

Licensing Panel (Licensing Act 2003 Functions)

Date: **7 January 2026**

Time: **10.00am**

Venue **Virtual**

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

Contact: **Francis Mitchell**
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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 THE SUSHI CO LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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Contact Officer: Corinne Hardcastle
Ward Affected: Regency

Tel: 0127329

Date of Publication - Tuesday, 30 December 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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Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003
Premises:	The Sushi Co, 65 Western Road, Brighton, BN1 2HA
Applicant:	The Sushi Co (Brighton) Ltd
Date of Meeting:	7 January 2026
Report of:	Corporate Director for City Operations
Contact Officer: Name:	Emily Fountain
Email:	emily.fountain@brighton-hove.gov.uk
Ward(s) affected:	Regency

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for The Sushi Co.

2. RECOMMENDATIONS:

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

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

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

“The premises is a ground-floor restaurant providing dine-in and takeaway Japanese cuisine.

The layout includes a customer seating area, a front service counter, kitchen, food preparation area, and storage. Alcohol (beer, wine, and sake) will be sold to customers as an accompaniment to food, for consumption both on the premises and with takeaway meals.

The premises is fitted with CCTV covering customer and service areas, and all sales of alcohol will be supervised by trained staff and a personal licence holder. The venue is designed to operate responsibly and maintain a safe, welcoming environment for customers and the local community.”

- 3.1 Part M of the application is detailed at Appendix A and the plan is attached at Appendix B.
- 3.2 Summary table of proposed activities

Late Night Refreshment	Every Day: 23:00-03:00
Supply of Alcohol	Every Day: 11:00-23:00 On the Premises
Hours premises are open to public	Every Day: 11:00-23:00

- 3.3** The premises falls within the City Safety Area ("The Area") (see paragraphs 3.1 – 3.2.9).

Representations received

- 3.4** Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.5** 2 representations were received. They were received from Sussex Police and The Licensing Authority.
- 3.6** Representations received had concerns relating to Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, and Protection of Children from Harm.
- 3.7** Sussex Police submitted proposed conditions.
- 3.8** Full details of the representations and Sussex Police proposed Conditions are attached at Appendix C. The applicant's response to the representations is 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 5th January 2026. 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

3.1 City Safety Policy.

3.1.1 This special policy replaces the previous special policy on cumulative impact which has been a feature of the SoLP since 2008. It will refer to a City Safety Area (CSA), a detailed plan of which is shown below.

3.1.2 The CSA has the same borders as the previous Cumulative Impact Zone (CIZ). The CSA continues to be an area of special concern to the licensing authority because of the high levels of crime and disorder and public nuisance experienced within it. This is evidenced by the police data which is attached at Appendix E of this policy.

3.1.3 The existing Special Stress Area (SSA) will remain the same.

3.2 Focus on safety as the central priority.

3.2.1 After careful consideration the Licensing Authority has decided to re-designate the area formerly covered by the CIZ as a CSA in order to make safety the overriding focus and priority in and around licensed venues. In doing so the Licensing Authority's objective is to maximise protection for everyone participating in the night-time economy, particularly people visiting, working and living in the city centre. It is recognised that cumulative impact continues to be a feature of the CSA but by careful scrutiny of licence applications and mandating robust safety policies the Licensing Authority's aim is to improve safety by

reducing levels of crime, disorder and public nuisance (and their associated harms) and so promote the licensing objectives within the CSA. Through this revised approach, the Licensing Authority will seek to promote a diverse range of venues within the city centre, recognising the importance of diversity to the safe and efficient functioning of this area and its night time economy.

3.2.2 This special policy is underpinned by two key elements.

3.2.3 Firstly, although no longer subject to a blanket presumption of refusal, all applications within the CSA will be scrutinised against the new Matrix Approach (set out at 3.4 of the policy) meaning that applications which do not comply with the Matrix are likely to be refused (and the Licensing Authority acting as a responsible authority will generally make relevant representations objecting to the grant of a licence in these circumstances). As explained further below, the Matrix Approach will not be applied inflexibly but the Licensing Authority will only depart from it in exceptional circumstances.

3.2.4 Secondly, applications within the CSA will be expected to include in the proposed operating schedule robust additional measures (as appropriate to the nature and location of the venue) which are set out in appendix A. These best practice measures place a special emphasis on safety, including measures to tackle drink spiking, unwanted sexual behaviour and the use of ID scanners. Before making an application within the CSA, applicants are expected to consult with the responsible authorities and seek advice on which measures are appropriate to include in the proposed operating schedule. Applicants should also be aware that the Licensing Authority will likely refuse applications within the CSA which do not comply with the Matrix Approach even where appropriate measures drawn from the appendix have been proposed: of itself, satisfying the requirements of the appendix will not be considered exceptional circumstances capable of justifying a departure from the Matrix.

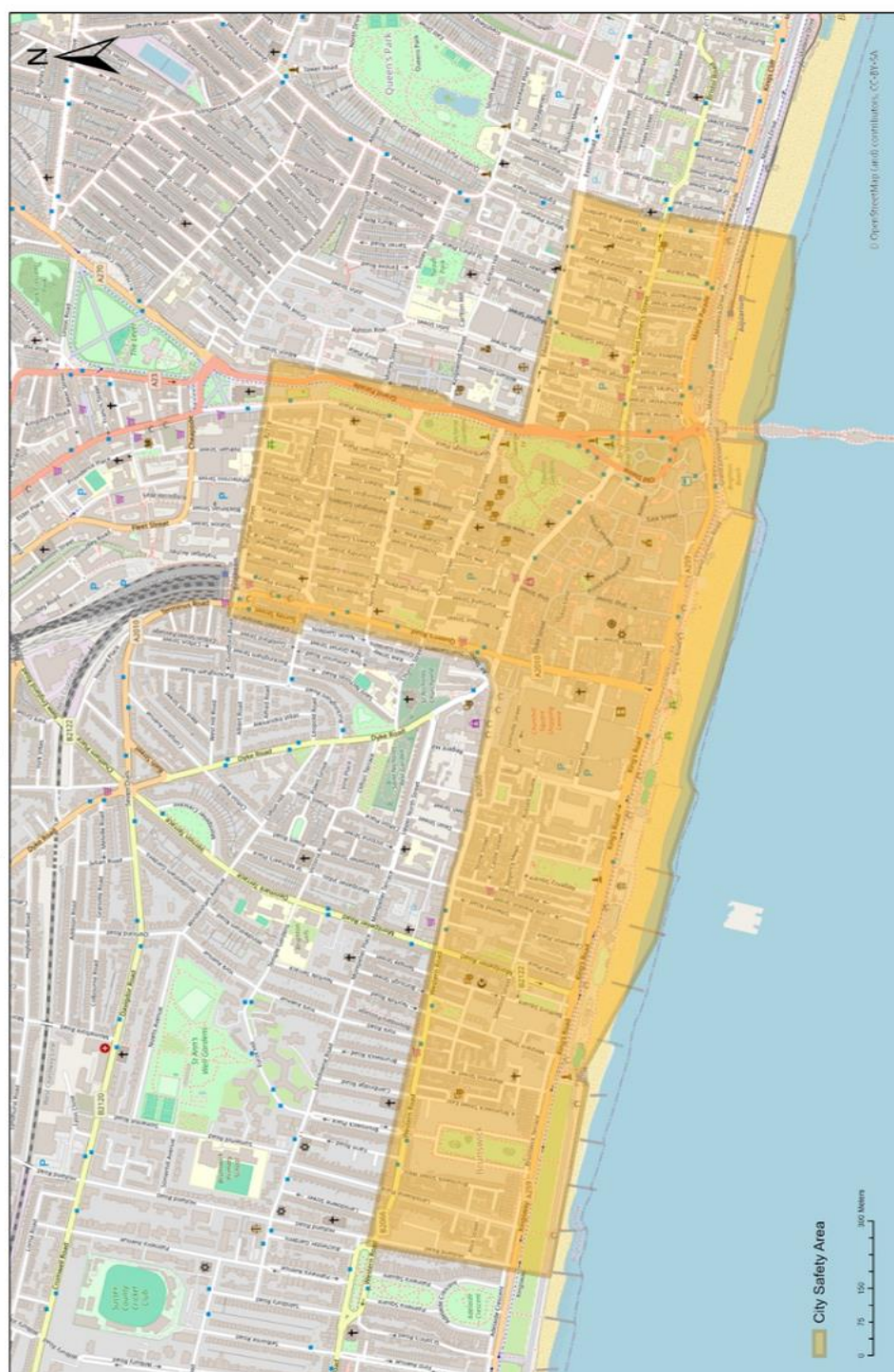
3.2.5 The Role of Cumulative Impact

3.2.6 Cumulative impact remains a significant concern due to the high concentration of licensed premises within the CSA. This is evident from the police data at Appendix E. However, it is recognised that the degree of impact is likely to vary for different premises depending on their business model and other characteristics. For example a large nightclub or public house is likely to add to problems of cumulative impact, but a theatre, or live music venue – where consumption of alcohol is not the primary activity – is less likely to have a similar degree of impact. This risk based approach along with the objective of encouraging a diversity of venues has formed the basis for our new Matrix Approach below.

