

Licensing Panel (Licensing Act 2003 Functions)

Date: **25 March 2026**

Time: **12.30pm**

Venue **Virtual**

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

Contact: **Francis Mitchell**
Democratic Services Officer
01273 294183
Francis.Mitchell@brighton-hove.gov.uk

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AGENDA

4 TO APPOINT A CHAIR FOR THE MEETING

WELCOME & INTRODUCTIONS

5 PROCEDURAL BUSINESS

(a) **Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the Licensing Committee may attend, speak and vote in their place for that meeting.

(b) **Declarations of Interest:**

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

6 RIDDLE & FINNS - LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

7 - 34

Contact Officer: Nadia Ioannou
Ward Affected: Regency

Date of Publication – Tuesday 24 March 2026

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact Francis Mitchell, (01273 294183, email Francis.Mitchell@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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- Do not re-enter the building until told that it is safe to do so.

LICENSING PANEL

(Licensing Act 2003 Functions)

Agenda Item

Brighton & Hove City Council

Subject:	Notification of a Temporary Event Notice under the Licensing Act 2003		
Premises:	The terrace on the west side of Riddle and Finns, Rotunda, 65 Kings Road, Brighton, BN1 1NA		
Applicant:	Mr. Adam Brian		
Date of Meeting:	25th March 2026		
Report of:	Corporate Director for City Operations		
Contact Officer:	Name:	Sarah Cornell	Tel:
	Email:	sarah.cornell@brighton-hove.gov.uk	
Ward(s) affected:	Regency		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To consider a notification of a Temporary Event Notice in view of a formal objection to it by a relevant person under section 104(2) of the Licensing Act 2003.

2. RECOMMENDATIONS:

- 2.1 That the Panel consider whether it is necessary for the promotion of the licensing objectives of the Prevention of crime and disorder, Public safety and Protection of children from harm to issue a counter notice to prevent the event from taking place.

3. CONTEXT/ BACKGROUND INFORMATION & CONSULTATION

- 3.1 This Temporary Event Notice relates to the time period: 3rd April – 6th April 2026
- 3.2 The proposed activities are:

	Proposed Activities
Sale by Retail of Alcohol	12:00-20:00 Off the Premises Only

- 3.3 The area to be covered by the temporary event notice: The terrace on the west side of Riddle and Finns, Rotunda, 65 Kings Road, Brighton, BN1 1NA
- 3.4 Please see a copy of the Temporary Event Notice attached at Appendix A.

Objections received

The Sussex Police representation on the Temporary Event Notice was made no later than 72 hours following receipt of the Temporary Event Notice. Their objection was made on the grounds of the Prevention of crime and disorder,

Public safety and Protection of children from harm to issue a counter notice to prevent the event from taking place.

- 3.5 Please see objection letter from Sussex Police attached in Appendix B.
- 3.6 A map detailing the location of the premises is attached at Appendix C.
- 3.7 A copy of the existing premises licence is attached as Appendix D.

4. COMMENTARY ON THE LICENSING POLICY

- 4.1 The following extracts from Guidance issued under section 182 of the Licensing Act 2003 are considered relevant to this application and **numbered as they appear in the Guidance**:

General

- 7.2 The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).
- 7.6 The police or Environmental Health Authority (EHA) (“relevant persons” for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. A relevant person may also intervene by agreeing a modification of the proposed arrangements directly with the TENs user (see paragraph 7.36). If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives. The licensing authority may only otherwise intervene if the statutory permitted limits on TENs would be exceeded (see paragraphs 7.15-7.22 of the Guidance).
- 7.7 A TEN does not relieve the premises user from any requirements under planning law for appropriate planning permission where it is required.
- 7.28 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it

considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

Police and environmental health intervention

- 7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.
- 7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN.
- 7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings in respect of late TENs and if objections are raised by the police or EHA in relation to a late TEN, the notice will be invalid and the event will not go ahead.
- 7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENs simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.
- 7.36 However, in most cases, where for example, alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or

sporting events) this should not usually give rise to the use of these powers.

Modification

7.37 As noted above, the police or EHA (as “relevant persons”) may contact the premises user to discuss their objections and try to come to an agreement which will allow the proposed licensable activities to proceed. The TEN can be modified (for example, by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration). The other relevant person has to agree for the modification to be made. There is no scope under the 2003 Act for the modification of a late TEN.

Applying conditions to a TEN

7.38 The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.

7.39 This decision is one for the licensing authority alone, regardless of the premises user’s views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations.

