

Licensing Panel (Licensing Act 2003 Functions)

Date: **28 November 2025**

Time: **10.00am**

Venue **MS Teams**

Members: **Councillors:** Lyons, Nann and Sykes

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 PRESUMING ED COFFEE HOUSE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

7 - 50

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

Tel: 0127329

Date of Publication - Thursday, 20 November 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 Variation of a Premises Licence under the Licensing Act 2003
Premises:	Presuming Ed, 114 - 115 London Road, Brighton, BN1 4JG
Applicant:	Prez Ed Ltd
Date of Meeting:	28 November 2025
Report of:	Corporate Director for City Operations
Contact Officer: Name:	Corinne Hardcastle
Email:	corinne.hardcastle@brighton-hove.gov.uk
Ward(s) affected:	West Hill & North Laine

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Presuming Ed.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Presuming Ed.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

- 3.1 The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposal and Section 16 of the application are detailed at Appendix A.
- 3.2 The new plan of the premises is attached at Appendix B.
- 3.3 Summary table of existing and proposed activities

	Existing	Proposed
Plays	Every Day: 08:00 – 00:00 Indoors	Every Day: 23:00 – 01:00 Indoors
Films	Every Day: 08:00 – 00:00 Indoors	Every Day: 08:00 – 01:00 Indoors
Live music	Every Day: 08:00 – 00:00 Indoors	Every Day: 23:00 – 01:00 Indoors
Recorded Music	Every Day: 08:00 – 00:00 Indoors	Every Day: 23:00 – 01:00 Indoors
Performance of Dance	Every Day: 08:00 – 00:00 Indoors	Every Day: 23:00 – 01:00 Indoors

Anything of a similar description within e, f, or g	Every Day: 08:00 – 00:00 Indoors	Every Day: 08:00 – 01:00 Indoors
Late Night Refreshment	Every Day: 23:00 – 00:00 Indoors and Outdoors	Every Day: 23:00 – 01:00 Indoors
Supply of Alcohol	Every Day: 10:00 – 00:00 On the Premises 12:00 – 20:00 Off the Premises	Every Day: 10:00 – 01:00 On the Premises 12:00 – 20:00 Off the Premises (as existing)
Hours premises are open to public	Every Day: 08:00 – 00:30	Every Day: 08:00 – 01:30
From the end of the hours on New Year's Eve to the start of the hours on New Year's Day for the above activities		

3.4 Existing licence attached at Appendix C.

3.5 Special Stress Area: The premises falls within the Special Stress Area. This area is deemed an area of special concern in terms of the levels of crime, disorder, and public nuisance experienced within them. (See paragraphs 3.2 – 3.2.5)

Representations received

3.6 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

3.7 2 representations were received. They were received from Sussex Police and The Licensing Authority.

3.8 Representations received had concerns relating to Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

3.9 Full details of the representations 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

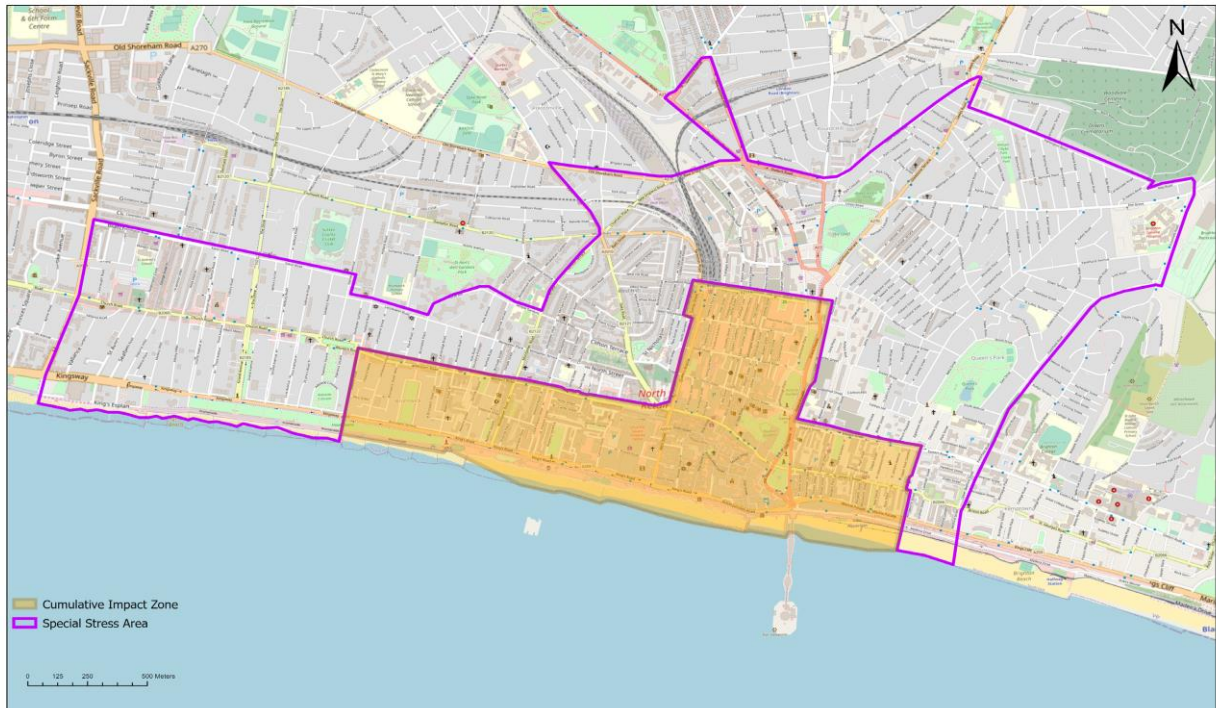
1.3.1 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. 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 Special Policies and Initiatives

3.2 Special Stress Area

3.2.1 The map below details the area of the city centre which borders the Cumulative Impact zone at 3.1.3 and which is deemed an area of special concern in terms of the levels of crime and disorder and public nuisance experienced within it. The area recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below delineated in purple:

Special Stress Area and Cumulative Impact Zone, January 2021



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The Special Stress Area - an area bounded by and including: The west side of Hove Street/Sackville Road, northwards to the intersection with the north side of Blatchington Road, along north side of Blatchington Road and Eaton Road, southwards at the junction onto the east side of Palmeira Avenue and then eastwards at the junction onto the north side of Landsdowne Road; eastwards to the junction with Furze Hill, along the north side Furze Hill to its end and then due east along the north side of Victoria Road to its junction with Montpelier Road (west side), north to where Montpelier Road joins Vernon Terrace then north to Seven Dials; north west along the west side of Dyke Road until the junction with the Old Shoreham Road, then East along the north side of Old Shoreham Road, continuing on the north end of New England Road, north west at Preston Circus at the junction of New England Road and Preston Road along the west side of Preston Road until the junction with Stanford Avenue then and north east along the north side of Stanford Avenue until the junction with Beaconsfield Road, south along the east side of Beaconsfield Road until the junction at Preston Circus and Viaduct Road, eastwards along the north side of Viaduct Road, then at the junction with Ditchling Road, North East along the north side of Upper Lewes Road until the junction with Lewes Road; south along the Lewes Road to junction with Hartington Road, along the north side of Hartington Road until the junction with St. Helen's Road, south into the north side of May Road, eastwards until its junction with Freshfield Road (east side), then south into Upper Bedford Street, into Bedford Street to the mean water mark south of Bedford Street, then due west until the mean water mark south of Lower Rock Gardens; North on Upper Rock gardens, to the north side of Eastern Road, west along Eastern Road and Edward Street until Grand Parade, north along the Eastern side of Grand Parade to the junction of York Place and Trafalgar Street, West along the Northern boundary of Trafalgar Street, up to and including Surrey Street and then South along the Western boundary of Queens Road to the junction with Air Street, West along the north side of Air Street, South-west to the junction of Western Road Brighton, then West along the North side of Western Road Brighton, South along the West side of Holland Road to the mean water mark south of Kingsway and Kingsway Esplanade as far as the west side of Hove Street/ Sackville Road.

3.2.2 This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it. The area will be kept under review.

3.2.3 New and varied applications for premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. Appendix A of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.

3.2.4 On receipt of any application in the SSA, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix A, Licensing Best Practice Measures. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

3.2.5 The Licensing Authority will keep the Cumulative Impact Zone and Special Stress Area under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening, the Special Policy will be reviewed.

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.

3.9 Promoters and irresponsible drinks promotions

3.9.1 The Licensing Act 2003 makes no mention or provision for the use of promoters within licensed premises. Many of the late night bars and clubs within the Brighton & Hove Cumulative Impact Zone regularly hire promoters to sell nights at their venues. In recent years with the introduction of promoters within the Brighton night time economy, several issues have arisen. This includes promoters vouching for underage customers to get them inside licensed premises where they can access alcohol, providing flyers to passers-by who throw them on the floor and irresponsible promotions for their nights. Many premises now have an agreement with their promoter for acceptable promotions and behaviour which includes the signing of a written contract of expectations. This shows premises evidencing their due diligence and ensures that promotion companies know what is expected of them. The contract could include, obligations to pick up self-generated litter, verification of ages of their customers and users of their social media, promoters being over the age of 18 and responsible advertising on social media.

3.9.2 The Licensing Authority expect licensed premises to develop staff policy and training on recognising signs of drunkenness and vulnerability, for example, offering drinking water and tips for refusing customers who appear drunk. And discourage company policies that promote bonuses and sales incentives for selling alcohol. Licensing Authority will expect necessary precautionary processes to restrict drunkenness, e.g. Licensing Guidance states happy hours should not be designed

to encourage individuals to drink excessively or rapidly.

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).

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.

5.1.2 Normally in the city centre, pubs and clubs will be expected to operate using polycarbonate or toughened/shatterproof glass.

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.

6.1.3 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

10 Live Music, Dancing & Theatre

10.1.1 This policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues the potential for limited disturbance in neighbourhoods will always be carefully balanced with these wider benefits, particularly for children. The impact of licensing on regulated entertainment, particularly live music and dancing, will be monitored. Where indications are that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how such situations might be reversed.

10.1.2 The Licensing Committee represents the general interests of a community in determining what conditions should be attached to licences and certificates as a matter of necessity for the promotion of the licensing objectives. All members of the Licensing Committee will be trained on Licensing Act 2003 and S182 Guidance.

The Licensing authority is aware of the need to avoid measures which deter live music, dancing and theatre - such as imposing indirect costs out of proportion to the income of the licence holder and to the risks presented. Only appropriate, proportionate and reasonable licensing conditions should impose any restrictions on such events.

10.1.3 The licensing committee will support the cultural zones, outdoor eating areas, food led operations, community pubs, live entertainment and protect living conditions in mixed use areas.

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
Legal Implications:

Date: 17/11/2025

- 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: 17/11/25

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 – Application Proposal and Section 16 of the Application
2. Appendix B – New Plan of Premises
3. Appendix C – Part A of Premises Licence
4. Appendix D – Representations
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

Section 16 of 18
LICENSING OBJECTIVES
Describe the steps you intend to take to promote the four licensing objectives: a) General – all four licensing objectives (b,c,d,e) List here steps you will take to promote all four licensing objectives together.
Please see attached

Application by Prez Ed Limited to Vary the Premises Licence at Presuming Ed, 114-115
London Road, Brighton, BN1 4JG

Background Information

Following the grant of a planning application in respect of the above premises (reference BH2025/00717), to change the use of the ground floor from café/restaurant to café/bar and live performance venue (sui generis) and to change the first floor from existing performing arts, meeting rooms, rehearsal space and staff accommodation to function/meeting rooms, exhibition space, live performance venue and bar (sui generis), the Applicant is proposing to vary the existing premises licence to reflect the change of use. There will be no change to the second floor which is used for staff accommodation.

For information purposes, condition 3 attached to the planning permission, under the above reference, relates to noise mitigation measures required to be carried out as detailed in an acoustic assessment carried out by Sustainable Acoustics. This includes soundproofing as recommended in the acoustic report. Therefore, it is not proposed to replicate this condition in the premises licence application, but please note the proposed change to existing condition 14 under Annex 3 of the premises licence, as set out below, which relates to a noise limiting device being fitted and used to control amplified music played at the venue.

Paragraph 1.9.2 of the Statement of Licensing Policy (“Licensing Policy”) states that licensing decisions will take into account any relevant planning decisions by planning officers and will not normally cut across such decisions. The Applicant is being fully transparent in referring to the granted planning permission and accompanying conditions.