3.2.7 All applications will be considered on their own merits. The Matrix Approach sets out the Licensing Authority's preferred approach, but this does not mean that applications which comply with the Matrix will always be granted. It is expected that responsible authorities or other persons will continue to make representations based on cumulative impact in appropriate cases and therefore the Licensing Authority may in its discretion refuse an application on grounds of cumulative impact notwithstanding that it otherwise complies with the Matrix Approach.

3.2.8 A detailed plan of the CSA is shown below:

City Safety Area, July 2025



Brighton and Hove City Council, Public Health Intelligence Team
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- 3.2.9 The City Safety Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Holland Road to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Air Street with the westside of Queens Road and then northward to the north-west corner of Surrey Street junction with Queens Road; thence along the north side of Trafalgar Street eastwards to its junction with York Place and continuing south-east across to Grand Parade, then south to the junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Lower Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Holland Road; northward

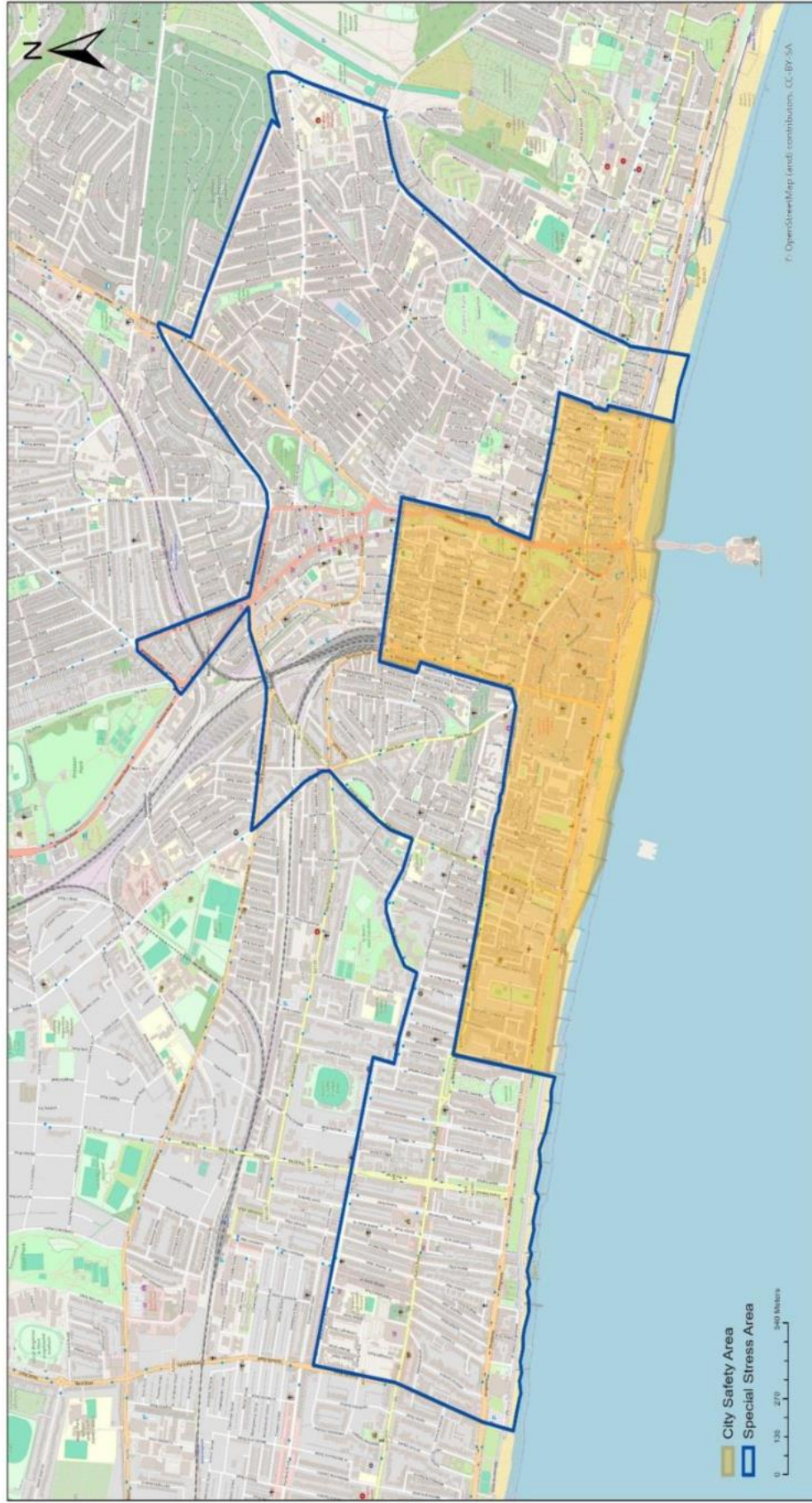
to that point and along the west side of Holland Road to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Holland Road.

3.3 Special Stress Area

Since March 2008, the licensing authority has kept the Special Stress Area (SSA) under review which included in Nov 2018, expanding the SSA into Central Hove and in Nov 2020 it was expanded further into Preston Road and Beaconsfield Road.

- 3.3.1 The map below details the area of the city centre which borders the City Safety Area 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 blue.

City Safety Area and Special Stress Area, July 2025



Brighton and Hove City Council, Public Health Intelligence Team
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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.

- 3.3.2 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.
- 3.3.3 For all new and varied applications for premises and club premises certificates within the SSA 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.

3.3.4 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.

3.3.5 The Licensing Authority will keep the City Safety Area 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.

3.4 The Matrix Approach

The Licensing Authority will support:

3.4.1 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 and Crime Reduction Strategy [Community safety and crime reduction strategy 2023 to 2026](#) 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.

3.4.2 A 'Matrix' approach to licensing decisions has been adopted and is set out below. It provides a firm 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 investors and businesses making applications. It underpins the City Safety Policy (see above at 3.1).

Matrix approach for licensing decisions in a Statement of Licensing Policy (times relates to licensable activities)

	City Safety Area	Special Stress Area	Other Areas
Food & dining venues	1 am	1 am	1 am
Fast food premises	No	Midnight Deliveries until 2am	Midnight Deliveries until 2am
Cafe	10pm	10pm	10pm
Performance venues	Midnight	Midnight	Midnight
Grassroots Music venues	Midnight	1am	1am
Nightclubs	No	No	No
Public houses and bars	No	Midnight	Midnight
Non-alcohol led venues	Midnight	Midnight	Midnight

Off licences	No	No	Yes (Up to 11pm – (see note f below))
Shared workplaces, co-working offices	Midnight	Midnight	Midnight
Members' clubs	11pm	Midnight	Midnight

3.4.3 Explanatory notes on matrix

Definitions: each venue will be considered individually, and the below definitions may need to be applied flexibly depending on the business model of the specific venue

Food and dining venues	<ul style="list-style-type: none"> • Provide substantial table meals to customers dining at the premises • Food is prepared on site • Alcohol is sold to customers ancillary to a substantial table meal for consumption at the premises (or in an associated outdoor dining area) only • If takeaway service is provided, must be ancillary to provision of substantial table meals
Fast food premises	<ul style="list-style-type: none"> • Provide late night refreshment of fast food intended for immediate consumption on the premises or takeaway • Food is served in disposable packaging
Cafes	<ul style="list-style-type: none"> • Sell alcohol to customers for consumption on the premises in addition to other food and drink products • Food and drink is served to customers seated at a table including to any outdoor designated area • Food is prepared on site and the premises will have a fully operational kitchen • A full menu of the hot and cold food items available will be clearly on display within the premises. • Generally operate in the daytime and early evening only.
Performance venues	<ul style="list-style-type: none"> • Provide performances of live music, theatre, dance and other creative arts to entertain an audience • Includes live music venues, concert venues, cabarets and theatres • Does not include karaoke or Grassroots Music Venues
Grassroots Music Venues	<ul style="list-style-type: none"> • Grassroots Music Venues are small, typically local venues that provide a platform for emerging and independent musicians to perform. They are often pubs, clubs, or other small spaces where artists can hone their craft, gain experience, and connect with a local audience. These venues play a crucial role in nurturing talent and supporting the development of the music scene. • A member of Music Venues Alliance Brighton or Music Venues Trust or similar

Nightclubs	<ul style="list-style-type: none"> • Provide regulated entertainment and the sale of alcohol • Main licensable activity is recorded and live music with provision of dance floors, sound systems and light displays • Generally, operate at night and into early hours of the morning
Public houses and bars	<ul style="list-style-type: none"> • Sell alcohol to customers for consumption on the premises • Sale of alcohol takes place at the bar • Includes tap rooms and craft beer pubs • May also carry out other licensable activities • Does not include cafes
Non-alcohol led venues	<ul style="list-style-type: none"> • Cultural venues such as art galleries, museums, theatres • Experiential entertainment venues such as escape rooms and social gaming venues • Alcohol is sold to customers for consumption on the premises • Supply of alcohol is ancillary to entertainment offering • Does not include shared workplaces and co-working offices
Off licences	<ul style="list-style-type: none"> • Supermarkets and convenience stores which supply alcohol for consumption off the premises in addition to other retail products • Includes alcohol delivery services fulfilling remote orders for sale of alcohol • Restrictions on ABV% e.g. the Sensible on Strength 6% condition
Shared workplaces, co-working offices	<ul style="list-style-type: none"> • Office premises in which individual workstations and meeting rooms are rented to solo workers and small businesses
Members' clubs	<ul style="list-style-type: none"> • Premises authorised to carry out licensable activities under a club premises certificate

3.4.4 Each application will be considered on its own merits. However, the Licensing Authority will apply the Matrix Approach in all cases unless there are exceptional circumstances which justify a different approach.

