

# Licensing Panel (Licensing Act 2003 Functions)

Date: **19 May 2026**

Time: **10.00am**

Venue **Virtual**

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

Contact: **Francis Mitchell**  
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# AGENDA

## PART ONE

Page No.

### 1 TO APPOINT A CHAIR FOR THE MEETING

#### WELCOME & INTRODUCTIONS

### 2 PROCEDURAL BUSINESS

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

(b) **Declarations of Interest:**

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

In each case, you need to declare

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

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

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

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

### 3 CAFE COHO - LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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Contact Officer: Nadia Ioannou  
Ward Affected: West Hill & North Laine

Date of Publication - Monday, 11 May 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](mailto:Francis.Mitchell@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

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# Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

<b>Subject:</b>	<b>Application for a Variation of a Premises Licence under the Licensing Act 2003</b>
<b>Premises:</b>	<b>Cafe Coho 83A Queens Road Brighton BN1 3XE</b>
<b>Applicant:</b>	<b>James Wilson</b>
<b>Date of Meeting:</b>	<b>19<sup>th</sup> May 2026</b>
<b>Report of:</b>	<b>Corporate Director for City Operations</b>
<b>Contact Officer: Name:</b>	<b>Sarah Cornell</b>
<b>Email:</b>	<b>sarah.cornell@brighton-hove.gov.uk</b>
<b>Ward(s) affected:</b>	<b>West Hill &amp; North Laine</b>

## 1. PURPOSE OF REPORT AND POLICY CONTEXT

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

## 2. RECOMMENDATIONS:

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

## 3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

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

*“The premises already benefits from a premises licence permitting the sale of alcohol ancillary to a table meal. This application seeks to extend that provision in a limited and controlled manner to include off-sales ancillary to takeaway food.*

*The premises is a small, food-led cafe and takeaway located within Brighton city centre, close to the main railway station. It operates primarily during daytime and early evening hours, serving coffee, brunch and freshly prepared food for both dine-in and takeaway customers. The premises is not alcohol-led and has an established track record as a responsible operator.*

*The layout comprises a front service counter with a small seating area and a kitchen to the rear. The proposed variation is limited to the addition of tightly controlled off-sales of alcohol to complement a specific takeaway food offer.*

*The alcohol offer will be strictly limited in nature and consist only of:*

- 330ml cans of lager
- 330ml cans of IPA
- pre-mixed margarita cans and frozen margarita 8oz

*All alcohol sales will be ancillary to the purchase of food, specifically the takeaway taco offering. Alcohol will not be sold independently of food. A maximum of two cans of alcohol per transaction will be permitted, strictly ancillary to the purchase of food. Alcohol will not be advertised or promoted independently of food.*

*There will be no provision for the consumption of off-supplied alcohol on the premises or in the immediate vicinity. No external drinking area is proposed. The premises will not operate as an off-licence, and alcohol will not be displayed or promoted as a standalone product.*

*The premises will remain clearly food-led at all times. The intention of the variation is to provide a limited and complementary addition to the takeaway food offer, consistent with customer expectations and the character of the area, without contributing to cumulative impact.*

**3.2** Section 18 (Operating Schedule) of the application is detailed at Appendix A

**3.3** Summary table of existing and proposed

	<b>Existing</b>	<b>Proposed</b>
<b>Supply of Alcohol</b>	<b>Every Day: 07:00 – 23:00 On the Premises</b>	<b>Every Day: 07:00 – 23:00 On the premises (as existing) Every Day: 11:00 – 22:00 Off the premises (updated from original application)</b>

**3.4** Existing licence attached at Appendix B

**3.5** The premises falls within the City Safety Area (“The Area”) (see paragraphs 3.1 – 3.2.9).

**Representations received**

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

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

**3.8** Representations received had concerns relating to Prevention of Crime and Disorder, Prevention of Public Nuisance, Protection of Children from Harm and City Safe Area.

**3.9** Full details of the representations are attached at Appendix C and additional information submitted by the applicant 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 5 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.