The premises is located at the junction of London Road with Francis Street and has a mix of retail, commercial, cafes, restaurants and leisure uses at street level, with primarily residential premises above, in existing traditional two or three storey buildings. Francis Street mainly consists of residential properties. The premises is located in an area which is well serviced by public transport including a number of different bus services in close proximity to the premises as well as a nearby train station. There are also a number of nearby taxi firms in the vicinity.

The premises does not fall within the council's cumulative impact zone but it does fall within the allocated special stress area under the Licensing Policy. This area is a concern to the licensing authority due to the relatively high levels of crime and disorder and nuisance and the area is being kept under review. Paragraph 3.2.3 of the Licensing Policy states that varied applications for premises will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules to make positive proposals to ensure their operation will not add to the problems faced in these areas. The premises has Mobile Support Unit with Atlas and

has been a member for a number of years. The Operator is a member of the BCRP that operates with radios and uses the Nightsafe & Yellow Card Scheme and current condition 7 under Annex 3 of the premises licence supports this. The Operator has a challenge 25 policy as set out at condition 18 under Annex 3 of the premises licence. The Operator is offering a condition of a minimum of two SIA door staff on Fridays and Saturdays, as set out below. The Operator has compiled a dispersal policy and vulnerability and safeguarding policy. There is an extremely low incident rate over the last ten years' and the Operator does not envisage this changing with trading an additional hour at the end of the day, in view of the strong management of the premises and the existing and proposed conditions in support of the licensing objectives.

Premises Use / Concept

The Applicant has been running the premises since December 2014. The premises supports local artists and has an eclectic mix of artwork on its internal walls and ceilings. The Applicant proposes to run a mixed-use event space for the whole community and provide a creative space to encourage networking, pitching ideas and polishing concepts that will generate independent and creative businesses as well as providing a safe space accessible to all including groups that might feel marginalised or isolated such as those with physical and mental health challenges and LGBTQ+. The Applicant would like to host more events associated with the Brighton Festivals, host short film festivals, as well as in-house pop-up kitchen events, with local chefs and cooking crews.

The proposal to expand uses and to cater for the increasing demand for a venue to hold meetings, screening and theatrical events and the ever-increasing influx of remote workers to local hubs closing has led to a change in planning use and the submission of this variation application.

The Applicant proposes to continue to run a café/bar offering some food on the ground floor by day, but also to use it as a bar in the evening and as a venue for local bands and DJ's.

It is proposed that the first floor will be used for:

- private meetings and functions, supporting local businesses.
- local artists' exhibitions and sales.
- a space for digital artists, graphic designers and creative coders.
- an XR hub for digital animation and film game and VR/VR development.
- a networking and innovation space for Brighton professionals and students.
- a quiet space to attract a more dynamic age group and demographic with the opportunity to hold private meetings, workshops and media/tech-related events throughout the day and evening.
- a venue for theatre performances, local bands and DJ's.
- a further bar for customers and guests.

The Applicant is proud of the artistic and cultural nature of the premises and wishes to continue to develop this and requires further flexibility in running the premises as a mixed use space. Paragraph 1.7.1 of the Statement of Licensing Policy supports entrepreneurial activity, promoting the city's businesses and supporting growth of the creative industries sector. Paragraphs 1.8.1-1.8.3 of the licensing policy confirms that Brighton & Hove has taken a leading role in the national consortium, the Cultural Cities Network and confirms that the cultural offer has grown through new festivals, venues and organisations developing. The Applicant's vision is to continue and contribute to the cultural and artistic offering in the locality. The Applicant is a member of Music Venue Alliance for Brighton, the Music Venues Trusts, Brighton actors network group, Brighton film makers, Brighton actors and film makers, Brighton animation, Brighton poetry scene, audio active, Brighton international animation festival, Brighton digital festival, and Brighton fringe (member since 2017).

Following a pre-application site visit at the premises with police and the licensing authority in August 2025, the proposal is as follows:-

Proposed Variation

The Applicant is proposing to increase the hours for licensable activities by one hour until 01:00 every day with closing half an hour later. This is in line with the permitted hours of use under the granted planning permission.

The Applicant is proposing to increase the hours of use in respect of the external courtyard / terrace area every day until 23:00 in line with the permitted hours of use under the granted planning permission.

The Applicant is not proposing to alter the hours of use in respect of the outside area at the front of the premises. Condition 8 under Annex 3 of the premises licence will remain.

Proposed Removal of Conditions

The Applicant proposes to remove conditions 1, 2, 3, 4, 10, 12 and 17 under Annex 3 of the Premises Licence which are now not appropriate or fit for purpose, following the recent granted planning permission and authorised change of use.

Proposed Additional Conditions

The Applicant proposes to add the following conditions to the premises licence:-

1. A minimum of 2 SIA licensed door staff shall be on duty at the premises on Friday and Saturday from 23:00 until half an hour after closing, when the premises opens beyond 00:00.
2. A dedicated phone line shall be available to residents to call in the event of any concerns.
3. No deliveries will take place between the hours of 20:00 hrs and 08:00 hrs.