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: /03/26

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: 23/03/2026

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 – Temporary Event Notice
2. Appendix B – Objection made by Sussex Police
3. Appendix C – Map of the area
4. Appendix D – Existing premises licence

Documents in Members’ Rooms

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2026
[Statement of Licensing Policy 2026](#)

Home Office, Revised Guidance issued under section 182 of the Licensing Act 2003, February 2026
[Revised guidance issued under section 182 of Licensing Act 2003 - GOV.UK](#)

Public Health Framework for Assessing Alcohol Licensing – July 2025
[Public Health Framework for Assessing Alcohol Licensing | Tableau Public.](#)

Background Documents

Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2021.
[Statement of Licensing Policy 2026](#)

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Brian		
Forenames	Adam		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth	REDACTED		
5. National Insurance Number	REDACTED		
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
Riddle and Finns 12B Meeting House Lane			
Post town	Brighton	Postcode	BN1 1HB
7. Other contact details			
Telephone numbers Daytime	REDACTED		
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)	REDACTED		
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			

Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Riddle and Finns Rotunda 65 Kings Road BN11NA	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	1445/3/2020/00278/LAPREN
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
The terrace on the West Side of the restaurant	
Please describe the nature of the premises below. (Please read note 4)	
Restaurant	
Please describe the nature of the event below. (Please read note 5)	
A Gazebo to serve some takeaway food and drink for customers	

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3 The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/> X
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 9)	3,4,5,6 April
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24-hour clock). (Please read note 10)	
12pm – 8pm	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	3
If the licensable activities will include the sale or supply of alcohol, please state whether these will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 12)	On the premises only <input type="checkbox"/>
	Off the premises only <input checked="" type="checkbox"/> X
	Both <input type="checkbox"/>

<p>Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment (including, but not limited to lap dancing and pole dancing). (Please see note 13)</p>
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4. Personal licence holders (Please read note 14)		
Do you currently hold a valid personal licence? (Please tick)	Yes X <input type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		
Issuing licensing authority	Brighton	
Licence number	REDACTED	
Date of issue	REDACTED	
Any further relevant details		

5. Previous temporary event notices you have given (Please read note 15 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

6. Associates and business colleagues (Please read note 16 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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7. Check list (Please read note 17)	
I have: (Please tick the appropriate boxes, where applicable)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/> X
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/> X
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/> X
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/> X
Signed the declaration in Section 9 below	<input type="checkbox"/> X

8. Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the sale or supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 19)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence:	
(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and	
(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	12.03.26
Name of Person signing	Adam Brian

For completion by the licensing authority

10. Acknowledgement (Please read note 20)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Appendix B

SC Valid on PCD, PS and PCH (A)

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

Sent: 17 March 2026 11:14

To: EHL Licensing <ehl.licensing@brighton-hove.gov.uk>

Cc: EHL Environmental Protection <ehl.environmentalprotection@brighton-hove.gov.uk>; REDACTED

Subject: Temporary Event Notice for Riddle & Finns, 65 Kings Road, Brighton - Objection

RE: TEMPORARY EVENT NOTICE (TEN) RIDDLE & FINNS, ROTUNDA, 65 KINGS ROAD, BRIGHTON, BN1 1NA - NOTICE OF OBJECTION under Section 104 (2) of the Licensing Act 2003

To whom it may concern,

Notice of objection is hereby given on behalf of the Chief Officer of Police for Sussex for the following Temporary Event Notice (TENs) on the grounds of the licensing objectives not being promoted.

Riddle & Finns, Rotunda, 65 Kings Road, Brighton, BN1 1NA

Friday 3rd April – Monday 6th April 2026 12:00 – 20:00 each day.

Retail sale of alcohol for off sales only

Event Details: A Gazebo to serve some takeaway & drink for customers.

The location is on the Kings Road footpath level at the bottom end of West Street. Within the City Safety Area as defined in the Brighton & Hove City Council Statement of Licensing Policy 2026.

TENs are mentioned within the policy:

5. Licensing Act 2003 provisions

5.1 Temporary Event Notices (TENs) The Licensing Authority will encourage bona fide community events. Applications for TENs at existing licensed premises will not be encouraged where the proposal is simply to extend the existing hours of operation and applications made in the city safety area will be subject to increased scrutiny by Police and Environmental Health. Licensing Guidance recognises that TENs are a light touch process, not requiring specific authorisation. If the police or Environmental Protection believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must issue an objection notice.

From reading the events details, there is no “event” as such. This reads as being an additional revenue opportunity during the Easter period. It is to permit a gazebo to be placed outside on the west side of the premises (The Rotunda) to provide off sales of alcohol and a food offering.

