

Licensing Panel (Licensing Act 2003 Functions)

Date: **16 July 2026**

Time: **10.00am**

Venue **Virtual**

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

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

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk.
Agendas are available to view five working days prior to the meeting date.

Electronic agendas can also be accessed through our meetings app available through
ModernGov: [iOS](#)/[Windows](#)/[Android](#)

This agenda and all accompanying reports are printed on recycled paper

AGENDA

1 TO APPOINT A CHAIR FOR THE MEETING

WELCOME & INTRODUCTIONS

2 PROCEDURAL BUSINESS

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

(b) **Declarations of Interest:**

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

In each case, you need to declare

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

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

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

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

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

3 LEWES ROAD CONVENIENCE STORE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

7 - 68

Contact Officer: Corinne Hardcastle
Ward Affected: Hanover & Elm Grove

Tel: 0127329

Date of Publication - Wednesday, 8 July 2026

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

FURTHER INFORMATION

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

WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's website. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during this web cast will be retained in accordance with the Council's published policy.

Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

ACCESS NOTICE

The Public Gallery is situated on the first floor of the Town Hall and is limited in size but does have 2 spaces designated for wheelchair users. The lift cannot be used in an emergency. Evac Chairs are available for self-transfer and you are requested to inform Reception prior to going up to the Public Gallery. **For your own safety please do not go beyond the Ground Floor if you are unable to use the stairs.**

Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

FIRE / EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions:

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Licensing Panel (Licensing Act 2003 Functions)

Brighton & Hove City Council

Subject:	Application for a Variation of a Premises Licence under the Licensing Act 2003
Premises:	Lewes Road Convenience Store, 192 - 193 Lewes Road, Brighton, BN2 3LA
Applicant:	MSL Convenience Store Limited
Date of Meeting:	16 July 2026
Report of:	Corporate Director for City Operations
Contact Officer: Name:	Emily Fountain
Email:	emily.fountain@brighton-hove.gov.uk
Ward(s) affected:	Hanover & Elm Grove

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 Lewes Road Convenience Store.

2. RECOMMENDATIONS:

- 2.1 That the Panel determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Lewes Road Convenience Store.

3. CONTEXT/BACKGROUND INFORMATION & CONSULTATION

The application is for a Variation of a Premises Licence under the Licensing Act 2003. The application proposes: ***“This variation is sought to extend the trading hours of the premises. The current owner of the business has run these premises for around 2 and a half years without incident. The hours are need to allow him to compete on a level playing field with the local competition, the majority of which operate to extended hours. In the spirit of the new section 1.18 of the section 182 guidance, the applicant is seeking to promote the growth of his business and deliver economic benefits to the community and himself”***

- 3.1 Section 16 of the application is detailed at Appendix A.

3.2 Summary table of existing and proposed activities

	Existing	Proposed
Supply of Alcohol	Monday – Saturday: 09:00-23:00 Sunday: 09:00-20:00 Off the Premises	Sunday – Thursday: 09:00-01:00 Friday – Saturday: 09:00-02:00 Off the Premises
Late Night Refreshment	N/A	Sunday – Thursday 23.00 – 01:00 Friday – Saturday 23:00 – 02:00
Hours premises are open to public	Monday – Saturday: 09:00-23:00 Sunday: 09:00-20:00	Sunday – Thursday: 09:00-01:00 Friday – Saturday: 09:00-02:00

3.3. The Variation also seeks to remove condition 7 under Annex 2:

7. No single cans of 440ml or less of beer, lager or cider will be sold; only multipacks of 4 or more cans will be sold.

3.4 Existing licence attached at Appendix B.

3.5 Special Stress Area: The premises falls within the Special Stress Area. This area is deemed an area of special concern in terms of the levels of crime, disorder, and public nuisance experienced within it. (See paragraphs 3.3 – 3.3.5)

Representations received

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

3.7 6 representations were received. They were received from local businesses and residents, Sussex Police and the Licensing Authority.

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

3.9 Full details of the representations are attached at Appendix C. A map detailing the location of the premises is attached at Appendix D.

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.