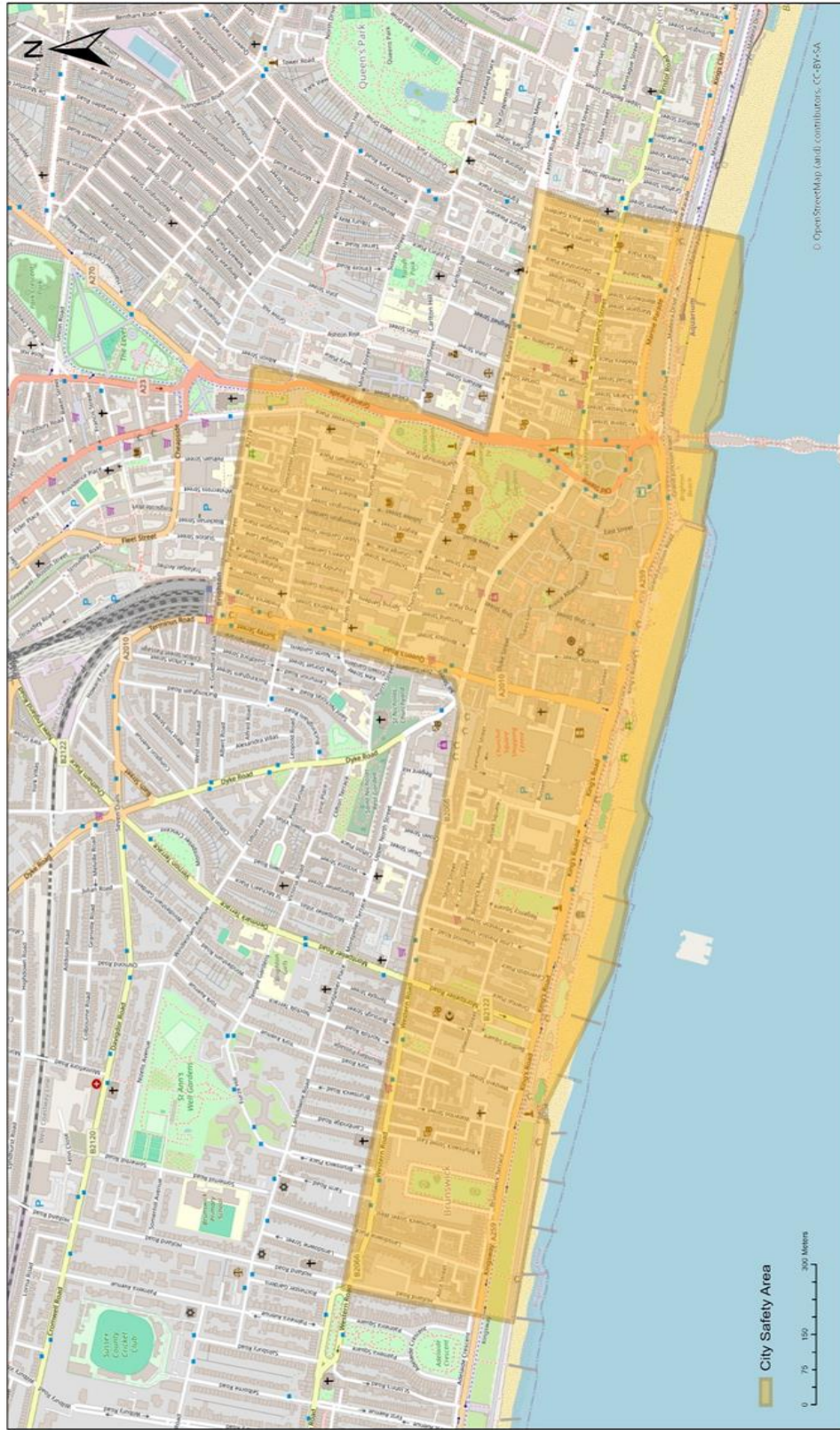
### 3.2.5 The Role of Cumulative Impact

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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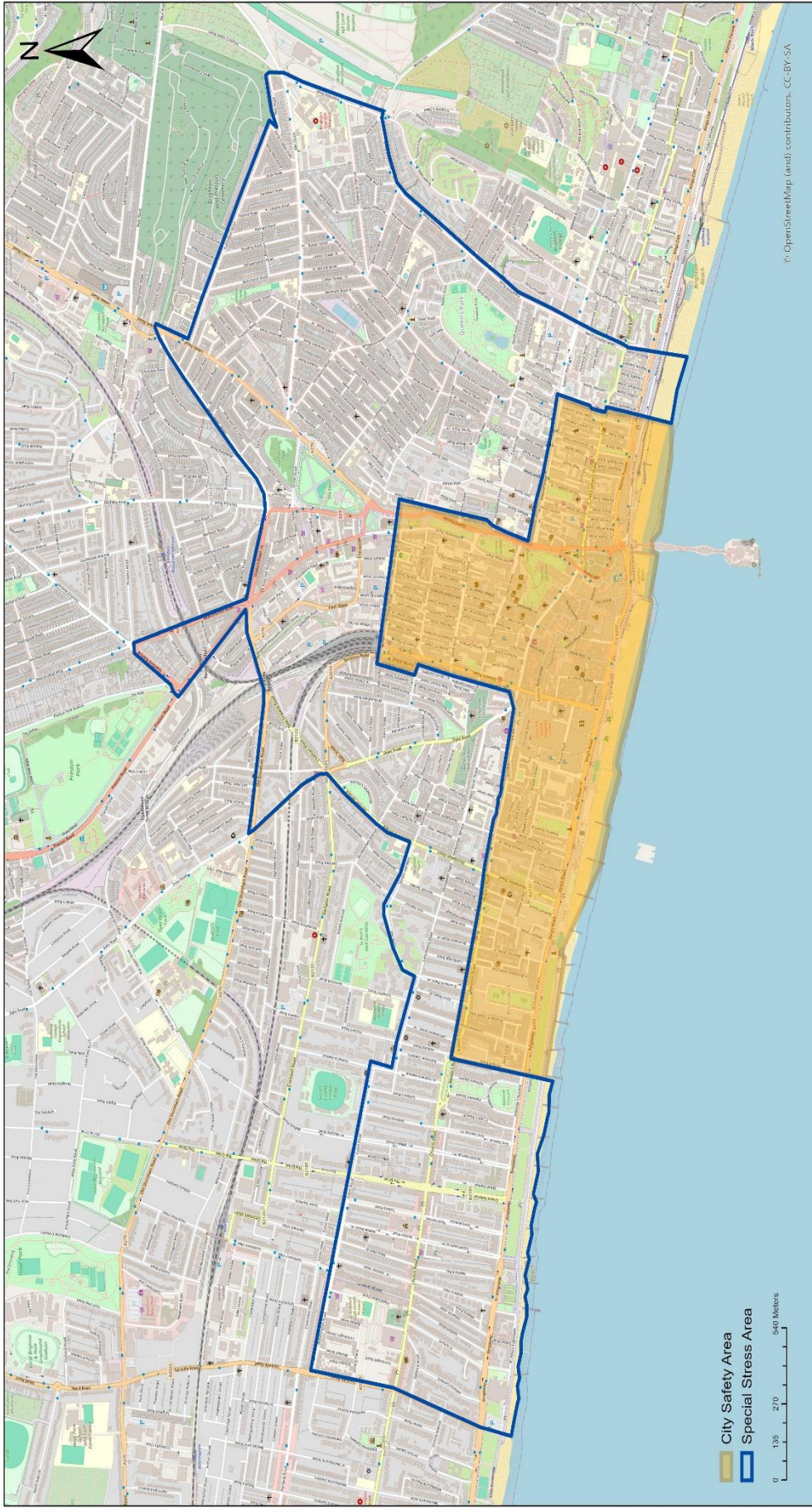
3.2.9 The City Safety Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Holland Road to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Air 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)

