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period.

3. 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.

4. The reception will be attended between the hours of 08:00 and 18:00.
5. Alcohol will only served:
 - a) Between hours of 14:00 and 22:00 and only where the area where alcohol is served is supervised by staff and CCTV; or
 - b) To persons attending a private event in accordance with condition 2(g) above.
6. After 22:00, save for events under 5(b) above, alcohol will be stored safely and cannot be accessed.
7. Save for events under 5(b) above, alcohol will be restricted to beer, wine and prosecco.
8. CCTV:
 - 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 entrance to the premises. 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. Subject to GDPR guidance and legislation, 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 Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
 - g. Any breakdown or system failure will be notified to the police immediately and remedied as soon as practicable.
 - h. In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.
9. Incident reporting:
 - 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 the DPS (or a person with delegated authority) at least once a week.
 - b. The logbook should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence.

- c. Any refusals made for alcohol service e.g. underage, will be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twelve (12) months.
- 10. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
- 11. No under 18s are permitted in the premises.
- 12. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:
 - a. The lawful selling of age restricted products
 - b. Refusing the sale of alcohol to a person who is drunk
- 13. Further verbal reinforcement/refreshers 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/refreshers training documented.
- 14. All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.
- 15. Provide signage at all exits and outdoor area used for smoking by staff and patrons "Please respect the needs of local residents, including leaving quickly and quietly; do not disturb the neighbours".
- 16. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
- 17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take open containers of alcohol outside the premises.

Conway Street

Ethel Street

Ellen Street

MAIN ENTRANCE

FOUNDRY

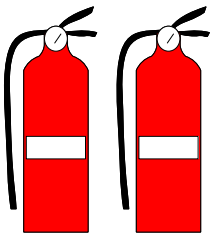
LEGEND



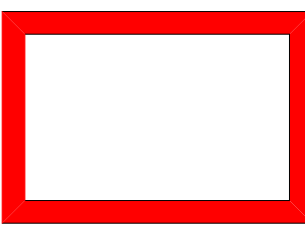
Primary Escape Route



Secondary Escape Route



Fire Extinguisher Set
1 x 2kg CO2
1 x 6ltr Water



Area of Licence

1	Evac Plan/Licence	24/07/25
No.	Revision/Issue	Date



Suite 9, The Cloisters
Broyle Place Farm
Laughton Road
Ringmer
East Sussex
BN8 5SD
office@pantherfiresolutions.com

Project Name and Address

FOUNDRY

Hove

Project	Licence Plan	Sheet
Date	24/07/25	1 of 1 VERSION 1
Scale	NOT TO SCALE	

Note:
Fire Extinguishers installed to BS5306
Fire Alarm installed to L2 – Automatic fire detection in escape routes, rooms leading onto escape routes and areas of high fire risk
CCTV – Installed internal and external
Door Access – Electronic Door Access system installed

REP A

From: Cllr Jacqueline O'Quinn REDACTED
Sent: 03 September 2025 20:57
To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>
Subject: Objection to Licensing application for the Foundry.

EF CON ENDS 05.09.2025 VALID PCD and PPN (A)

3rd September 2025

Dear officer,

RE: LA 2025/06997 The Foundry

This is an objection on behalf of local residents to the granting of an alcohol Licence for The Foundry which would be a new premises at 3 Ellen St – located in the new development of Hove Gardens. I had to ask others to establish that this licence is about providing a bar for people renting co-working space e.g. local small companies – individuals or groups. The set-up would be that these individuals, as members, and their guests would have access to the bar for alcohol and food and that they could have events on the premises. This is what I have inferred from speaking to others as there was very little information available in the application itself.

The applicants ask for an alcohol licence from 10.00 – 24.00 every day of the week and also asks for late night refreshment every day from 23.00 – 24.00 hours. They also ask for this alcohol licence to apply on and off the premises and I can only assume that this refers to the outside area of the bar which is located on the 1st floor of Hove Gardens facing the Clarendon and Ellen estate. These are very late hours for 7 days of the week in a heavily residential area. There are tenants in Hove Gardens itself who would be disturbed by noise from a bar which had guests and members drinking both inside and outside. It would also cause considerable disturbance to the residents of Livingstone House and Ellen House, in particular on the Clarendon and Ellen estate, thus creating a public nuisance. It would also create a lot of coming and going from the bar late at night and this would be a public nuisance for local residents and would potentially attract anti-social behaviour and crime and disorder in the area.