Proposed Change to Conditions

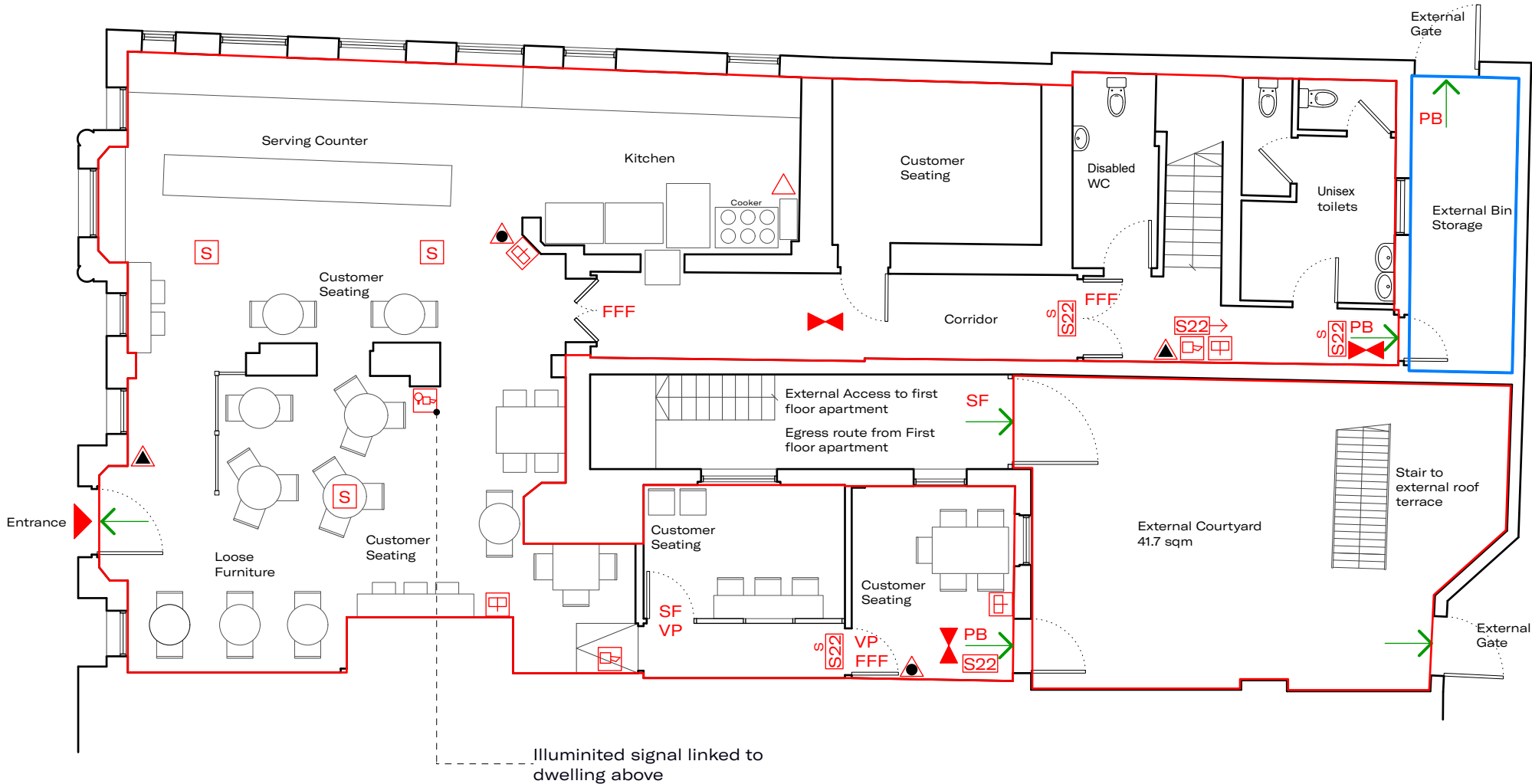
The Applicant is proposing to change existing conditions 14 and 15 under Annex 3 of the Premises Licence as follows:-

14. All amplified music will be controlled by a noise limiter which must be fitted to moderate the sound output of the house system, to be set at levels agreed with the Local Authority. This must be used by all those providing pre-recorded and live entertainment.

14a. No external audio equipment will be permitted to be used, unless approved by the Local Authority in writing.

15. Smoking will be allowed in the courtyard until 23:00, at which time the courtyard will close. Smokers will then be able to stand without drinks and smoke at the front of the premises in the street.

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.
Date: 13.10.25



Areas Key

- 172.75 sqm GIA ground floor areas proposed to change from Class E to sui generis
- 41.7 sqm External area proposed to change from Class E to sui generis
- 9.2 sqm External refuse storage area associated with Ground floor premises

These drawings are provided for the purposes of agreeing alcohol licensing pre-application advice only. These drawings document the observed existing fire safety precautions. No advice or design proposals are shown on these drawings.

Drawing Key

- Entrance
- Egress point
- Fire alarm manual call point
- Control panel illuminated signal
- Control panel sounder
- Control panel sounder and illuminated signal
- Wet chemical fire extinguisher
- Carbon dioxide extinguisher
- Foam fire extinguisher
- Automatic heat detector
- Automatic smoke detector
- Door with panic bolt
- Door with simple fastening
- Door free from all fastenings
- Door with vision panel
- Emergency Exit Graphic symbol
- Emergency Exit symbol with arrow
- Emergency Exit symbol overhead
- Automatic emergency lighting
- Domestic mains interlinked Smoke detector
- Domestic mains interlinked carbon monoxide detector

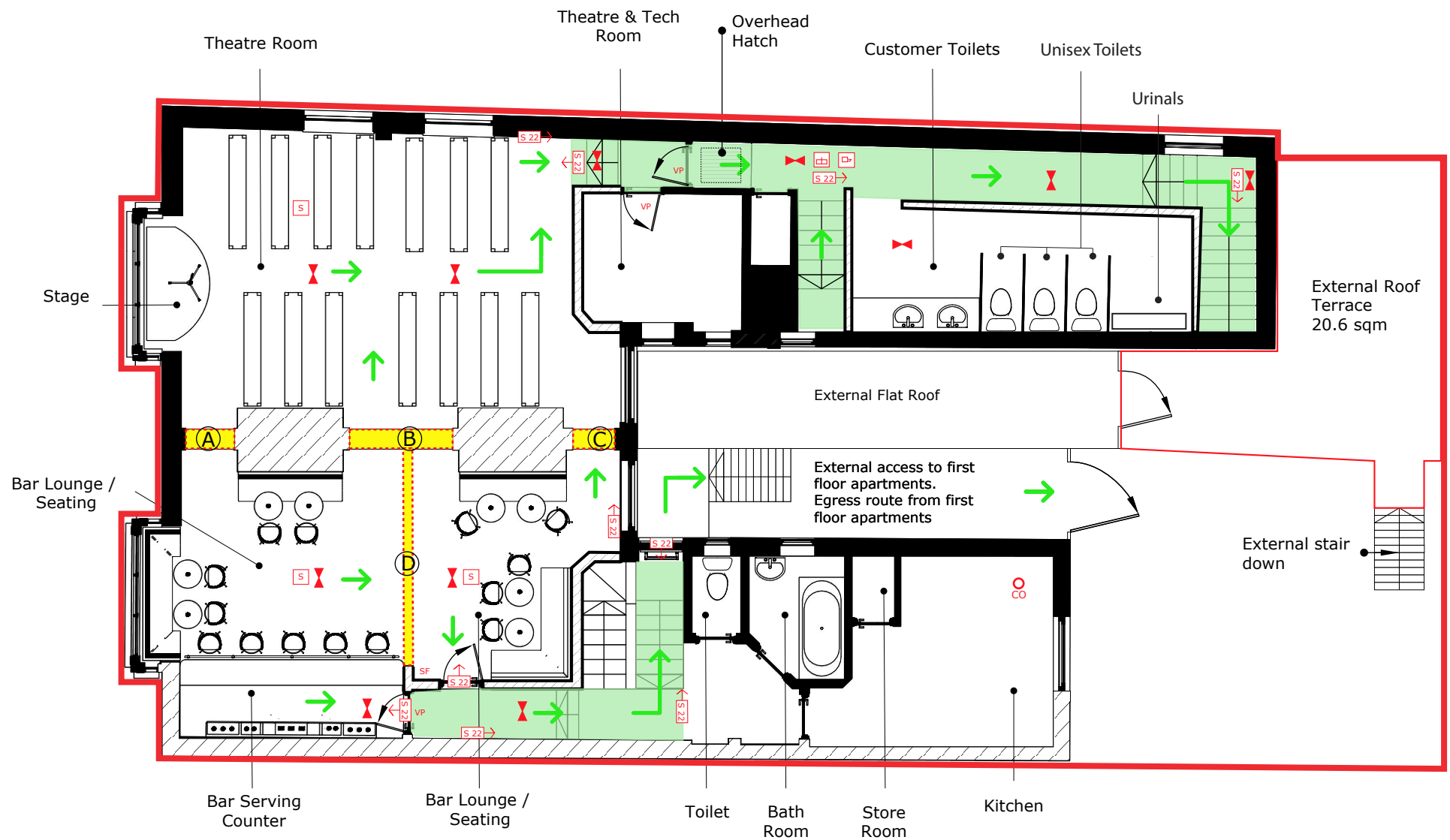
P	17.08.23	Preliminary Issue
REV	DATE	DESCRIPTION