	<b>City Safety Area</b>	<b>Special Stress Area</b>	<b>Other Areas</b>
<b>Food &amp; dining venues</b>	1 am	1 am	1 am
<b>Fast food premises</b>	No	Midnight Deliveries until 2am	Midnight Deliveries until 2am
<b>Cafe</b>	10pm	10pm	10pm
<b>Performance venues</b>	Midnight	Midnight	Midnight
<b>Grassroots Music venues</b>	Midnight	1am	1am
<b>Nightclubs</b>	No	No	No
<b>Public houses and bars</b>	No	Midnight	Midnight
<b>Non-alcohol led venues</b>	Midnight	Midnight	Midnight
<b>Off licences</b>	No	No	Yes (Up to 11pm – (see note f below)
<b>Shared workplaces, co-working offices</b>	Midnight	Midnight	Midnight
<b>Members’ clubs</b>	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

<b>Food and dining venues</b>	<ul style="list-style-type: none"> <li>• Provide substantial table meals to customers dining at the premises</li> <li>• Food is prepared on site</li> <li>• Alcohol is sold to customers ancillary to a substantial table meal for consumption at the premises (or in an associated outdoor dining area) only</li> <li>• If takeaway service is provided, must be ancillary to provision of substantial table meals</li> </ul>
<b>Fast food premises</b>	<ul style="list-style-type: none"> <li>• Provide late night refreshment of fast food intended for immediate consumption on the premises or takeaway</li> <li>• Food is served in disposable packaging</li> </ul>
<b>Cafes</b>	<ul style="list-style-type: none"> <li>• Sell alcohol to customers for consumption on the premises in addition to other food and drink products</li> <li>• Food and drink is served to customers seated at a table including to any outdoor designated area</li> <li>• Food is prepared on site and the premises will have a fully operational kitchen</li> <li>• A full menu of the hot and cold food items available will be clearly on display within the premises.</li> <li>• Generally operate in the daytime and early evening only.</li> </ul>
<b>Performance venues</b>	<ul style="list-style-type: none"> <li>• Provide performances of live music, theatre, dance and other creative arts to entertain an audience</li> <li>• Includes live music venues, concert venues, cabarets and theatres</li> <li>• Does not include karaoke or Grassroots Music Venues</li> </ul>
<b>Grassroots Music Venues</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• A member of Music Venues Alliance Brighton or Music Venues Trust or similar</li> </ul>
<b>Nightclubs</b>	<ul style="list-style-type: none"> <li>• Provide regulated entertainment and the sale of alcohol</li> <li>• Main licensable activity is recorded and live music with provision of dance floors, sound systems and light displays</li> <li>• Generally, operate at night and into early hours of the morning</li> </ul>
<b>Public houses and bars</b>	<ul style="list-style-type: none"> <li>• Sell alcohol to customers for consumption on the premises</li> </ul>

	<ul style="list-style-type: none"> <li>• Sale of alcohol takes place at the bar</li> <li>• Includes tap rooms and craft beer pubs</li> <li>• May also carry out other licensable activities</li> <li>• Does not include cafes</li> </ul>
<b>Non-alcohol led venues</b>	<ul style="list-style-type: none"> <li>• Cultural venues such as art galleries, museums, theatres</li> <li>• Experiential entertainment venues such as escape rooms and social gaming venues</li> <li>• Alcohol is sold to customers for consumption on the premises</li> <li>• Supply of alcohol is ancillary to entertainment offering</li> <li>• Does not include shared workplaces and co-working offices</li> </ul>
<b>Off licences</b>	<ul style="list-style-type: none"> <li>• Supermarkets and convenience stores which supply alcohol for consumption off the premises in addition to other retail products</li> <li>• Includes alcohol delivery services fulfilling remote orders for sale of alcohol</li> <li>• Restrictions on ABV% e.g. the Sensible on Strength 6% condition</li> </ul>
<b>Shared workplaces, co-working offices</b>	<ul style="list-style-type: none"> <li>• Office premises in which individual workstations and meeting rooms are rented to solo workers and small businesses</li> </ul>
<b>Members' clubs</b>	<ul style="list-style-type: none"> <li>• Premises authorised to carry out licensable activities under a club premises certificate</li> </ul>

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.

3.4.5 **Cafes** - The Licensing Authority will require conditions to ensure that cafes operate as genuine cafes and not as public houses. The licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house.

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables.
- Substantial food shall be available at all times. The licensing authority shall judge each case on its own merits but as a general rule, a bowl of crisps, nuts, or olives does not constitute substantial food.
- Food must be 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.

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.

### **3.5 Good Operator Policy**

3.5.1 Good operators of licensed premises are valuable partners in assisting the Licensing Authority to promote the licensing objectives in Brighton and Hove and contributing to our city's unique and vibrant culture. The Licensing Authority has therefore decided to introduce a new policy measure – the Good Operator Policy – to reward and incentivise the responsible management of licensed premises. Under the Good Operator Policy, there will be a presumption in favour of granting applications to vary premises licences which are submitted by good operators as defined by this policy. This includes variations to trading hours beyond the hours indicated by the Matrix Approach. In general, the Licensing Authority will consider granting such applications to be appropriate for promoting the licensing objectives – unless there is clear and compelling evidence they would be undermined by granting the application.