- a). **Applications within the CSA** will be subject to a special policy requiring robust measures to be included in the operating schedule to promote safety. Applications within the SSA will be subject to the special stress policy set out in 3.3.
- b). **Exceptional circumstances.** The Licensing Authority will determine exceptional circumstances on a case-by-case basis. An example of exceptional circumstances could be where the applicant has provided sufficient assurances to the responsible authorities that they do not make relevant representations against the application. Another example is where the application is for a

variation to an existing premises licence and the applicant satisfies the criteria for a “good operator”.

- c). **Activities which the Licensing Authority values and wishes to encourage:** LGBTQ+ and TNBI venues; outdoor regulated entertainment; cafes; members’ clubs; traditional pubs (outside the CSA); non-alcohol led licensable activities, especially within the city centre. The Licensing Authority will aim to permit these types of venues in appropriate locations, but will consider each case – including any relevant representations – on its own merits.
- d). **Location.** Consideration will be given to the character of the area of the venue in every case. In residential areas, the Licensing Authority will pay particular attention to the potential of a venue to cause public nuisance, especially noise disturbance, littering and anti-social behaviour. In these areas, an early closing time may be appropriate.
- e). **Food and dining venues.** The Licensing Authority will require conditions to ensure that these venues are food-led, such as: alcohol to be sold only to customers taking a substantial table meal; no takeaway service of food for immediate consumption (an ancillary meal delivery service is acceptable). Where the venue has an agreement to use an adjacent outdoor area, the Licensing Authority will require evidence that a pavement licence has been granted for use of the highway (for highway land) or landowner’s consent (for land other than a highway).
- f). **Off licences.** Particular consideration will be given to applications for off-licences in areas which already have one or more off-licences in close proximity, due to concerns about street drinking, underage sales and anti-social behaviour. Where relevant representations are made raising these issues, the application is likely to be refused or – if it is appropriate to grant the application – granted subject to a terminal hour in line with neighbouring off licences.
- g). **Outdoor events.** Outdoor events will generally be supported where they have been arranged through the Council’s event planning process.

3.4.6 **Food & Dining Venues** - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions.

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
- Food & dining venues with outside service - the licensing authority will also consider applications from these venues that request to serve alcohol to areas adjacent to or immediately outside their premises. In addition to the above conditions for cafes, the licensing authority will require evidence that the applicants have an agreement with the local authority to use the area as defined on a plan provided. The following condition may also apply:
- The sale and supply of alcohol for consumption off the premises shall be

restricted to an area licensed by the Local Authority for use of the public highway as shown on the plan deposited and such area shall be defined by a physical barrier acceptable to the licensing authority.

6. 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.

- 6.1.1 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 programs which will raise their awareness of the issues relating to spiking, 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 programs to help identify children at risk and issues of basic child protection and vulnerable individuals. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence and their responsibility to uphold all four licensing objectives.
- 6.1.2 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
- 6.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 6.1.4 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.

6.2 Sussex Police

- 6.2.1 Sussex Police have a specific Operation relating to the night-time economy called Operation Marble (detailed in 4.3.7) and work closely with partners to ensure a safe and vibrant city centre. Police data shows the correlation between intoxication and violent crime is highest in the city centre. There continues to be an increasing demand for resources further into the early hours of the morning with the highest sustained risk during the week occurring on a Friday into

Saturday between 22:00 – 04:00 (with moderately high risk until 05:00) and a Saturday into Sunday between 21:00 – 04:00 (again with a moderately high risk until 05:00). For full details of these statistics see the Police Data set at Appendix E.

- 6.2.2 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.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. We ask that licensed premises make regular contact with Police Licensing to get seized items collected.
- 6.2.3 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 offering walk in/take away services 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.
- 6.2.4 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 Brighton Crime Reduction Partnership (BCRP) to tackle the problem of those who use false or another's identification to enter licensed premises and purchase alcohol. The advent of digital identification means that the ID process is continually evolving. There is an expectation by Sussex Police and the Local Authority that licensed premises are proactive around staying informed and abreast of any changes and providing training / support to their staff as required.
- 6.2.5 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. Additionally, spiking awareness training has regularly been organised by the BCRP, the PCC and other external providers. Sussex Police also support initiatives such as (but not limited to) safe spaces, night safety marshals, mobile teams of volunteers actively checking people's well-being and the Beach Patrol.

- 6.2.6 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.
- 6.2.7 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 a Special Policy in the city centre which defines areas of high crime and risk and offers restrictions around types of premises that will be granted to ensure that existing issues are not extended. Police 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.

6.3 Care, control and supervision of premises

- 6.3.1 The Licensing authority supports the Brighton 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 best 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.
- 6.3.2 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.
- 6.3.3 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.

- 6.3.4 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.
- 6.3.5 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.
- 6.3.6 Enforcement will be achieved by the enforcement policy appended (Appendix B).

7. 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.

- 7.1.1 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.
- 7.1.2 Normally in the city centre, pubs and clubs will be expected to operate using polycarbonate or toughened/shatterproof glass.
- 7.1.3 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 reusable 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.

7.1.4 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.

7.1.5 Preparing for Martyn's Law Requirements

Licence holders should familiarise themselves with the requirements of Martyn's Law (the Terrorism (Protection of Premises) Act 2025), which will require certain premises and events to consider how they would respond to a terrorist attack. While the Act will not come into force for at least 24 months (from April 2025), early preparation will help ensure compliance and enhance the safety and security of staff and visitors. The Government will publish guidance during the implementation period to assist in understanding the specific requirements. For further information please go to: [Martyn's Law Factsheet – Home Office in the media](#)

8. 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:

- 8.1.1 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 (e.g. in order to smoke).
- 8.1.5 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.
- 8.1.6 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 8.2 below).

8.2 Smoking Advice

8.2.1 Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on their 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 Health 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 it may be 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.

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

9. Protection of Children from Harm

The following details and measures are intended to address the need for the protection of children from harm; this includes emotional and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).

- 9.1.1 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by the Home Office, police, trading standards officers and their partners (eg passport, photo driving licence or pass card). The advent of digital identification will bring new technologies and challenges which responsible authorities and licensees will need to be mindful of and have a personal responsibility to remain informed and trained on.
- 9.1.2 It is the licensing authority's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of emotional or psychological harm to them. Each application will be considered on its own merit but particular areas that will give rise to concern in respect of children are to be found in section 9.1.4 below.
- 9.1.3 To reduce alcohol-induced problematic behaviour by under 18 year olds, to enforce underage purchase and drinking laws and to assist in the protection of children from harm, the licensing authority supports the following measures: -

- a). Police should exercise powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street
- b). Police and trading standards should implement test purchasing to reduce sales to under 18s in on and off sales licensed premises
- c). Further take-up of proof of age schemes will be promoted
- d). In-house, mystery shopper type schemes operated by local businesses will be supported
- e). Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked
- f). Use of a PSPO in the City Centre

9.1.4 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where entertainment of an adult or sexual nature is commonly provided;
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons.

Options may include:

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.

9.1.7 Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing. Sussex Police and BCRP undertake work concerning proxy purchases and counterfeit ID as part of the partnership support work with Community Safety and Trading Standards.

9.1.8 Trading standards have a programme of business support including training for local businesses to avoid underage sales. Trading standards offer business support including for local businesses to avoid underage sales. The training also covers identifying fake ID's, Challenge 25, intoxication, proxy purchasing and implementing due diligence measures.

9.1.9 Trading Standards also supplies business support materials guidance and advice on the enforcement penalties on all age restricted products for example vapes, tobacco, fireworks etc.

10. Integration of Strategies

10.1 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 Sussex Police, Community Safety Partnership Board, sustainability commission representatives and following the guidance in community safety and crime and disorder strategy
- Liaising and consulting with Public and Drug and Alcohol Programme Board
- Liaising and consulting with the East Sussex Fire & Rescue Service
- Liaising and consulting with the Safety Advisory Group (Emergency Planning)
- 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

10.1.1 In line with statutory requirements and the council's Public Sector Equality Duty, the Licensing Authority shall have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and positive relations between all people. This includes people who share protected characteristics, including but not limited to LGBTQIA+ people, disabled people, people from diverse ethnic and cultural backgrounds and people of all faiths and none.

10.1.2 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.

10.1.3 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.

10.1.4 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.