RoachMatthews

Unit K106, The Biscuit Factory
100 Drummond Road
London SE16 4DG
020 4537 5231
hello@roachmatthews.com
roachmatthews.com

PROJECT		JOB CODE	
Presuming Ed, Brighton		055	
TITLE		DRAWING NUMBER	
Licensing Plan - Ground Floor		1010	
ISSUE	DATE	REVISION	
Preliminary	Aug 23	P1	
SCALE	SIZE	REVISION DATE	
1:100	A3	17.08.23	

A :: 1st Floor Theatre Area / Bar Lounge / Toilets
001 1mm:100mm (1:100)



DRAWING KEY:

	ENTRANCE		EMERGENCY EXIT GRAPHIC SYMBOL
	EGRESS POINT		EMERGENCY EXIT SYMBOL WITH ARROW
	FIRE ALARM MANUAL CALL POINT		EMERGENCY SYMBOL OVERHEAD
	CONTROL PANEL ILLUMINATED SIGNAL		AUTOMATIC EMERGENCY LIGHTING
	CONTROL PANEL SOUNDER		DOMESTIC MAINS INTERLINKED SMOKE DETECTOR
	CONTROL PANEL SOUNDER AND ILLUMINATED SIGNAL		DOMESTIC MAINS INTERLINKED CARBON MONOXIDE DETECTOR
	EMERGENCY POWER OFF		SECURITY CAMERA
	WATER EXTINGUISHER		AUTOMATIC HEAT DETECTOR
	CARBON DIOXIDE EXTINGUISHER		
	FOAM FIRE EXTINGUISHER		
	WET CHEMICAL FIRE EXTINGUISHER		
	AUTOMATIC SMOKE DETECTOR		
	DOOR WITH PANIC BOLT		
	DOOR WITH SIMPLE FASTENING		
	DOOR FREE FROM ALL FASTENINGS		
	DOOR WITH VISION PANEL		
	HUMIDITY SENSOR		

REV:	DATE:	DESCRIPTION:
V1	07/11	1ST LEVEL FLOORPLAN
V2	13/12	AMENDMENT

Client:	RICHARD GRILLS
Project:	PRESUMING ED'S
Design Supervisor:	XXXX
Project Manager:	XXXX
Drawing Title:	FLOOR PLANS
Project Code:	XXXX
Drawing No:	D-001
Page:	01
Drawn by:	CR
Date:	13/12/24
Scale@ A3	1:100 MM

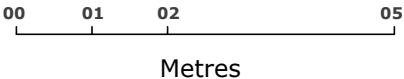
INTERNAL PLAN & DIMENSIONS

Drawing No:
D_001

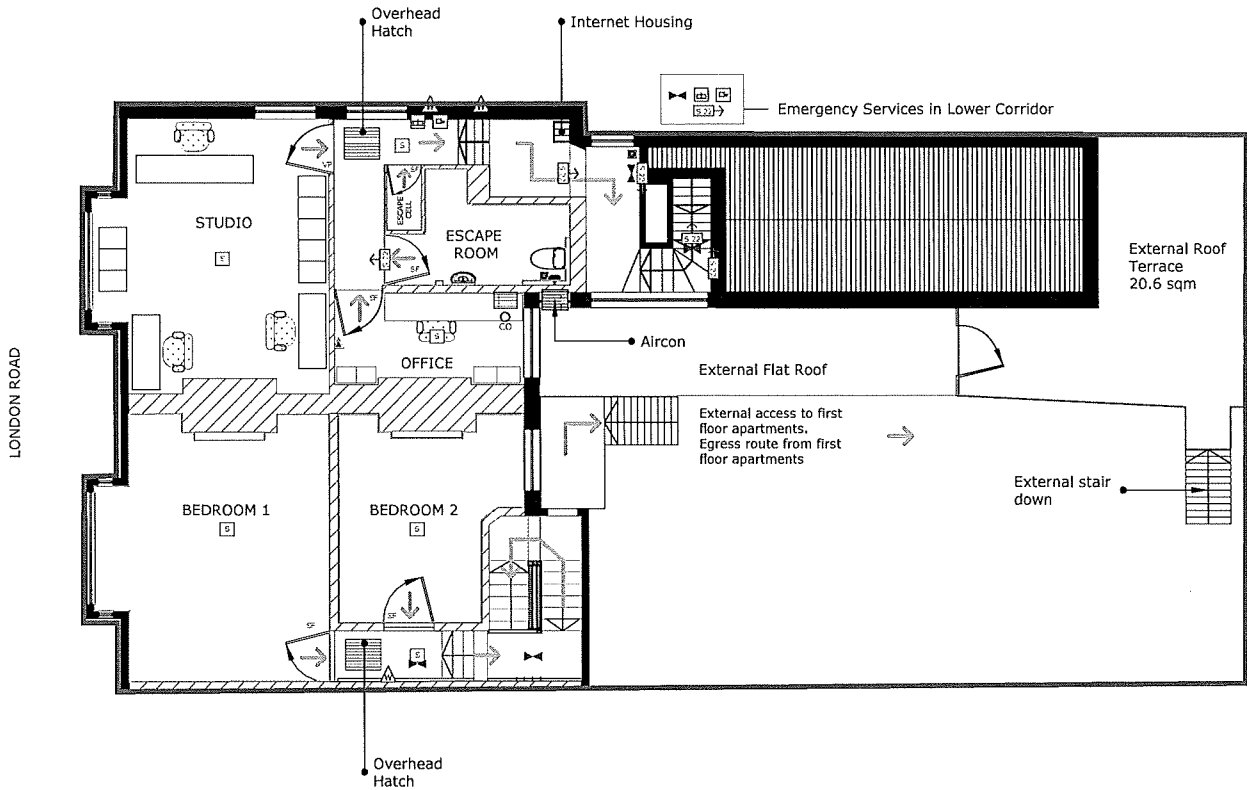
Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer. Date: 13.10.25