3.5.2 A "good operator" is an applicant for an application to vary a premises licence who satisfies all of the following criteria:

- at the time of making the variation application, and at the time the application is determined, they are the holder of the premises licence subject to the application
- in the 3 to 5 year period prior to submitting the application, the applicant has not been subject to any formal intervention by the responsible authorities in connection with that [or any other] premises in Brighton and Hove.
- Formal intervention includes the following; a formal written warning; an application for review or summary review; a closure notice or closure order; a prosecution for an offence under the Licensing Act 2003; a penalty for employing illegal workers; or an abatement notice.

### **3.7. Off Licences**

In recent years there has been a noticeable shift towards more people buying alcohol from shops and drinking at home prior to going into premises such as pubs and clubs. The council is concerned that alcohol loading from off-licence sales is a significant problem in the city and adversely affects the licensing objectives as it gives rise to problems of drunkenness, disorderly behaviour and a higher risk of alcohol sales to children. Representations from the police, local residents and the director of public health at licensing panel hearings have testified to these problems. Additionally, regular test purchasing carried out by Sussex Police in partnership with BHCC Trading Standards has identified that off

licences continue to be a place where young people under the age of 18 can purchase alcohol illegally.

- 3.7.1 The city safety policy and area as well as the special stress area apply to off-licences as explained in the matrix approach at 3.5. But in general where applications are made for new premises or variations to existing licences, and where the police or others make representations against the grant of a further licence for off sales, the council will give specific consideration to restricting the number, type, and the hours of premises selling alcohol exclusively for consumption off the premises, training and levels of staffing, are appropriate to ensure that the licensing objectives are promoted in what may be challenging circumstances.
- 3.7.2 The Licensing Authority encourage off licences to join the Council led “Sensible on Strength” scheme to reduce the availability of cheap super strength beers and ciders. Off licences voluntarily sign up not to sell cheap super-strength beers, lagers and ciders over 6% ABV and operate good practice measures (see 3.7.3), for which they receive an accreditation as a responsible retailer.
- 3.7.3 Areas of best practice that may be included in an Operating Schedule include;
- the installation of a digital CCTV system by liaison with, and to a standard approved by Sussex Police
  - Challenge 25 policy
  - Refusals system
  - Documented staff training including underage sales, drunkenness and proxy sales
  - Voluntary restriction of high strength alcohol - operating schedules may be used to limit high ABV beers, lagers and ciders
  - BCRP membership (or other accredited scheme)
  - No sale of single cans
  - Displays should not be located at the entrance/exit points or near checkouts
  - Restrictions on types of alcohol e.g. specialist or geographical region only being sold

### **3.8 Alcohol Delivery Services**

The Licensing Authority and Sussex Police have specific concerns around the delivery of alcohol off the premises due to issues around the end location of delivery, age verification checks (Challenge 25), the increased possibility of the alcohol coming into the CSA and SSA from other areas, as well as the personal safety of drivers when having to refuse a delivery at the end destination. Later hours also mean that persons can access further alcohol beyond what they may be able to access in their local area. There are concerns around persons who are already intoxicated ordering more alcohol to continue their night.

- 3.8.1 Alcohol delivery poses a unique set of challenges as it often transfers the final age verification to a person who has no responsibility in relation to the premises licence which authorised the sale of alcohol. A premises licence holder needs to be satisfied that their drivers or the delivery drivers of the third party company they chose to use have received regular and comprehensive training in age verification and identifying persons who have consumed too much alcohol. Consideration may be given to using drivers employed directly by the premises as opposed to third party providers.
- 3.8.2 Evidence has shown that customers have previously used landmarks/businesses not related to them as addresses for delivery so that alcohol could be consumed in open spaces/parks. The risk being that this may lead to increased crime and disorder including anti-social behaviour and criminal damage, as well as the possibility that underage persons can gain access to alcohol. Concerns have also been raised about the delivery of alcohol to known street drinking hotspots. Therefore, a condition requiring all deliveries to be to a verifiable residential or business address and a face to face ID verification is vital in mitigating some of this risk.
- 3.8.3 While the Licensing Authority and Sussex Police recognise this is a growing area of business, new or variation applications to include the delivery of alcohol off the premises will be subject to increased scrutiny. Suggested conditions for the provision of an alcohol delivery service can be found at Appendix A1. These are not exhaustive and each application will be considered on its own merits.

## **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](mailto: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**

### **7.1.1 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).
- 8.1.2 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.
- 8.1.3 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.

9.1.6 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.

9.1.7 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.