10.1.5 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.

APPENDIX A – Licensing Best Practice Measures

Best Practice Measures to be included for consideration, in the CSA and the SSA

Matters that would normally be expected in operating schedules:

- A general knowledge and understanding of the Licensing Act 2003 (The Act).
- The adoption of a policy (e.g. Challenge 25) with acceptable proof of ID.
- A smoking policy which includes an assessment of noise and litter created by premises users
- The use of reusable plastic and 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
- Keep and maintain 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. With access available to individuals working on the premises.
- A documented equalities and inclusion policy framework that demonstrates a commitment to creating a fair, diverse, and inclusive environment.
- Policies for dispersal of customers which may include signage regarding taxi services', telephone numbers and advice to respect neighbours and minimise noise, this also includes for customers using external areas.
- Licence holders should have clear documented policies and procedures in place which identify all public safety risks associated with their premises for both customers and staff and measures implemented to prevent, manage and respond to those risks.

Items to which positive consideration would be given:

- membership of Brighton Crime Reduction Partnership
- use of 'NightSafe' 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

- Staff should be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance

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, lagers 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
- Appropriate signage and training for the deterrence of proxy sales

Additional Best Practice Measures to be included for consideration, in the CSA

Applications within the CSA will be expected to include in the proposed operating schedule robust additional measures (as appropriate to the nature and location of the venue) which are set out below. These best practice measures place a special emphasis on safety, including measures to tackle drink spiking, preventing intoxication, unwanted sexual behaviour and the use of ID scanners.

Objective	Best Practice Measure/suggested conditions
An understanding of the Licensing Act 2003 (The Act)	Well trained staff will contribute to well run premises and a responsible approach to the sale of alcohol, provision of entertainment and late-night refreshment. Formal qualifications for your staff, either to Personal Licence level or to another appropriate standard recognised by bodies such as the British Institute of Innkeepers (BII) would be preferential
Preventing Intoxication on Licensed Premises	Licence holders must ensure all staff understand their legal responsibilities under the Licensing Act 2003, particularly that serving alcohol to intoxicated persons is an offence. To prevent intoxication occurring on premises, operators should: <ul style="list-style-type: none"> * Avoid promotional activities that encourage customers to drink more than intended or consume alcohol rapidly * Refuse admission to individuals who are already intoxicated upon arrival * Train staff to recognise early warning signs of intoxication, utilising all team members including glass collectors as additional observers, and consider installing mirrors to improve visibility across the premises * Provide staff training covering alcohol's effects and techniques for managing difficult situations, giving them

	the knowledge and confidence needed to refuse service to intoxicated customers.
A comprehensive Duty of Care Policy to be established in relation to preventing intoxication	<p>Setting out the steps staff should take to prevent intoxication, and the actions required when customers become intoxicated on the premises. This policy should recognise that intoxicated individuals may become separated from friends who would otherwise care for them, making them vulnerable to harm or exploitation.</p> <p>Given Brighton and Hove's diverse community, the policy should specifically address:</p> <ul style="list-style-type: none"> * LGBTQ+ customer safety: Staff should be aware that intoxicated LGBTQ+ individuals may face additional risks including targeted harassment, discrimination, or hate crime * Violence Against Women and Girls prevention: Recognition that intoxicated women and girls are particularly vulnerable to predatory behaviour, with clear procedures for identifying and responding to concerning situations <p>The policy must ensure that no intoxicated person is left unaccompanied or placed in a taxi without appropriate supervision. All premises staff must be familiar with and trained in implementing this policy.</p>
The installation of a digital CCTV system by liaison with, and to a standard approved by, Sussex Police. With access available to individuals working on the premises.	<p>Subject to GDPR guidance and legislation:</p> <ul style="list-style-type: none"> * 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. * The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times. * CCTV footage will be stored for a minimum of 31 days. * 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. * The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. * 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

	<p>able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police e.g. USB) for the police without difficulty or delay and without charge to Sussex Police.</p> <p>*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. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request.</p> <p>* 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.</p>
Incident reporting	<p>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.</p> <p>* 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.</p>
Security in and around the premises	<p>The employment of SIA registered door supervisors in line with Police recommendations and/or a written risk assessment to supervise admissions and customers inside and outside the premises.</p> <p>* SIA badges must be clearly displayed whilst working.</p> <p>* Door staff should sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and Concluded</p> <p>* The premises should implement effective security policies to protect staff and customers from conflict, violence and threats in consultation with Sussex Police and ensure staff are adequately trained on these policies. Training records must be accessible for review by police or the Licensing Authority.</p> <p>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) that operates at all times the premises is open to the public, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon</p>

	request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.
Brighton Crime Reduction Partnership (BCRP) membership	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.
ID scanners	The use of ID scanners where appropriate. The premises shall install a recognised electronic identification scanning system for customers entering the premises. The system shall be operated at all times door staff are on duty and all persons entering the premises will be scanned. The system should have the ability to identify the hologram of an ID and read both Passports and ID cards, including PASS cards. The system should be able to conduct tests to determine if a document is genuine or counterfeit. The system must be compliant with the Information Commissioners good practice guidance for ID scanning in clubs and bars.
Equalities and inclusion policy	A comprehensive, documented equalities and inclusion policy framework that demonstrates the organisation's commitment to creating and maintaining a fair, diverse, and inclusive environment. This framework should encompass clear policies, procedures, and measurable objectives that actively promote equality of opportunity, prevent discrimination and harassment, and foster an inclusive culture where individuals from all backgrounds can feel safe. The policy must be regularly reviewed, updated to reflect best practice and legal requirements, and supported by appropriate training and monitoring mechanisms.
Safety of staff and customers	Licence holders should have comprehensive, clearly documented policies and procedures in place which systematically identify all public safety risks associated with their premises for both customers and staff, and detail the robust measures implemented to prevent, manage, and respond effectively to those risks. These policies should encompass risk assessment methodologies, hazard identification protocols, emergency response procedures, staff training requirements, and regular review mechanisms to ensure ongoing compliance with health and safety legislation. The documentation must demonstrate a proactive approach to risk management, including contingency planning for various scenarios, clear allocation of responsibilities amongst staff members, and established communication channels for reporting and addressing safety concerns promptly and effectively.

	Licence holders should prepare themselves for the implementation of Martyn's Law.
Safety of staff and customers	<p>Preparing for Martyn's Law Requirements</p> <p>Licence holders should familiarise themselves with the requirements of Martyn's Law (the Terrorism (Protection of Premises) Act 2025), which will require certain premises and events to consider how they would respond to a terrorist attack. While the Act will not come into force for at least 24 months, early preparation will help ensure compliance and enhance the safety and security of staff and visitors. The Government will publish guidance during the implementation period to assist in understanding the specific requirements.</p>
Safety for staff	Licensed venues are encouraged to take all reasonable steps to support the safe travel of staff following late-night shifts, including the provision of free or subsidised transport home where appropriate, as part of their duty of care.
Drinking receptacles	The use of reusable plastic and polycarbonate drinking vessels and containers, especially outside areas or after specified hours.
Vulnerability policies and training	<p>All persons working/trading in the night time economy will be aware of the vulnerability of patrons. Patrons are particularly vulnerable when intoxicated through alcohol and/or drugs, this includes when they are refused entry or ejected from the premises.</p> <p>There will be a special emphasis on safety, including measures to tackle drink spiking and unwanted sexual behaviour.</p> <p>Every venue will now need to have a clear and actionable policy in place to prevent and respond to drink spiking. This includes staff training, procedures for reporting incidents, and support for victims.</p> <p>Training and initiatives should include;</p> <ul style="list-style-type: none"> • Safety-First Door Policy: Venues will no longer be allowed to eject vulnerable individuals, especially lone adults, without care. Whether someone is intoxicated, separated from their group, or simply in need of help, venues must act responsibly. • Premises to contact the Night Safety Marshalls (NSMs) to assist vulnerable persons to get home safely and get the help they need during the NSM operating hours. • BCRP spiking and vulnerability training • Home Office Spiking training

	<ul style="list-style-type: none"> • Implementation of the 'Ask for Angela' scheme or similar initiatives • Training in the use of the Back Off Back Up (Bobu) app and displaying the sticker to show venues are part of the safety network – or similar schemes
Vulnerability policies and training	Awareness of child sexual exploitation, modern slavery and human trafficking indicators.
Drug Use	<p>* A zero tolerance policy to the use of drugs in the premises should be adopted.</p> <p>* Posters can be displayed throughout the premises to remind customers of the zero-tolerance policy.</p> <p>* Refusing entry to anyone who appears to be showing signs of drug use and contacting the emergency services in appropriate circumstances. In such cases, an entry should be made in an incident logbook.</p> <p>* A duty of care policy regarding persons suffering adversely from the effects of drugs should be in place at the premises and staff should be trained on the policy.</p>
Smoking on the premises	Staff should be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance, including in relation to enclosed (or substantially enclosed) smoking shelters.
Music, singing and speech noise breakout from the premise	A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.
Noise and nuisance from customers arriving and leaving the premises	<p>* Reduce the potential for excessive queue lines with a well-managed and efficient door policy.</p> <p>* A customer dispersal policy can minimise noise disturbance to local residents from customers leaving the premises. A policy should clearly set out measures to avoid a mass exit at the end of the evening</p> <p>* Display prominent notices close to the exit doors, requesting patrons to leave the premises and quickly and quietly.</p>

	<ul style="list-style-type: none"> * Display prominent signs in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum. * Restrict the use of external areas after a certain time (e.g.10pm) if premises are in a residential area
Smokers outside the premises	<ul style="list-style-type: none"> * Limit the number of smokers permitted outside at any one time after a certain time. * Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time. * Locate smoking areas away from residential premises. * Do not permit customers to congregate on and block the public highway to passers-by
Noise and disturbance caused by deliveries, collections and waste disposal	Commercial deliveries, collections and storage/ disposal of waste (especially glass), including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted between certain times
Children accessing licensed premises	<p>A documented Safeguarding policy setting out measures to protect children from harm should be in place at the premises. The policy should consider all activities associated with the premises including the sale of alcohol and the provision of regulated entertainment and when children should be allowed on or restricted from the premises.</p> <ul style="list-style-type: none"> * All staff including door staff and bar staff should be trained on the policy.