= Areas shown in yellow and red dash outline refer to walls to be removed between the Theatre and Bar Lounge areas.

**PROPOSED FIRST FLOOR
DRAWING**



B :: 2nd Floor Studio/ Office / Escape Rooms / Residential Bedrooms & Staircase
002 1mm:100mm (1:100)



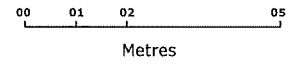
DRAWING KEY:

	ENTRANCE		EMERGENCY EXIT GRAPHIC SYMBOL
	EGRESS POINT		EMERGENCY EXIT SYMBOL WITH ARROW
	FIRE ALARM MANUAL CALL POINT		EMERGENCY SYMBOL OVERHEAD
	CONTROL PANEL ILLUMINATED SIGNAL		AUTOMATIC EMERGENCY LIGHTING
	CONTROL PANEL SOUNDER		DOMESTIC MAINS INTERLINKED SMOKE DETECTOR
	CONTROL PANEL SOUNDER AND ILLUMINATED SIGNAL		DOMESTIC MAINS INTERLINKED CARBON MONOXIDE DETECTOR
	EMERGENCY POWER OFF		SECURITY CAMERA
	WATER EXTINGUISHER		AUTOMATIC HEAT DETECTOR
	CARBON DIOXIDE EXTINGUISHER		
	FOAM FIRE EXTINGUISHER		
	WET CHEMICAL FIRE EXTINGUISHER		
	AUTOMATIC SMOKE DETECTOR		
	PB DOOR WITH PANIC BOLT		
	SF DOOR WITH SIMPLE FASTENING		
	FFF DOOR FREE FROM ALL FASTENINGS		
	VP DOOR WITH VISION PANEL		
	HS HUMIDITY SENSOR		

REV:	DATE:	DESCRIPTION:
V1	07/11	2ND LEVEL FLOORPLAN
V2	13/12	AMENDMENT

Client:	RICHARD GRILLS
Project:	PRESUMING ED'S
Design Supervisor:	XXXX
Project Manager:	XXXX
Drawing Title:	FLOOR PLANS
Project Code:	XXXX
Drawing No:	D-002
Page:	02
Drawn by:	CR
Date:	13/12/24
Scale@ A3	1:100 MM
Drawing Name:	LICENSING PLAN / 2ND FLOOR

Drawing No:
D_002



EXISTING AND PROPOSED SECOND FLOOR DRAWING





**Schedule 12
Part A**

Regulation 33, 34

**Premises Licence
Brighton and Hove City Council**

Premises Licence Number

1445/3/2022/00321/LAPRET

Part 1 – Premises Details

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

Presuming Ed Coffee House
114 - 115 London Road
Brighton
BN1 4JG

Telephone number

Licensable activities authorised by the licence

Performance of Dance	Performance of Recorded Music
Exhibition of a Film	Performance of a Play
Anything of a similar description to live music, recorded music and performance of dance	
Late Night Refreshment	Performance of Live Music
Sale by Retail of Alcohol	

Times the licence authorises the carrying out of licensable activities

Performance of Dance

Every Day 08:00 - 00:00 Indoors

Exhibition of a Film

Every Day 08:00 - 00:00 Indoors



Brighton & Hove City Council

Anything of a similar description to live music, recorded music and performance of dance

Every Day 08:00 - 00:00 Indoors

Performance of Live Music

Every Day 08:00 - 00:00 Indoors

Performance of Recorded Music

Every Day 08:00 - 00:00 Indoors

Performance of a Play

Every Day 08:00 - 00:00 Indoors

Late Night Refreshment

Every Day 23:00 - 00:00 Both

Sale by Retail of Alcohol

Every Day 10:00 - 00:00 On Premises

Every Day 12:00 - 20:00 Off Premises

Seasonal variation for all of the above licensable activities: -

From the end of the hours on New Years Eve to the start of the hours on New Years Day

The opening hours of the premises

Every Day 08:00 - 00:30

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Prez Ed Ltd
114-115 London Road
Brighton
BN1 4LJ

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

Registered Business Number: 13099089

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

Richard Patrick Grills
REDACTED

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

Party Reference: REDACTED

Licensing Authority: REDACTED



Annex 1 – Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises–
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of



24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;



- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 —
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:
 - (b) “permitted price” is the price found by applying the formula—
$$P=D+(D \times V)$$
where—
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—
 - (i) the holder of the premises licence,



(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule – N/A

Annex 3 – Conditions attached after a hearing by the licensing authority on 20th July 2016

General

1. The sale of intoxicating liquor and other beverages shall be by waiter/waitress service for consumption by persons seated at tables and there will be no vertical drinking.