### 10.3 **Enforcement**

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

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

- Community Safety & Crime Reduction Strategy
- Drugs and alcohol strategies – local alcohol harm reduction strategy

- Objectives of the Security Industry Authority
- The Anti Social Behaviour Act 2003/ASBPC Act 2014
- The Health Act 2006
- The Violent Crime Reduction Act 2006
- Policing and Crime Act 2009

## **APPENDIX A – Licensing Best Practice Measures**

### **Best Practice Measures to be included for consideration, in 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.

<b>Objective</b>	<b>Best Practice Measure/suggested conditions</b>
<b>An understanding of the Licensing Act 2003 (The Act)</b>	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
<b>Preventing Intoxication on Licensed Premises</b>	Licence holders must ensure all staff understand their legal responsibilities under the Licensing Act 2003,

	<p>particularly that serving alcohol to intoxicated persons is an offence.</p> <p>To prevent intoxication occurring on premises, operators should:</p> <ul style="list-style-type: none"> <li>* Avoid promotional activities that encourage customers to drink more than intended or consume alcohol rapidly</li> <li>* Refuse admission to individuals who are already intoxicated upon arrival</li> <li>* 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</li> <li>* 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.</li> </ul>
<p><b>A comprehensive Duty of Care Policy to be established in relation to preventing intoxication</b></p>	<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"> <li>* <b>LGBTQ+ customer safety:</b> Staff should be aware that intoxicated LGBTQ+ individuals may face additional risks including targeted harassment, discrimination, or hate crime</li> <li>* <b>Violence Against Women and Girls prevention:</b> Recognition that intoxicated women and girls are particularly vulnerable to predatory behaviour, with clear procedures for identifying and responding to concerning situations</li> </ul> <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>
<p><b>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.</b></p>	<p>Subject to GDPR guidance and legislation:</p> <ul style="list-style-type: none"> <li>* 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.</li> </ul>

	<ul style="list-style-type: none"> <li>* The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.</li> <li>* CCTV footage will be stored for a minimum of 31 days.</li> <li>* 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.</li> <li>* The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.</li> <li>* 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 e.g. USB) for the police without difficulty or delay and without charge to Sussex Police.</li> <li>* Any breakdown or system failure will be notified to the police immediately &amp; remedied as soon as practicable. This can be via email - <a href="mailto:brighton.licensing@sussex.police.uk">brighton.licensing@sussex.police.uk</a>. 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.</li> <li>* 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.</li> </ul>
<b>Incident reporting</b>	<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> <ul style="list-style-type: none"> <li>* 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.</li> </ul>
<b>Security in and around the premises</b>	<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> <ul style="list-style-type: none"> <li>* SIA badges must be clearly displayed whilst working.</li> <li>* 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</li> </ul>

	<p>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 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.</p>
<b>Brighton Crime Reduction Partnership (BCRP) membership</b>	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.
<b>ID scanners</b>	<p><b>The use of ID scanners where appropriate.</b></p> <p>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.</p>
<b>Equalities and inclusion policy</b>	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.
<b>Safety of staff and customers</b>	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

	<p>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.</p> <p>Licence holders should prepare themselves for the implementation of Martyn's Law.</p>
<b>Safety of staff and customers</b>	<p><b>Preparing for Martyn's Law Requirements</b></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>
<b>Safety for staff</b>	<p>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.</p>
<b>Drinking receptacles</b>	<p>The use of reusable plastic and polycarbonate drinking vessels and containers, especially outside areas or after specified hours.</p>
<b>Vulnerability policies and training</b>	<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><b>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.</b></p>

	<p>Training and initiatives should include;</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• BCRP spiking and vulnerability training</li> <li>• Home Office Spiking training</li> <li>• Implementation of the 'Ask for Angela' scheme or similar initiatives</li> <li>• 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</li> </ul>
<b>Vulnerability policies and training</b>	Awareness of child sexual exploitation, modern slavery and human trafficking indicators.
<b>Drug Use</b>	<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>
<b>Smoking on the premises</b>	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.
<b>Music, singing and speech noise breakout from the premise</b>	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.
<b>Noise and nuisance from customers arriving and leaving the</b>	* Reduce the potential for excessive queue lines with a well-managed and efficient door policy.

<p><b>premises</b></p>	<ul style="list-style-type: none"> <li>* 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</li> <li>* Display prominent notices close to the exit doors, requesting patrons to leave the premises and quickly and quietly.</li> <li>* Display prominent signs in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum.</li> <li>* Restrict the use of external areas after a certain time (e.g.10pm) if premises are in a residential area</li> </ul>
<p><b>Smokers outside the premises</b></p>	<ul style="list-style-type: none"> <li>* Limit the number of smokers permitted outside at any one time after a certain time.</li> <li>* Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time.</li> <li>* Locate smoking areas away from residential premises.</li> <li>* Do not permit customers to congregate on and block the public highway to passers-by</li> </ul>
<p><b>Noise and disturbance caused by deliveries, collections and waste disposal</b></p>	<p>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</p>
<p><b>Children accessing licensed premises</b></p>	<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>

	<p>* All staff including door staff and bar staff should be trained on the policy.</p>
<p><b>Underage sales of alcohol</b></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.  *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,</p>

	officers of the local authority and officers from the Trading Standards team upon request.
--	--------------------------------------------------------------------------------------------

*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: 08/05/2026*

### 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: 08/05/26*

### 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 - Section 18 (Operating Schedule) of the application
2. Appendix B – Part A of Premises Licence
3. Appendix C – Representations
4. Appendix D – Additional information submitted by the applicant
5. Appendix E – Map of area

### **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 2026.  
[Statement of Licensing Policy 2026](#)

## Appendix A

### Section 16 of 18

#### LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

The premises will operate as a food-led café and takeaway, with the sale of alcohol strictly limited, controlled and ancillary to the purchase of food. The proposed variation will not alter the primary nature of the business.

Alcohol sales will be limited to a small number of pre-packaged products (330ml cans of lager, IPA and pre-mixed margarita), with a maximum of two cans per transaction and only in conjunction with a food order.

The premises will not operate as an off-licence and alcohol will not be displayed or promoted as a standalone product. No vertical drinking or external drinking area is provided.