<p>Underage sales of alcohol</p>	<p>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.</p> <p>* Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.</p> <p>*The Premises Licence Holder / Management shall ensure that all staff members engaged or to be engaged in selling, serving or delivering 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, serving or delivering of such products and will include:</p> <p>a) The lawful selling of age restricted products – including but not limited to, the requirement of the staff member conducting the transaction to ensure they carry out Challenge 25 checks regardless of any other staff member checks that may already have taken place</p> <p>b) Identifying if a person may be intoxicated and refusal of sale</p> <p>c) Vulnerability initiatives and how to respond to potential drink spiking</p> <p>* 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.</p> <p>* 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.</p>
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Note: The above best practice measures are not exhaustive and changes with wording, training providers and organisations may occur over time.

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: 19/12/25

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: 18/12/25

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 of the Application
2. Appendix B – Plan of Premises
3. Appendix C – Representations and Sussex Police Proposed Conditions

4. Appendix D – Applicant Response to Representations
5. Appendix E – Map of area

Documents in Members' Rooms

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021 and Statement of Licensing Policy 2026

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, November 2025.

Public Health Framework for Assessing Alcohol Licensing – July 2025

Background Documents

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021 and Statement of Licensing Policy 2026

Appendix A

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The premises will operate as a responsible, food-led restaurant with alcohol served only as an accompaniment to meals. All staff will be trained, including the prevention of underage sales, responsible alcohol service and customer safety.

A Personal Licence Holder or trained duty manager will be on site during all hours that alcohol is sold. CCTV will be installed and maintained in good working order, covering key areas of the premises with recordings kept for a minimum of 31 days and made available to authorised officers on request.

Clear policies will be in place for incident recording, staff training and dealing with disorderly conduct. The premises will promote safe, friendly environment and work proactively with local authorities.

b) The prevention of crime and disorder

A CCTV system is installed and maintained in full working order, covering all customer and service areas, including entrances and exits. Recordings will be kept for a minimum of 14 days and made available to the authorised officers upon request.

All staff will receive training on responsible alcohol sales, and the "Challenge 25" policy. Any incidents of crime, disorder or refusal of service will be recorded in an incident log.

Alcohol will only be sold to seated customers consuming a meal on the premises, helping to minimise the risk of anti-social behaviour.

c) Public safety

The premises will comply with all relevant health and safety, fire safety and food hygiene. All exits will be kept clear and accessible at all times.

A first aid kit will be maintained on site and at least one trained member of staff will be present during trading hours. Electrical and gas equipment will be regularly inspected and serviced.

Staff will be trained to identify and respond appropriately to safety risks, emergencies or incidents affecting customers or colleagues.

d) The prevention of public nuisance

Customers will be encouraged to leave the premises quietly and respect neighbouring residents. Clear signage will be displayed at the exit reminding customers to do so.

Deliveries and waste collections will be arranged during normal business hours to minimise noise disturbance.

e) The protection of children from harm

The premises will operate a strict "Challenge 25" policy, requiring anyone who appears under 25 to present valid photo ID.

All staff involved in alcohol sales will receive training on age verification procedures.

No unaccompanied children will be permitted on the premises after 21:00 hours.

Children will only be permitted when accompanied by an adult and when dining.

[illegible]

REP A

EF CON ENDS 08.12.2025 VALID PCD, PPN, PS & PCH

From: Brighton Licensing <Brighton.Licensing@sussex.police.uk>

Sent: 01 December 2025 10:20

To: Emily Fountain [REDACTED] EHL Licensing
<ehl.licensing@brighton-hove.gov.uk>

Subject: Premises licence application for The Sushi Co, 65 Western Road, Brighton - Representation

Dear Emily Fountain,

Re: New premises licence application for The Sushi Co, 65 Western Road, Brighton, BN1 2HA under the Licensing Act 2003.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the above premises licence application on the grounds of predominantly, the prevention of crime and disorder although we have concerns over all the licensing objectives being promoted due to previous dealings with the applicant. We also refer to the Brighton & Hove City Council Statement of Licensing Policy and the Public Health Framework for Alcohol Licensing.

This is a proposed licence 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 Cumulative Impact Zone (as defined in the Brighton & Hove City Council Statement of Licensing Policy) and seeks the following hours and licensable activities:

Supply of alcohol – on sales only:

Monday through to Sunday: 11:00 – 23:00

Late night refreshments:

Monday through to Sunday: 11:00 – 03:00 – although under legislation, this only needs to be licensed from 23:00.

Hours premises are open to the public:

Monday through to Sunday: 11:00 – 23:00

Within the general description of the premises its described as a ground floor restaurant offering dine in and take away Japanese's cuisine.

Sussex Police are unable to support this application over concerns around the management of the premises, their understanding of the Licensing Act and the responsibility that comes with holding a premises licence especially within this location. We feel this application should be put before a licensing panel for their consideration taking our concerns into account which we detail as follows.

On 07th November 2025 at 23:05 Police Licensing along with a colleague from Brighton & Hove City Council Licensing attended the premises. We were aware they had been advertising various operating hours depending on what platform you were looking at. As of 10th Nov 2025, these timings were:

Restaurant window advertisement until 03:00 7 days a week.

Restaurants own website until 03:00 Mon – Thur and 04:00 Fri – Sun.

Google until 03:00 Mon – Fri and 04:00 Sat & Sun.

Just Eat until 03:00 7 days a week.

At the time of our visit the restaurant was open with two staff members behind the counter. We confirmed what time the venue was open until and they advised 03:00. They were also asked if hot food was available to which they confirmed it was. One of the staff members was preparing hot food at the time. The employees were advised that hot food after 23:00 was not possible without a Late-Night Refreshment Licence. At this point one of the staff members made a call and a conversation was had with who we believe to be Mr Sama who advised us he was the venue owner. It was pointed out to him by police licensing that they needed a Late-Night Refreshment Licence if they wished to trade hot food after 23:00. Mr Sama became very dismissive of this information and legal requirement. As we were present with an official from the local authority licensing department the phone was handed over to them to confirm what we advised was correct. During this conversation we understand that Mr Sama continued to argue that a licence was not needed and then tried to find a way around this by suggesting they precook all the food and then re heating it in the microwave when orders come in after 23:00. He was advised that this was not an option.

Mr Sama's dismissive approach to the requirement under the Licensing Act raises concerns over compliance to any licence conditions should one be granted. He was adamant he was not taking advice given to him by the responsible authorities which makes it hard to engage in and build any reasonable and positive working relationship.

Following this visit a formal warning was issued for conducting licensable activities without the correct permissions in place. This was emailed on 10th Nov 2025 however, there has been no response to this from Mr Sama. Nor has there been any contact with Police Licensing to consult on their application.

When looking through the application there are areas of confusion within it:

- They are asking for the licence to start from 25th Nov 2025 however, there is a 28-day consultation period which ends on 08th December 2025.
- The application is for on sales only and this is also mentioned within section M but within the description of the venue they state that alcohol will be for consumption both on and off the premises.
- The opening hours to the public is until 23:00 yet they are applying for a 03:00 late night refreshment licence. Unsure if after 23:00, the restaurant will be closed and will be for online orders for delivery only.

- They state they have CCTV in the restaurant that stores for 31 days yet further down they then state they will keep footage for just 14 days.
- The venue description is a ground floor restaurant however, looking at the submitted plans, they are also looking to licence the basement area.
- The proposed Designated Premises Supervisor, Gopitha Sama lives in Mitcham which is not overly local to the premises. Unsure how often they will be on site having day to day control.

As mentioned, the location of the venue is on Western Road, Brighton set within the Cumulative Impact Zone as defined within the Brighton and Hove City Council 2021 Statement of Licensing Policy. Paragraph 3.1.2 of the policy states:

“Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.”

And further:

Paragraph 3.1.3 states:

“The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to ‘Cumulative Impact’ is necessary as part of its statement of licensing policy.”