2. Substantial food shall be available at all times that alcohol is offered for sale on these premises.
3. During the 3 annual festivals listed below the hours for all licensable activity at the premises can be extended to 01:00 on Friday and Saturday where the Premises Licence Holder has notified Sussex Police and Licensing Authority in writing at least 7 days in advance:
 - a. Brighton Fringe Festival - for the published duration of the festival
 - b. Great Escape Festival - for the published duration of the festival
 - c. Alternative Escape Festival - for the published duration of the festival
4. This festival extension of hours on Friday and Saturday is subject to the following additional conditions:
 - a. 2 SIA door staff to be employed at the premises from 23:00 hours until close.
 - b. There shall be a last entry time of 12 midnight.
 - c. A dedicated phone line shall be available to residents to call in the event of any concerns.

For the Prevention of Crime and Disorder

5. 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.
 - a. The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - b. CCTV footage will be stored for a minimum of 31 days
 - c. 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.
 - d. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - e. Subject to Data Protection 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.



- f. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
- 6. At all times the premises is open to the public, the management will contract the back up services of an approved mobile support unit (MSU) 24 hours a day, 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 Business 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 BCRP or similar scheme approved by the Licensing Authority that operates with radios and uses the Nightsafe & Yellow Card Scheme or similar reporting scheme.
- 8. Customers will not be allowed to take drinks outside the front after 22:00 and all tables and chairs outside the front of the building must be packed away by 22:00.
- 9. 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.
- 10. Additional conditions as stated in original application or agreed with another Agency

For Public Safety

- 11. 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. The log book 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. Any refusals made for alcohol service e.g. underage, will also be recorded in writing and feedback given to staff as relevant.
- 12. Additional conditions as stated in original application or agreed with another Agency

For the Prevention of Public Nuisance



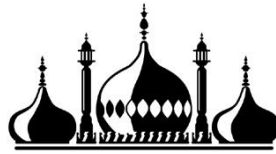
13. Notices shall be displayed both within the premises and in the enclosed yard asking customers to be quiet and respect the needs of the local residents.
14. The café sound system on the ground floor will be used for regulated entertainment. The speaker positions will be adjusted so as to prevent noise nuisance travelling towards neighbours.
15. Smoking will be allowed in the courtyard to be open until 21:00 when the courtyard will be closed. Smokers will then be able to stand without drinks and smoke at the front in the street.
16. Doors are to be kept closed at all times (other than for access and egress) and windows are to be kept closed at all times that regulated entertainment is in progress.
17. As stated in original application or agreed with Environmental Protection

For the Protection of Children from Harm

18. 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 approved 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.
19. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
20. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following 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
 - 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.

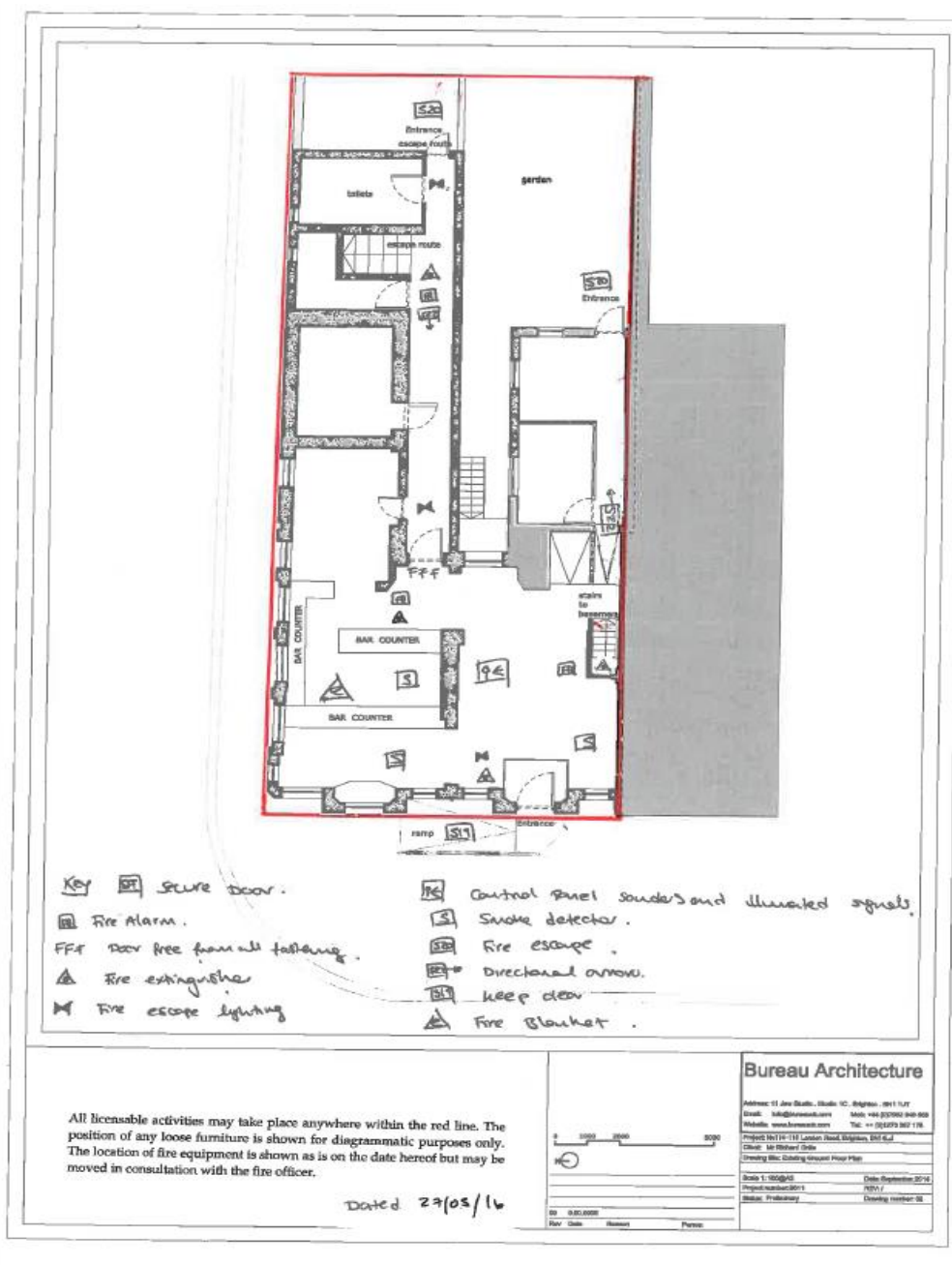


All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.