The premises will continue to operate in a responsible manner with trained staff, Challenge 25, refusal logs and appropriate management controls in place to promote all four licensing objectives.

b) The prevention of crime and disorder

- Alcohol will only be sold ancillary to the purchase of food.
- A maximum of two cans per transaction will be enforced.
- Challenge 25 will be operated at all times.
- Staff will be trained in age verification and the responsible sale of alcohol.
- A refusals register will be maintained and regularly reviewed.
- Management will monitor sales to prevent misuse or attempted bulk purchasing.
- Alcohol will not be sold to intoxicated persons.

c) Public safety

- The premises will maintain safe and clear access and egress at all times.
- Staff will be trained in safe working practices and customer management.
- Alcohol will be supplied in sealed containers only, for consumption away from the premises.
- The limited nature of the alcohol offer reduces risk and ensures controlled sales.
- Existing health and safety procedures will remain in place and be adhered to.

d) The prevention of public nuisance

- Alcohol sales will be limited, ancillary to food, and not promoted as a primary activity.
- No external drinking area will be provided.
- Customers purchasing takeaway alcohol will be expected to leave the area promptly.
- Staff will monitor the immediate vicinity to discourage loitering.
- The premises will operate within its existing hours, with no extension sought.
- The limited nature of the offer (maximum two cans) reduces the likelihood of street drinking or disturbance.

e) The protection of children from harm

*Continued from previous page...*

- Challenge 25 will be strictly enforced.
- Acceptable forms of ID will be clearly displayed.
- Staff will receive regular training on age-restricted sales.
- A refusals register will be maintained.
- Alcohol will only be sold with food, reducing the likelihood of access by minors.





# Brighton & Hove City Council

## Appendix B

### Schedule 12 Part A

Regulation 33, 34

## Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2012/03635/LAPREN

### Part 1 – Premises Details

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

Cafe Coho  
83A Queens Road  
Brighton  
BN1 3XE

**Telephone number**

**Licensable activities authorised by the licence**

Exhibition of a Film  
Performance of Live Music  
Performance of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

**Times the licence authorises the carrying out of licensable activities**

**Exhibition of a Film**

Every Day 10:00 - 23:00 on the premises

**Performance of Live Music**

Every Day 10:00 - 23:00 on the premises

**Performance of Recorded Music**

Every Day 07:00 - 23:00 on the premises

**Late Night Refreshment**

Every Day 23:00 - 23:30 on the premises



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**Sale by Retail of Alcohol**  
Every Day 07:00 - 23:00 on the premises

**The opening hours of the premises**  
Every Day 06:00 - 23:30 The Premises will not be open Christmas day

**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**

James Wilson  
REDACTED

**Registered number of holder, for example company number, charity number (where applicable) N/A**

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

James Wilson  
REDACTED

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

Party Reference: REDACTED Licensing Authority: REDACTED



## Brighton & Hove City Council

### Appendix B

#### Annex 1 - Mandatory conditions

##### **S 19;** mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
  - a) at a time when there is no designated premises supervisor in respect of the premises, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of



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### Appendix B

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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### Appendix B

(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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### Appendix B

(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.

#### **S 20; mandatory condition: exhibition of films**

- the admission of children is to be restricted in accordance with the following
  - (a) where the film classification body is specified in the licence, unless subsection (3)(b) of S 20 applies, admission of children must be restricted in accordance with any recommendation made by that body
  - (b) where the film classification body is not specified, or [(S20 (3)(b))] the relevant licensing authority has notified the holder of the licence that this subsections applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority



## **Brighton & Hove City Council**

### **Appendix B**

#### **Annex 2 – Conditions consistent with the Operating Schedule**

##### **General Conditions:**

1. Alcohol will be served to persons seated at tables by waiter/waitress service and ancillary to a table meal only.
2. Alcohol will be limited to: Wine champagne and continental beers. Small selection of spirits for liquor coffees.

##### **Crime and Disorder**

3. Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises externally and internally to cover all public areas with sufficient numbers of cameras as agreed with Sussex Police. CCTV footage will be stored for a minimum of 28 days and 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. 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 for the Police without difficulty or delay.
4. Vertical drinking will not be permitted.
5. Employees will not leave exposed glass bottles outside of the premises (glass recycling bins etc)
6. Customers will not be permitted to take drinks outside of the premises to consume whilst smoking.
7. Persons who appear to be under the influence of alcohol will not be permitted into the premises.

##### **Public Safety**



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### Appendix B

8. In total the premises will occupy or accommodate no more than 60 persons at anyone time.

### The prevention of Public Nuisance

9. Will not cause disturbance or low level nuisance and noise to surrounding areas.

### The Protection of children from harm

10. The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences, with a photograph or Portman Group, Citizen card or validate proof of age cards bearing the "PASS" mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority
11. Suitable and sufficient signage advertising the challenge 25 policy will be displayed in prominent locations in the premises.
12. The premises licence holder will ensure that all staff members engaged in the selling of alcohol will receive induction training as to the lawful selling of age restricted products prior to the selling of such products, and refresher training thereafter at interval of no less than 8 weeks with the date and time of that training documented. All training records shall be made available to Sussex Police, Licensing Authority and Trading Standards Officers upon request.
13. The premises shall at all times maintain and operate an age restricted sales refusal book which shall be reviewed by the Designated premises Supervisor at intervals of no less than 4 weeks. This refusals book shall be available upon request to Police staff and Local Authority Officers.

### Annex 3 – Conditions attached after a hearing by the licensing authority

N/A

### Annex 4 – Plans







## Brighton & Hove Licensing Unit

Police Station  
John Street  
Brighton  
BN2 0LA

Email: [brighton.licensing@sussex.police.uk](mailto:brighton.licensing@sussex.police.uk)

### REP A – Police SC valid on the grounds of PCD, PCH & CSA

17<sup>th</sup> April 2026

The Licensing Technical Support Officers  
Brighton & Hove City Council,  
Hove Town Hall,  
Norton Road, Hove,  
BN3 3BQ

Dear Sarah Cornell,

### **RE: APPLICATION TO VARY A PREMISES LICENCE FOR CAFÉ COHO, 83A QUEENS ROAD, BRIGHTON, BN1 3XE UNDER THE LICENSING ACT 2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the granting of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder and protection of children from harm. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy.