Referring to the matrix within the Statement of Licensing Policy which sets out the expectations for new and varied applications for the City, late night takeaways are not supported.

Cumulative Impact Zone

Restaurant Yes (midnight) / **Cafe** Yes (10.00pm) / **Pub** No / **Off-licence** No / **Late Night Takeaways** No

The applicant has made no reference to the local policy nor given any exceptional circumstances to go against it. They do not acknowledge their city centre location and the added risks that comes with this. There is no offering of any SIA security be that SIA working at the venue or by way of a mobile support unit. No mention of joining the Brighton Crime Reduction Partnership (BCRP).

Looking at crime data within a 200-metre radius of the venue between 25th Nov 2024 and 24th Nov 2025 amongst others, 13 were for sexual offences, 167 for violent crime, 21 for robbery, 44 criminal damage and 84 public order. Although we acknowledge that not all these incidents are linked to alcohol, when looking at these crime types, alcohol is often a factor. Regency ward, of which this venue sits in, under the Public Health Framework for Assessing Alcohol Licensing, its listed top of all Brighton & Hove wards for sexual offences and violence with injury.

The day and night-time economy can at times be challenging for all the emergency services. Within Brighton & Hove the city has several initiatives that support Police and other emergency services in safeguarding the public such as BCRP, BID guards, Street Marshals, Beach Patrol and Safe Space. Some of these organisations and persons involved with them are volunteers and operate in their spare time. The fact these services exist goes some way to prove the negative impact late licences have on the area and so the need to ensure there is a reasonable operator behind each licence. We don't have assurance with this applicant that they are or will be.

Although we strongly oppose this application and are seeking full refusal, we are aware that the panel are in their right to grant it if they believe it will not add to any negative impact and that they have trust in the operator to trade under the licence responsibly. For this reason, we have included several conditions that we ask the panel to consider. These would be in addition to any offered up within the original application or ones that you feel are appropriate to adopt. If retail sale of alcohol is permitted, we would ask this is for on premises only. Additionally, if any late-night refreshments are granted, this is for delivery only and that from 23:00, the restaurant is closed to the public.

Taking our findings of the recent inspection, the dealings we have had with the owner, the confusion over the application itself, the crime states and in support of the local policy, Sussex Police invite the Licensing Authority to seriously consider refusing this application in full.

Yours sincerely,



Sgt. Mark Redbourn
Ops Planning and Events (inc. Licensing) Sergeant
Brighton & Hove Division
Sussex Police



Mark Thorogood
Police Licensing Officer
Level 4 PALO Qualification

Brighton & Hove Licensing
John Street, Brighton.
Telephone: [REDACTED] Mobile: [REDACTED]

Sushi Co, Western Road, Brighton
Police Proposed Conditions and Operating Schedule

Operating Schedule:

Retail sale of alcohol – On sales: 11:00 – 22:30

Late night refreshments for delivery only: 23:00 – 03:00 (or time the panel agree on)

Hours open to the public: 11:00 – 23:00

General:

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.
2. The premises will not operate under this licence until all conditions set within it are evidenced to Sussex Police and the Local Authority Licensing Team as being adhered to.
3. The premises will not operate opening hours to the public beyond the times set out within the premises licence.
4. Alcohol will be served by waiter/waitress service to persons seated at tables and ancillary to a main table meal only. There will be no vertical drinking.
5. No beer, lager, cider or perry with an ABV 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV 6% or above such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.
6. No alcoholic spirits will be available for sale.
7. ****Condition only required if Late Night Refreshments is granted****
Between the hours of 23:00 and 03:00 (or time the panel agree on), the premises will only operate to fulfil delivery orders. Such orders will be made over the telephone or app/website and delivered to a private or work address. i.e. walk-ins or dine in or takeaway are not permitted.

Prevention of crime & disorder:

8. 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.

9. All delivery drivers / riders shall be required to remove helmets and or face coverings whilst picking up items for delivery (excluding any face coverings worn for faith religious reasons) within an area that is covered by CCTV.
10. The premises will become a member of the Brighton Crime Reduction Partnership (BCRP) or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and nighttime economy.
11. At all times the premises is open to the public, the management will contract the backup services of an approved mobile support unit (MSU) that operates at all times the premises is open to the public, with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.

12. (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 week.
- (b) The logs should be kept on the premises for at least twenty four (24) 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.

Additional conditions as agreed with other responsible authorities, offered up within the original application and or as proposed following a hearing.

Public safety:

As agreed with other responsible authorities, offered up within the original application and or as proposed following a hearing.

Prevention of public nuisance:

13. The management will ensure that delivery riders / drivers waiting or arriving to collect food orders will be parked/waiting legally and not causing a public nuisance by way of obstructing the highway or footpaths.
14. There will be a written Dispersal Policy in place to prevent groups gathering, engaging in altercations and persons remaining in the vicinity of the premises.

Additional conditions as agreed with other responsible authorities, offered up within the original application and or as proposed following a hearing.

Protection of children from harm:

15. 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.
16. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
17. (a) The Premises Licence Holder / Management shall ensure that all staff members engaged or to be engaged in selling and or serving 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

Additionally, all staff regardless of their role will be trained in:

- * Identifying persons who are vulnerable which could include but not limited to, their age or due to intoxication and or drugs as well as identifying potential perpetrators.

- * National scheme's such as but not limited to Ask for Angela & Stamp out Spiking

- *Conflict management.

(b) The operator will have a policy in place assisting staff in how to deal with such situations.

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

(d) 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.

Additional conditions as agreed with other responsible authorities, offered up within the original application and or as proposed following a hearing.

Emily Fountain
Licensing Authority
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 2 December 2025
Our Ref: 2025/02757/LICREP/EH
e-mail: [REDACTED]

EF CON ENDS 08.12.2025 VALID PCD and PPN (B)

Dear Emily Fountain

Licensing Act 2003

**Representation in regard to the application for a new Premises Licence
(Ref. 2025/08728/LAPREN) - The Sushi Co (Brighton) Ltd, 65 Western Road,
Brighton BN1 2HA**

I write to make a representation on behalf of the Council's Licensing Team, in their capacity as a responsible authority, in relation to the above application for a new Premises Licence submitted by The Sushi Co (Brighton) Ltd. The applicant has applied for:

Supply of Alcohol on the premises:	Monday to Sunday:	11:00 – 23:00
Late Night Refreshment:	Monday to Sunday:	11:00 – 03:00
Opening Hours:	Monday to Sunday:	11:00 – 23:00

This representation is made as the Licensing Team have concerns that the application could have a negative impact on the licensing objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. I also refer to the Special Policy on Cumulative Impact (SPCI) contained within the Council's Statement of Licensing Policy (SoLP).

These premises fall within the Licensing Authority's Cumulative Impact Area (CIZ), which was adopted to give greater power to control the number of licensed premises within the city's centre. The SPCI was introduced because the Licensing Authority determined that the concentration of licensed premises and the subsequent numbers of people drawn into the city centre is causing exceptional problems of crime and disorder and public nuisance.

The effect of the SPCI is that applications for new premises licences, which are likely to add to the existing Cumulative Impact, will be refused following relevant representations. The applicant can rebut this presumption of refusal if they can show that their application will have no negative cumulative impact on licensing objectives, including prevention of crime and disorder and public nuisance.

The Licensing Authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its SPCI in the light of the individual circumstances of the case.

On 7 November 2025, I visited the premises with my colleagues from Police Licensing as we were aware that they were advertising to be open providing hot food after 23:00 without a Late-Night Refreshment licence.

At the time of our visit the premises were open and trading. There were 2 members of staff working and they confirmed that the premises would be open until 03:00. They also confirmed that hot food was available, and at that time one of the staff members was cooking.

One of the staff members made a telephone call and handed the phone to Mark Thorogood, Police Licensing, who had a conversation with Mr Sama, who we believe to be the owner. During this call, Mark passed the phone to me, and I continued to have a conversation with Mr Sama. I confirmed that the premises were not allowed to supply hot food after 23:00 without a Late-Night Refreshment licence (LNR). Mr Sama disputed this and stated that they were allowed to provide 20% of hot food without a licence and continued to be very dismissive of the information I was providing. Mr Sama then informed me that they would pre-cook the food and then use the microwave to reheat. I again advised that this would be hot food and could not be sold after 23:00 without an LNR licence. Mr Sama stated that he had a number of premises across London, and why was trading in Brighton different? I again repeated that he could not trade without a licence and that I would be sending a warning. Mr Sama then called me a 'jobsworth', I then ended the call and passed the phone back to the staff member. A copy of my email sent on 14 November 2025, is attached as Appendix A.

On 17 March 2025, a food registration form was submitted to the Environmental Health Food Team. On the registration form it states that the premises would be operating between 11:00 to 23:00. There is also a declaration that clearly states:

I declare that the information I have given on this form is correct and complete to the best of my knowledge and belief.

The operator will notify their local council of any significant changes to the business activity, including closure, within 28 days of the change happening.

A copy of this registration form is attached as Appendix B.