The premises is currently licensed between the hours of 12:00 – 00:00 Monday to Saturday and 12:00 – 23:30 on a Sunday for the retail sale of alcohol on sales only. The outside seating area is included within the on sales permissions. Alcohol is provided as ancillary to a table meal only.

Sussex Police fully support the use of TENs for bona fide events and actively talk about their use to licenced venues should they need to move away from their current licence permissions to hold events such as private hires for celebrations or national events that are occurring. In 2025 we raised no objection to over 1,150 TENs across the city.

The concern we have is by permitting off sales of alcohol which, due to its location is highly likely to be consumed on the beach, the licensing objectives of the Prevent of crime & disorder, Public safety and Protection of children from harm are not being promoted.

When considering the off sales element, there is limited control the licence holder can have once the drinks have left the premises. There is a risk of proxy sales to both under 18’s and persons that could already be intoxicated. Mixing alcohol consumption with the sea is something we are unable to promote without the applicant evidencing how they will be able to promote the licensing objectives and ensure public safety once customers have left their controlled area. We have seen persons lose their lives in Brighton & Hove as well as other parts of the country in coastal resorts due to misadventure, by way of being intoxicated and then getting into difficulty in the water. Other consideration is the type of packaging being used when looking at the prevention of crime and disorder and the reliance on the persons to safely and correctly disposing of these items.

With the risks associated with off sales on to the beach, we feel an application such as this should be heard before a licensing panel, with the panel making a final decision on it.

The Chief Officer of Police contends that permitting this location to be used in accordance with the notice is likely to undermine the licensing objectives and so we ask that a Counter Notice is issued by the Licensing Authority Committee.

I confirm that a copy of this objection has been sent by email to the applicant and every other ‘relevant person’.

Yours sincerely,

REDACTED

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

Appendix C





Brighton & Hove City Council

Schedule 12 Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2020/00278/LAPREN

Part 1 – Premises Details

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

Riddle And Finns
Rotunda
65 Kings Road
Brighton
BN11NA

Telephone number

Licensable activities authorised by the licence

Performance of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities:-

Performance of Recorded Music

Monday - Saturday	12:00 - 00:00	Indoors
Sunday	12:00 - 23:30	Indoors

Late Night Refreshment

Monday - Saturday	23:00 - 00:00	Indoors
Sunday	23:00 - 23:30	Indoors

Sale by Retail of Alcohol



Brighton & Hove City Council

Monday - Saturday	12:00 - 00:00	On the premises
Sunday	12:00 - 23:30	On the premises

The opening hours of the premises		
Monday - Saturday	08:00 - 00:00	
Sunday	08:00 - 23:30	

Where the licence authorises supplies of alcohol whether these are on and / or off supplies
Alcohol is supplied for consumption on the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence
Shellfish By The Sea
ASM House
103A Keymer Road
Keymer
Hassocks
BN6 8QL

Registered number of holder, for example company number, charity number (where applicable)
Registered Business Number 08617387

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

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol
Party Reference: REDACTED Licensing Authority: Brighton & Hove City Council



Brighton & Hove City Council

Annex 1 – Mandatory conditions

S19; mandatory conditions where licence authorises supply of alcohol

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

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



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

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

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

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;



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

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 —

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:

(b) “permitted price” is the price found by applying the formula—

$$P=D+(D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,



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

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

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

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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

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

Annex 2 – Conditions consistent with the Operating Schedule

General:

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.
2. Alcohol will be served by waiter/waitress service to persons seated at tables and ancillary to a substantial table meal only. There will be no vertical drinking.



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3. There will be no off-sales of alcohol.
4. The outside licensed area will be clearly defined by a physical barrier at all times the area is open to the public.

For the Prevention of Crime and Disorder:

4. (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

(b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.

(c) CCTV footage will be stored for a minimum of 31 days.

(d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.

(e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.

(f) Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

(g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as practical. 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.



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5. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.
6. The premises will become a member of the Business Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.
7. At all times the premises is closed, all outdoor furniture will be securely stored.

For Public Safety: None

For the Prevention of Public Nuisance: None

For the Protection of Children from Harm:

8. The premises will operate an age verification policy set at a minimum of 25 years (e.g. "Challenge 25") whereby any person attempting to buy alcohol who appears to be under the specified age e.g. 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
9. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
10. (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:



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- The lawful selling of age restricted products
 - Refusing the sale of alcohol to a person who is drunk
- (b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- (c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

Annex 3 – Conditions attached after a hearing by the licensing authority – N/A