This is a proposed application to vary a premises license (by way of the addition of off-license sales) in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the City safety area (CSA) (as defined in the BHCC Statement of Licensing Policy) and seeks the following hours and licensable activities:

#### Retail of alcohol – off sales

It is believed this proposal is to fit in with the hours on the current premises licence.

#### **Opening hours**

**Every Day:** 07:00 – 23:00

Paragraph 3.2.1 of the Brighton and Hove City Council 2026 Statement of Licensing Policy states:

*“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..”*

In accordance with the Statement of licensing policy this application would be a “NO” as this would be adding off sales to this premises licence.

When considering the off-sales element, there is limited control the licence holder will have once the drinks have left the premises. There is then a risk of proxy sales to both under 18 persons and persons that could already be intoxicated. Consideration also needs to be given to the fact that the alcohol will be consumed in public spaces causing. The likelihood is that any alcohol purchased from this premises will travel down West Street to other locations including the beach or taken up into the train station. This location is a hot spot for Sussex Police.

Recent crime and disorder statistics states indicate that during the period of 17<sup>th</sup> April 2025 and 17<sup>th</sup> April 2026 there were 292 crimes linked to Queens Road and surrounding close by side roads which police have responded too.

Within this time frame there was 89 recorded crimes of violence against the person, 32 public offences, 8 sexual offences and concerningly there was 105 thefts.

44 of these crimes were linked to Alcohol and drugs, 18 reports for Violence against Women and girls and 17 Vulnerability.

With the area already experiencing high number of incidents which occur throughout the day and night, permitting a additional premises to have the off sales of alcohol may add to these statistics, Queens Road is already a busy thoroughfare road to and from the city centre and the train station and is populated with many Licensed premises all varying from Pubs, off licences and Late Night Refreshment venues.

The applicant did not pre consult with Sussex Police prior to submitting this application.

Although we are unable to support this application and are now seeking refusal, if the Licensing Panel are minded to grant this application at the hearing, Sussex Police ask the panel to consider the conditions such as limiting what alcohol can be sold and for what certain times. Sadly, there are no conditions that can address the risks once customers have departed with their alcohol. The risks of them becoming a victim of crime or them partaking in criminal activity is one that will need to be dealt with by the emergency services.

Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,

REDACTED

**Ops Planning and Events (inc. Licensing) Inspector  
Brighton & Hove Division**

## Sussex Police

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

### REP B – Licensing

SC valid on the grounds of PCD, PPN and CSA.

Sarah Cornell  
Licensing Team  
Brighton & Hove City Council  
Hove Town Hall  
Norton Road  
Hove  
BN3 4AH

Date: 20 April 2026  
Our Ref: REDACTED  
Phone:  
e-mail: REDACTED

Dear Sarah

**Licensing Act 2003 – Representation regarding the application for Variation of the Premises Licence for Café Coho, 83A Queens Road, Brighton, BN1 3XE  
Variation Application Reference – 2026/00986/LAPREV**

I refer to the application for a variation of the Premises Licence for Café Coho, 83A Queens Road, Brighton, BN1 3XE. The premises already benefits from a premises licence permitting the sale of alcohol to persons seated at tables by waiter/waitress service and ancillary to a table meal. The variation proposes to add to the existing licence the sale of alcohol off the premises Monday to Sunday from 07:00 to 23:00 (which are the existing hours for sales of alcohol on the premises).

The Licensing Team, in its role as a Responsible Authority, has concerns about this application and therefore I am submitting this representation on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance and to uphold our Statement of Licensing policy (SoLP). [Statement of Licensing Policy 2026](#)

This premises falls within the Licensing Authority's City Safety Area (CSA). The CSA is an area of special concern to the licensing authority because of the high levels of crime and disorder, and nuisance experienced within it (SoLP 3.1.2). This is evidenced by the police data, which is attached to Appendix E of the SoLP.

Before submitting 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 (SoLP 3.2.4). I am not aware that the applicant undertook consultation with the Licensing Authority before submitting this application.

The SoLP goes on to say that 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. [Statement of Licensing Policy Appendix A – Licensing Best Practice Measures](#)

On looking at the application form, particularly section 18 (licensing objectives), I acknowledge that the applicant has proposed some positive conditions to support the licensing objectives. However, due to the premises location within the CSA, I would have expected to see more robust conditions such as those in Appendix A of the SoLP.

The Council's SoLP also includes a 'Matrix' approach to licensing decisions (set out at 3.4 of the SoLP). It provides a framework of what the licensing authority would like to see within its area and indicates the likelihood of success or otherwise to investors and businesses making applications.

All applications within the CSA will be scrutinised against the Matrix Approach 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). Even where appropriate measures drawn from the appendix have been proposed. Satisfying the requirements of the appendix will not be considered exceptional circumstances capable of justifying a departure from the Matrix. (SoLP 3.2.4). **The Matrix indicates that 'off licences' in the CSA should not be granted.**

All applications will be considered on their own merits. (SoLP 3.2.7) The Matrix Approach will not be applied inflexibly, but the Licensing Authority will only depart from it in exceptional circumstances. (SoLP 3.2.3)

I make this representation on behalf of the Licensing Authority in its function as a guardian of our Statement of Licensing Policy as the application made is contrary to policy. The Matrix approach states no new "off licences" should be granted in the CSA. Granting this application is likely to add to the additional burdens and problems within the CSA. I would therefore ask that the Panel determine the outcome of this application and whether the applicant has demonstrated exceptional circumstances to depart from our policy.