There is no need for such a premises as there are plenty of licensed premises on Goldstone Villas in the parade leading down from Hove station. It would be quite easy for people using office space at Hove Gardens to go to those premises to consume alcohol.

What is extraordinarily disappointing about this application is that during the public liaison meetings, initiated by the developers, with local councillors, Hove Neighbourhood Forum and other interested local parties, the area that is now being proposed as for co-working and a bar with late hours was proposed as a community area which local people could use for agreed times and prices. This was in order for

the residents of the Clarendon and Ellen estate especially to receive some benefit from having such a large development so close to them – literally cheek by jowl. It would have been helpful if the proposal for co-working and a bar with late hours had been discussed with representatives of the local community before submitting an application.

I ask for this licence application not to be granted.

Councillor Jackie O'Quinn Goldsmid Ward

REP B

From: REDACTED
Sent: 04 September 2025 09:23
To: EHL Licensing <ehl.licensing@brighton-hove.gov.uk>
Cc REDACTED >
Subject: Licensing Application 2025/06697 The Foundry

EF CON ENDS 05.09.2025 VALID PCD and PPN (B)

LA 2025/06997 The Foundry – Objection from Hove Station Neighbourhood Forum

This application is very thin on detail. The Forum are concerned that no mitigation whatsoever is offered to ensure the licensing objectives are met. There has been no communication with the Forum or members of the wider community that we are aware of.

We are unclear what the off sales would represent – outside tables and chairs? This would clearly create opportunities for noise and public nuisance, as well as opportunities for crime and disorder.

We are also of the opinion that there are already plenty of opportunities to purchase and consume alcohol in the immediate vicinity – public houses both by Hove Station up the stairs, and at the lower level nearby, as well as off licenses.

In addition we believe that it is far too late a licence for a work-space member only plus friends to have in such a residential area – if indeed that is the purpose of the license.

The license, if granted, will create issues of noise, public nuisance and potentially crime and disorder. If there is an intention to hold events, this will mean many guests so it will not always just be members.

To sum up, we object on the grounds of:

- The prevention of public nuisance, and
- The prevention of crime and disorder.

REDACTED

REP C

EF CON ENDS 05.09.2025 VALID PCD and PPN (C)

Objection to Licensing Application –LA 1445/3/2025/06997/LAPREN The Foundry, 3 Ellen Street, Hove (Hove Gardens)

Submitted by: REDACTED

Date: 4th September 2025 Dear

Licensing Team,

I am writing to object to the application for a premises licence for *The Foundry*, located at 3 Ellen Street within the Hove Gardens development. I do so as a resident of the Goldsmid ward and as REDACTED with long-standing knowledge of local community concerns and priorities.

Grounds for Objection

My objection is based on the following licensing objectives:

- **The prevention of public nuisance, and**
- **The prevention of crime and disorder.**

Concerns

1. Opening Hours in a Residential Setting

The applicant seeks a licence to serve alcohol every day from 10:00 to 23:00. These hours are excessive for a premises located in a densely populated residential area. Residents of Hove Gardens, as well as those in nearby Livingstone House and Ellen House (Clarendon and Ellen Estate), are likely to experience noise and disruption, particularly in the evenings and at weekends.

There is also a lack of clarity around how the outside area will be managed, or whether customers will be allowed to drink outside late at night—raising further concerns about disturbance.

2. Off-Sales Are Unclear and Problematic

The application includes permission for off-sales of alcohol, but it provides no detail about how this will operate. This raises concerns about potential street drinking, littering, and associated anti-social behaviour in the surrounding streets and public spaces.

3. No Mitigation Measures Provided

The application offers no information about how the premises will uphold the licensing objectives. There is no mention of noise management, dispersal policies, or plans to prevent nuisance or crime. This absence of detail is particularly troubling given the potential impact on neighbouring residents.

4. No Demonstrated Local Need

There are already **two public bars and three off-licences** within close proximity on Goldstone Villas. These already provide ample provision for the area. There is no demonstrated demand for another alcohol outlet operating until 11 pm, seven days a week.