Brighton & Hove City Council

Annex 4 – Plans



REP A

CH CON ENDS 10.11.2025 VALID PCD & PPN



Regulatory Services

Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

**Corinne Hardcastle
Licensing Officer
Licensing Team
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton, BN1 1JP**

Date: 6th November 2025
Our Ref: 2025/02624/LICREP/EH
Phone: [REDACTED]
Email: [REDACTED]

Dear Mrs Hardcastle

Re: Licensing Act 2003 - Representation regarding the application for a Variation of a Premises Licence For: Presuming Ed Coffee House, 114 - 115 London Road, Brighton

I refer to the application made by Prez Ed Ltd, for a variation of the Premises Licence at Presuming Ed Coffee House. The proposal is to licence the first floor and extend the current terminal hours for all licensable activities from midnight until 1am every day as per the below:

Performance of Dance, Performance of Recorded Music, Exhibition of a Film, Performance of a Play, Anything of a similar description to live music, recorded music and performance of dance, Late Night Refreshment, Performance of Live Music and Sale by Retail of Alcohol On the premises.

The Licensing Team, in its role as a Responsible Authority, has concerns about this application and therefore I am submitting this representation on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. This premises is also situated on London Road, which sits within the Licensing Authority's Special Stress Area (SSA).

As stated in the Council's Statement of Licensing Policy (SoLP), the SSA is deemed an area of special concern in terms of the levels of crime and disorder and nuisance experienced within it. Our SoLP states that new and variation applications for premises within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas.

Guidance issued under S182 of the Licensing Act 2003 states that in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. The guidance goes on to say that applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, SSA and matrix approach to decision making policies), applicants are also expected to demonstrate an understanding of how the policy impacts on their application, any measures they will take to mitigate the impact, and why they consider the application should be an exception to the policy.

On looking at the application form and background information, the applicant has proposed some additional measures to promote the licensing objectives including updating conditions and proposing new conditions. It is up to the panel to decide if they feel that these measures constitute exceptional circumstances to depart from our policy.

The Council's SoLP includes a Matrix Model approach for licensing decisions, which recognises the diverse operation and different risks presented by different classes of licensed premises. It 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.

In light of the fact that this new premises falls within our Special Stress Area, I invite the Sub-Committee Panel to decide the outcome of this application on behalf of the Licensing Authority and whether the applicant has demonstrated whether there are exceptional circumstances to depart from our policy.

Yours sincerely



Sarah Cornell
Senior Licensing Officer
Licensing Team
Regulatory Services



Police Station
John Street
Brighton
BN2 0LA

www.sussex.police.uk

The Licensing Technical Support Officers
Environmental Health, Brighton & Hove City Council
Bartholomew House, Bartholomew Square
Brighton,
East Sussex,
BN1 1JP

10/11/2025

Email: brighton.licensing@sussex.police.uk

Dear Corinne Hardcastle,

RE: APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR PRESUMING ED'S COFFEE HOUSE, 114-115 LONDON ROAD, BRIGHTON, EAST SUSSEX, BN1 4JG UNDER THE LICENSING ACT 2003. 1445/3/2025/08391/LAPREV

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder, public safety and public nuisance. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy (revised January 2021) and the Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025).

This is a proposed variation application in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the Special Street Area (SSA) (as defined in the BHCC Statement of Licensing Policy) and seeks to amend hours for licensable activity as well as to remove or amend the conditions that were placed on the licence by a Licensing Panel at a Hearing on 20th July 2016.

Paragraph 3.2.2 of the Brighton and Hove City Council 2021 Statement of Licensing Policy states:

"This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it."

The licensing decision matrix on page 18 of the Council Statement of Licensing Policy (SoLP) suggests that new premises or premises licence variations asking for these licensable activities and hours are a 'No'. While Paragraph 3.2.3 states that within the SSA *"applications will not be subject to the presumption of refusal"* it goes on to state that *"operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas"*.

The applicant did pre consult with Sussex Police but due to the fact that this premises licence was originally heard by a Licensing Panel to determine the exceptional circumstances and conditions, it is felt that this is appropriate again in the light of the changes that are being applied for. While the applicant has included a large amount of extra information and additional conditions within their paperwork, due to the premises location within the City, Sussex Police do not believe that this goes far enough to help mitigate the potential risk. The local concerns and issues that the area of London Road and the Level attracts, particularly in the warmer months, remain. Questions have been asked

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social media





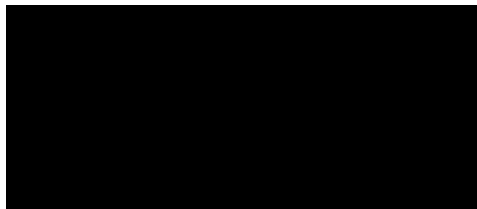
around how the operator will manage SIA security numbers and a change of business style from café bar to more performance based, as well as areas of vertical drinking, but it is believed these need to be explored further.

Additionally, this premises lies within West Hill & North Laine Ward which, as evidenced by the Brighton & Hove Public Health Framework for Assessing Alcohol Licensing (accessed at <https://public.tableau.com/app/profile/brightonhovepublichealthintelligence/viz/PublicHealthFrameworkforAssessingAlcoholLicensing/NavigationPage>), is ranked number 1 for All violence against the person, Non-injury assault and Criminal Damage in 2024/25. This ward is also ranked number 2 for Violence with injury and number 3 for Sexual offences. This demonstrates the higher risk to the Licensing Objective of the Prevention of Crime and Disorder in this area.

The application is consequently at risk of undermining the prevention of crime & disorder, prevention of public nuisance and public safety Licensing Objectives. Furthermore, Sussex Police contend that the carrying on of additional licensable activity by amending the licence to extend hours as well as to remove certain restrictions to on sales/vertical drinking, previously defined at a Licensing hearing, could add to the existing negative cumulative effect in an area already saturated with licensed premises. Although there is no presumption of refusal in this area, it is still for the applicant to make positive proposals (including suitable conditions) to ensure they will not add to the existing issues in an area. We welcome a presentation from the applicant and the opportunity to ask questions in a public hearing.

For the above reasons Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,



Sgt Mark Redbourn o.b.o. Insp Ben Morrison
Operations, Planning & Events (inc. Licensing) Inspector
Brighton & Hove Division
Sussex Police

Please address all future correspondence to Brighton & Hove Licensing Unit, Police Station, John Street, Brighton, BN2 0LA.

Appendix E