The Council's Statement of Licensing Policy also includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model 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 regard to the Matrix policy, I can again not see any offered exceptional circumstances for departing from the Matrix policy, where it clearly indicates that both 'Off sales' of alcohol and 'Late-Night Refreshment' are 'No' within the CIZ. The Licensing Team contend that the Matrix policy relates to both new and variation applications. Again, the Matrix policy can be departed from where exceptional circumstances are demonstrated, but the applicant has failed to address this.

This representation is made as the Licensing Team have concerns that the application could have a negative impact on the licensing objective of Prevention of Crime and Disorder and Prevention

of Public Nuisance. I also refer to the Special Policy on Cumulative Impact (SPCI) contained within the Council's Statement of Licensing Policy (SoLP).

Also, taking into consideration that the premises were operating without a Late-Night Refreshment licence and the owner's dismissive attitude, I have no confidence in the applicant to uphold any of the licensing objectives and invite the Licensing Panel to refuse this application.

Yours sincerely

A black rectangular box redacting the signature of Donna Lynsdale.

Donna Lynsdale
Licensing and Fair-Trading Officer
Licensing Team and Trading Standards

Appendix A – Email sent on 14 November 2025

Appendix B – Copy of Food Registration submitted on 17 March 2025.

Appendix A – Email sent 14 November 2025

From: Donna Lynsdale

Sent: 14 November 2025 12:55

To: [REDACTED]

Cc: Brighton Licensing <brighton.licensing@sussex.police.uk>

Subject: Unauthorised Licensable Activities - The Sushi Co, 65 Western Road, Brighton BN1 2HA - 2025/02788/LICGEN/EH

Importance: High

Dear [REDACTED]

Licensing Act 2003 - Unauthorised Licensable Activities

The Sushi Co, 65 Western Road, Brighton BN1 2HA

I am writing to you following a visit to your premises 7 November 2025 at approximately 23:05 accompanied by colleagues from Police Licensing.

At the time of our visit your premises was open and trading without a Late-Night Refreshment Licence. The 2 members of staff working confirmed that the premises would be open until 03:00. They confirmed that hot food was available, and at that time one of the staff members was cooking. One of the staff members telephoned you, and I had a conversation with you. I advised you that you were not allowed to supply hot food after 23:00 without a Late-Night Refreshment licence (LNR). You disputed this and stated that you were allowed to provide 20% of hot food without a licence. You were very dismissive of the information I was providing, and then stated that you would pre-cook the food, and then use the microwave to reheat. I again advised that this would be hot food and could not be sold after 23:00 without a LNR licence.

Supply of Late-Night Refreshment is a licensable activity under the Licensing Act 2003. Any hot food or hot drink sold between 11pm and 5am is classed as the licensable activity of supply of Late-Night Refreshment.

3.12 Schedule 2 to the 2003 Act provides a definition of what constitutes the provision of late-night refreshment. It involves the supply of 'hot food or hot drink' between the hours of 23.00 and 05.00 to the public for consumption on or off the premises. It includes the supply of hot food or hot drink between those hours on premises to which the public has access. Under Schedule 2, food or drink is considered to be 'hot' if, before it is supplied, it has been heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and at the time of supply it is above that temperature; or after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that:-

(1) A Person commits an offence if –

(a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or

(b) he knowingly allows a licensable activity to be carried on.

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

In light of the above, I am issuing you with a **Warning** in accordance with our Licensing Enforcement Policy.

Please note this Authority and Sussex Police have officers monitoring the City both day and night and we will be monitoring the premises. If it is witnessed that your premises is carrying out further unauthorised licensable activities further enforcement maybe taken.

I have copied Police Licensing into this email.

Please acknowledge receipt of this email, when responding please reply to all.

Yours sincerely

Donna Lynsdale | Fair Trading Officer & Licensing Officer (Trading Standards & Licensing), Regulatory Services

Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP

M [REDACTED]

Rate your experience

We are committed to providing you services in accordance with our [Customer Promise](#).

Please [tell us about your experiences](#) of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

New food business registration received

Brighton & Hove City Council

You have received a new food business registration. The registration details are included in this email. The new registration will also be available in your management information system if you have an integrated connection.

The unique food business registration application reference is

HGTTE9-EKL0WN-ZJSN02

Registration details

Submitted on	12 Mar 2025
Operator details	
Operator address line 1	4 Whitchurch Parade
Operator address line 2	Whitchurch Lane
Operator town	Edgware
Operator postcode	HA8 6LR
Operator uprn	100023040113
Contact representative name	
Contact representative role	Manager
Contact representative number	

Contact representative email	
Operator type	A company (registered by a representative)
Operator company name	The Sushi Co (Brighton) Ltd
Operator companies house number	16133321

Establishment details

Establishment trading name	THE SUSHI CO
Establishment primary number	
Establishment secondary number	
Establishment email	
Establishment web address	THESUSHICO.CO.UK
Establishment opening date	25 Apr 2025
Establishment type	Place of business or commercial premises
Establishment address line 1	65 Western Road
Establishment town	Brighton
Establishment postcode	BN1 2HA
Establishment uprn	22170603

Activities

Business scale	To local customers (who live or work in the local area), To provide food online
Food type	Raw unwrapped meat, fish and shellfish, Food that has been cooked and/or reheated in the establishment
Processing activities	Don't know
Business type	Restaurant, cafe, canteen, or fast food restaurant
Water supply	Public
Business other details	<p>We're the home of Minutes Fresh Sushi, serving up box-fresh made to order sushi. We follow the authentic ways of making fresh and flavoursome sushi in every one of our open, live sushi kitchens.</p> <p>Great sushi starts with rice and when it comes to selecting rice we never take long, we only use short grain premium grade rice. Our chefs only cut perfect slices, not corners to create the perfect raw or cooked topping or filling. It's just the way we roll, and always will be.</p> <p>Since we started we've been sharing our love of sushi and</p>

growing fast with more of our live sushi kitchens popping up around the country. So, whether customer looking to escape the hectic everyday at one of our sit-down restaurants, pop into one of our casual dining high street locations or pass through one of our grab-and-go stores we've got your sushi moment covered. However and wherever you visit, when customer come to one of our live sushi kitchens you can guarantee that what customer order will be made fresh and worth the wait.

Opening day monday	Yes
Opening day tuesday	Yes
Opening day wednesday	Yes
Opening day thursday	Yes
Opening day friday	Yes
Opening day saturday	Yes
Opening day sunday	Yes
Opening hours monday	11:00 - 23:00
Opening hours tuesday	11:00 - 23:00
Opening hours wednesday	11:00 - 23:00
Opening hours thursday	11:00 - 23:00

Opening hours friday	11:00 - 23:00
Opening hours saturday	11:00 - 23:00
Opening hours sunday	11:00 - 23:00

Declaration

Declaration1	I declare that the information I have given on this form is correct and complete to the best of my knowledge and belief.
Declaration2	The operator will notify their local council of any significant changes to the business activity, including closure, within 28 days of the change happening.
Declaration3	The operator understands they are legally responsible for the safety and authenticity of the food being produced or served at this establishment.
Feedback1	I agree to be contacted to provide feedback to help develop this service

Guidance links provided

[Guidance for new food businesses](#)

[How to achieve a high food hygiene rating \(FHRS score\)](#)

[Information on the food safety management system safer food, better business](#)

[Food labelling and allergens guidance](#)

[Business support & helpline](#)

Appendix D

Dear Sgt. Redbourn,

Thank you for your detailed representation regarding our premises licence application for The Sushi Co (Brighton). We fully respect the role of Sussex Police as a responsible authority and welcome the opportunity to respond to the concerns raised.

At the outset, I wish to express my sincere apologies for the misunderstanding and tone during the telephone conversation on 7 November 2025. It was never our intention to be dismissive of Licensing Officers or Police Licensing, and I regret that our comments created that impression. Since receiving your warning, we have taken immediate corrective action, ceased all late-night hot food sales, and implemented internal compliance procedures to ensure full adherence to the Licensing Act going forward.

We value a positive and cooperative relationship with Sussex Police and the Licensing Authority, and I hope this response demonstrates our commitment to responsible operation.

1. Clarification Regarding the 7 November Visit

Following your visit, we acknowledge the following:

- Staff incorrectly advised that we were authorised to operate until 03:00
- Hot food was being prepared after 23:00
- Our public advertising displayed extended hours across various platforms

These issues were the result of internal miscommunication and operational inexperience in this new location—not a deliberate intention to bypass licensing requirements.

Immediate corrective actions taken:

- All advertising and online opening hours have been standardised
- Staff have received revised training on licensing rules
- A temporary restriction has been imposed so no trading occurs after 23:00
- A compliance lead within the company now oversees all licensing matters
- We fully accept that a Late-Night Refreshment Licence is required and have acted accordingly.