Yours sincerely

**REDACTED**

Licensing Officer  
Regulatory Services - Licensing Team

## Appendix D

### **Subject: Response to Representations – Variation Application 2026/00986/LAPREV (Cafe Coho, 83A Queens Road, Brighton)**

1 May 2026

Dear Ms Cornell,

I write in response to the representations submitted by Sussex Police and the Licensing Authority in respect of my application to vary the premises licence at Cafe Coho, 83A Queens Road, Brighton.

Firstly, I would like to thank both Responsible Authorities for their detailed feedback. I fully acknowledge the sensitivities associated with the City Safety Area (CSA) and the importance of upholding the licensing objectives, particularly in relation to the prevention of crime and disorder, public nuisance, and the protection of children from harm.

Having carefully considered the concerns raised, I would like to clarify the intention behind the application and propose a number of further amendments and strengthened conditions to ensure the operation of the premises remains low-risk, tightly controlled, and consistent with the licensing objectives.

#### **1. Nature of the Application**

This application is not intended to create or operate an off-licence. Cafe Coho is, and will remain, a food-led cafe and takeaway business. The proposed variation is to allow the limited sale of alcohol strictly ancillary to a substantial takeaway meal (for example, a hot main food item such as tacos), in a manner consistent with our existing on-sales operation.

Alcohol will not be sold with items such as pastries, cakes or other light refreshments, and I acknowledge this could have been made clearer in my original application.

Alcohol will not be sold as a standalone product, will not be displayed or promoted independently, and will not form a primary part of the business offer. The intention is to complement a premium food offering, not to introduce an alcohol-led use.

#### **2. Amendments and Additional Conditions Offered**

As part of these amendments, I have reduced the proposed hours for off-sales of alcohol from those originally applied for, in order to further limit any potential impact and address the concerns raised.

In light of the representations received, I am willing to formally amend and strengthen the operating schedule as follows:

1. Alcohol shall only be sold for consumption off the premises when purchased at the same time as a substantial takeaway meal and shall not be available for purchase otherwise.
2. All alcohol sales will be made at the point of ordering food and not as a separate or subsequent transaction.
3. Off-sales of alcohol shall be limited to the hours of 11:00 to 22:00 daily.
4. A maximum of two alcoholic drinks per transaction will be permitted.
5. Alcohol will be limited to a small, curated range of low-risk products (e.g. canned beer (not glass), wine, and pre-mixed cocktails). No high-strength beers, single cans, or spirits (other than pre-mixed products) will be sold.
6. Alcohol will not be displayed so as to be visible from outside the premises and will not be promoted as a standalone product.
7. The premises will not operate as an off-licence in any form, and alcohol will not be available for browsing, selection, or purchase independently of food.
8. No vertical drinking or consumption of alcohol will be permitted on or immediately outside the premises.
9. Clear signage will be displayed requesting customers not to consume alcohol in the vicinity and to leave the area promptly.
10. Challenge 25, refusals logs, staff training, and CCTV measures will continue to be rigorously applied and monitored.
11. Alcohol will not be sold to persons who appear intoxicated.

### **3. Matrix Approach and Exceptional Circumstances**

I acknowledge that the Council's Statement of Licensing Policy Matrix indicates that new off-licences within the City Safety Area are unlikely to be granted.

However, I respectfully submit that this application does not fall within the spirit or intent of a traditional off-licence as envisaged by the Matrix. The proposed operation is fundamentally different in that alcohol is:

- Strictly ancillary to a substantial food purchase
- Limited in quantity (maximum two drinks per transaction)
- Not displayed, promoted, or available for standalone purchase
- Restricted to controlled hours and a curated product range

As such, the premises will not operate as an off-licence in practice, and the risks typically associated with off-licences in the City Safety Area — including street drinking, bulk purchase, and alcohol-led footfall — are not present in this model.

I therefore respectfully submit that the application represents an exceptional and appropriate departure from the Matrix, supported by robust conditions that ensure the licensing objectives are upheld.

#### **4. Business Sustainability and Proportionality**

The proposed variation also reflects the need for small, independent hospitality businesses to operate sustainably in a challenging trading environment.

Cafe Coho is a food-led business, and the limited addition of ancillary off-sales is intended to support the viability of that core offer, particularly in a high-footfall, transient location adjacent to the station.

Importantly, the model proposed does not rely on alcohol sales as a primary revenue stream, but rather as a modest enhancement to food purchases. The restrictions offered — including the requirement for alcohol to be sold only with a substantial meal, strict limits on quantity, and a curated product range — ensure that the operation remains low-risk and fundamentally different from an off-licence.

In this context, the application represents a proportionate and responsible approach that supports economic sustainability without undermining the licensing objectives or contributing to cumulative impact.

#### **5. Commitment to the Licensing Objectives**

I remain fully committed to promoting the licensing objectives and operating responsibly within the CSA. The additional measures proposed above are intended to provide reassurance that the variation will not contribute to crime, disorder, or public nuisance, and will instead operate in a controlled and low-impact manner.

I would welcome the opportunity to work with Sussex Police and the Licensing Authority to agree a suitable set of conditions ahead of the Licensing Panel hearing, if possible.

Thank you for your consideration.

Yours sincerely,  
James Wilson  
Cafe Coho  
83A Queens Road  
Brighton  
BN1 3XE  
**REDACTED**



# Appendix E