5. Change of Use Without Community Consultation

Perhaps most concerning is the change in use of this space, away from that originally intended. During previous public liaison meetings between the developers, local councillors, the Hove Neighbourhood Forum and other community stakeholders, this part of the development was designated as a **community space** by the developers, intended to benefit all local residents—especially those on the adjacent Clarendon and Ellen Estate.

It is extremely disappointing that this commitment was reneged upon. Additionally, this application was submitted **without any consultation** with the local community. This represents a clear departure from the commitments made during the development process and further undermines trust in the developers' engagement with local people.

Conclusion

Given the potential for public nuisance, anti-social behaviour, and disruption to local residents — combined with the lack of consultation and mitigation — I urge councillors to **refuse this application**.

Thank you for considering my objection.

Yours sincerely,

REDACTED

Appendix D

Police Proposed Conditions – Foundry. 3 Ellen Street, Hove

Supply of alcohol – 10:00 – 23:00 - On Sales Only.

General:

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of reasonable 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. Licensable activities shall be ancillary to the use of the premises as a co-working office and events space.
3. No members of the public will be admitted to the premises. The sale of alcohol for consumption on the premises shall only be available to:
 - (a) Office tenants - those persons with a membership to occupy office space at the premises;
 - (b) Day-pass visitors - with a ticket for entry that same day;
 - (c) Co-working members of Foundry or its affiliated companies;
 - (d) Persons who have pre-booked a meeting room that same day;
 - (e) Directors and employees of Foundry and its affiliated companies;
 - (f) Persons attending a private pre-booked event or function, a list of functions and persons attending to be kept at reception for inspection by the relevant authorities;
 - (g) Any guests of the above.

A list of attendees shall be kept on the premises at all times together with a record also showing the names and dates of attendance of any guest introduced by members. All records shall be kept for a minimum period of 31 days and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period.
4. The reception will be attended between the hours of 08:00 and 18:00.
5. Alcohol will only be made available when:
 - (a) The licensable area is staffed by a trained member as per condition 13. Outside of licensable hours and or when no staff member is present, alcohol will be securely stored away.
 - (b) When an event is being held, all alcohol will be served by a trained staff member. Training is as per condition 13. An event is classed as something occurring that is outside of the day-to-day normal operation for the site. When groups of people are coming together for an advertised event/function or private hire.
 - (c) Save for events, alcohol will be restricted to beer, wine and prosecco.

Prevention of crime and disorder:

6. 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. 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.

7. (a) An incident and refusals log (book or electronic) will be maintained by the premises showing a detailed note of incidents and refusals that occur in the premises. The logs will be inspected and signed off by the Designated Premises Supervisor (or a person with delegated authority) at least once a month.

(b) The logs should be kept on the premises for at least twelve (12) months 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. Refusals of alcohol for reasons such as underage, no ID and intoxication.

Public safety:

-

Prevention of public nuisance:

8. Provide signage at all exits and outdoor area used for smoking by staff and patrons "Please respect the needs of local residents please, do not disturb the neighbours".
9. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take open containers of alcohol outside the premises.

Protection of children from harm:

10. No under 18's are permitted in the premises.
11. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID, biometric residence permit cards or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
12. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
13. (a) The Premises Licence Holder / Management shall ensure that all staff members engaged or to be engaged in selling and or serving of alcohol shall receive induction training. If this training is to be conducted in electronic form, it will at a minimum also include a face-to-face discussion session. This training will take place prior to the selling and or serving of such products and will include:

*The lawful selling of age restricted products:

Including but not limited to, the requirement for the staff member conducting the transaction to ensure they do Challenge 25 checks regardless of any other staff member / door staff checks that may already have taken place.

*Refusing the sale of alcohol to a person who is drunk.

(b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.

(c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

APPENDIX D

Conditions agreed between Environmental Protection and the applicant
29.8.25

For the Prevention of Public Nuisance:

1--Deliveries to the premises shall not take place between the hours of 21:00 - 07:00 daily.

2--Recycling and rubbish should not be placed outside or collected from the premises between the hours of 21:00 - 07:00 daily.

Appendix E