2. Confusion within the application

We accept that several parts of the submitted application were unclear. We provide the following clarifications:

a. Licence start date (25 Nov 2025)

This was an administrative error and we acknowledge the 28-day consultation period.

b. Alcohol on/off sales wording

Our intention is **on-sales only**, and we are content for this to be conditioned formally.

c. Opening hours vs Late-Night Refreshment

After 23:00 the premises would be **closed to the public**, with refreshments available for **delivery only** (Uber Eats, Deliveroo). We are fully prepared to accept a condition confirming this.

d. CCTV retention period

The correct retention period will be **31 days**, and we will abide by this requirement.

e. Basement licensing area

The basement is intended for non-alcohol area, storage and staff use only. We do not intend to use it for licensable activities and we welcome a condition excluding it if necessary.

f. DPS location

While the DPS lives in Mitcham, they oversee multiple sites and attend Brighton frequently. We can also appoint a local day-to-day manager if this is preferred by the Authority.

3. Exceptional Circumstances & Operating Model (CIZ Rebuttal)

We fully acknowledge the premises lie within the Cumulative Impact Zone and that applications are generally refused unless exceptional circumstances are demonstrated.

We respectfully submit that the following factors rebut the presumption of refusal:

a. Food-led, low-risk operation

The Sushi Co is not a bar, takeaway hotspot, or premises that encourages alcohol-led activity.

- Alcohol is ancillary to food only
- No vertical drinking
- No promotions, happy hours, or high-strength sales
- No environment that fosters extended drinking

b. Delivery-focused late-night activity

Late-Night Refreshment beyond 23:00 is solely to meet delivery demand.

This does **not** contribute to street congregation or noise, and we propose a condition that after 23:00:

- The premises is closed to the public
- All orders are delivery only
- No walk-ins or collections permitted

c. Willingness to adopt robust conditions

We are fully prepared to accept any conditions deemed necessary, including:

- On-sales alcohol only
- Alcohol only served with substantial food
- Staff training every 6 months
- Challenge 25
- Digital CCTV with 31-day retention
- Incident and refusal logs
- Delivery-only model after 23:00
- Joining Brighton Crime Reduction Partnership
- Engaging in ongoing consultation with Police Licensing

d. Not adding to local crime figures

Our business model is consistent with low-risk, low-impact restaurant operations.

We neither generate nor attract the behaviours associated with alcohol-related crime

and disorder.

We do not serve alcohol late into the night, and our request does not include off-sales.

4. Response to concerns about engagement

We acknowledge we should have responded promptly to the warning email issued on 10 November and should have contacted Police Licensing to discuss the application. This was an oversight which we regret.

Moving forward, we are committed to full transparency and proactive communication with both Sussex Police and the Licensing Authority.

5. Conclusion

We understand and respect the concerns highlighted in your representation. We hope that the explanations, corrective actions and willingness to accept stringent conditions demonstrate:

- A genuine commitment to compliance
- A low-risk, food-led operational model
- A clear set of exceptional circumstances
- A sincere intention to build a constructive relationship with Sussex Police

We respectfully ask the Licensing Panel to consider granting the application with appropriate conditions, particularly those restricting late-night activity to delivery only.

Thank you for taking the time to review our response. We remain fully willing to meet with Sussex Police to discuss any further concerns or to agree suitable conditions before the hearing.

Thanks

Hi

Thank you for your letter dated 2 December 2025 outlining the Licensing Authority's representation regarding our application for a new Premises Licence for The Sushi Co (Brighton) Ltd. We appreciate the opportunity to respond to the concerns raised.

1. Acknowledgement of the Visit and Clarification

Firstly, we wish to sincerely apologise for the misunderstanding during your visit on 7 November 2025.

It was never our intention to operate in breach of Licensing regulations or to show disrespect to any officer. We fully recognise the importance of upholding licensing objectives and working cooperatively with both the Licensing Authority and Police.

Following your email of 14 November, we immediately reviewed our processes and instructed all staff to cease the sale of any hot food after 23:00. We can confirm that no further late-night trading has taken place since that date.

We regret the confusion caused regarding the “20% hot food” belief. This was based on incorrect internal advice, and we now fully accept that this exemption does not apply. We are committed to ensuring full compliance going forward.

Regarding the staff's comment about the premises being open until 03:00, this was a misunderstanding internally as the application was in progress; we have corrected this and implemented clear operational guidance.

2. Exceptional Circumstances & Rebuttal of Cumulative Impact Concerns

We appreciate that the premises lie within the Cumulative Impact Zone (CIZ) and that applications within this area must demonstrate they will not add to existing problems of crime, disorder, or public nuisance.

We respectfully submit the following mitigating factors and exceptional circumstances:

a. Type of Business

The Sushi Co operates as a food-led premises, not a bar, takeaway hotspot, or alcohol-focused venue.

- Alcohol sales are ancillary to food.
- We do not attract large crowds or promote late-night social drinking.
- Our customer base is primarily local residents, office workers, and delivery platforms (Uber Eats, Deliveroo).

This differs significantly from high-risk premises typically contributing to cumulative impact.

b. Alcohol Service Controls

We are willing to accept conditions including:

- **Alcohol only with substantial food.**
- **No vertical drinking, no bar seating.**
- **No off-sales after 23:00.**
- **No high-strength alcohol, no single-item sales, no promotions.**
- **Full staff training and Challenge 25 policy.**

These conditions prevent the premises from adding to crime or anti-social behaviour.

c. Late-Night Refreshment Need

Our request for Late-Night Refreshment until 03:00 is primarily to support delivery partners rather than walk-in customers.

This aligns with the changing nature of food service in the city, where demand for delivery after 23:00 remains strong but does not generate public congregation or street noise.

To address public nuisance concerns:

- We will restrict late-night service **to delivery platforms only** if required.
- No customers will be permitted to enter or collect after 23:00.
- Delivery drivers will be managed to avoid idling, noise, or disturbance.

This ensures minimal additional impact on the night-time economy footprint.

d. Strong Commitment to Compliance

Since receiving your communication, we have put in place:

- A full compliance audit of all licensing procedures
- Updated staff training
- Internal licensing handbook
- Appointment of a dedicated compliance manager

We hope this demonstrates our commitment to meeting the Licensing Authority's expectations.

3. Regarding the Food Registration Form

The initial operating hours on the food registration form (11:00–23:00) reflected the early operational plan before we decided to extend hours to meet business needs.

We acknowledge that we should have notified the Council of this change sooner, and we apologise for the oversight. This was an administrative misunderstanding rather than intentional nondisclosure.

4. Conclusion

We fully understand the Licensing Authority's responsibility to protect the CIZ and ensure that any new premises do not contribute to crime, disorder, or nuisance.

We hope the above measures demonstrate that:

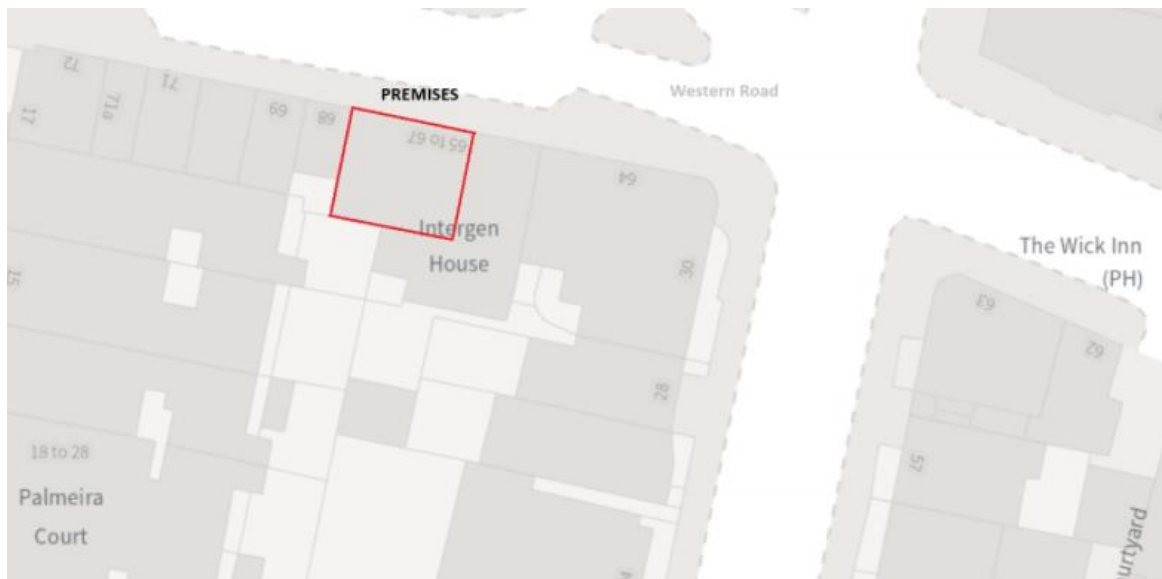
- Our operation is **low risk** and **food-led**
- We are willing to adopt **strict conditions**
- We have taken **corrective action** after the November visit
- We are committed to **cooperative and compliant** operation

We respectfully request that the Licensing Panel consider these exceptional circumstances and the robust conditions we are prepared to accept, and allow our application to proceed.

We welcome the opportunity to discuss any additional conditions that may help reassure the Licensing Team or Police.

Thanks

Appendix E



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