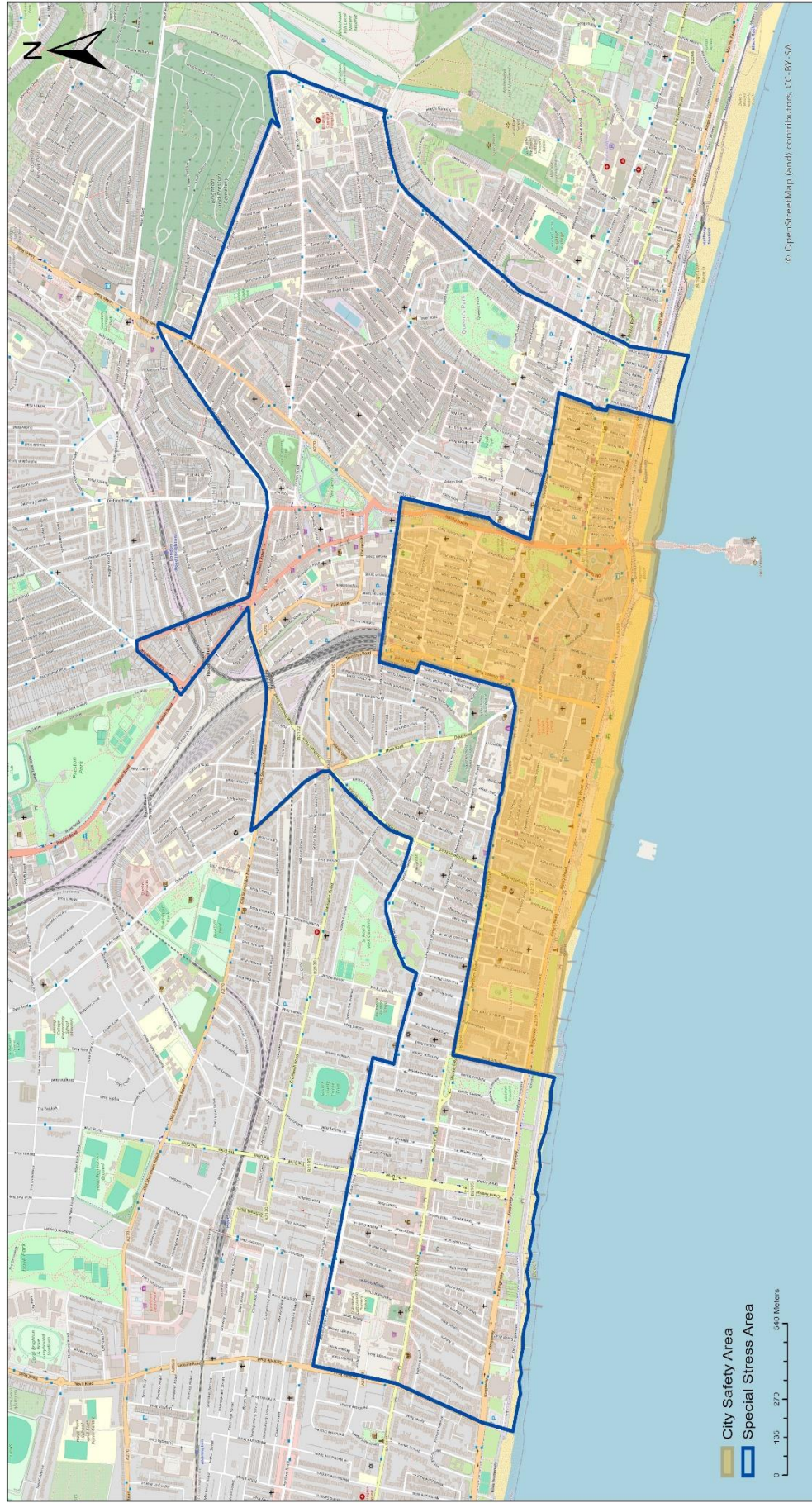
3. Special Policies and Initiatives

3.3 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
 © Crown copyright and database rights 2025, OS AC0000849956

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

- 3.3.2 This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it. The area will be kept under review.
- 3.3.3 For all new and varied applications for premises and club premises certificates within the SSA operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. Appendix A of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.
- 3.3.4 On receipt of any application in the SSA, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix A, Licensing Best Practice Measures. Where

discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

- 3.3.5 The Licensing Authority will keep the City Safety Area and Special Stress Area under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening, the Special Policy will be reviewed.

3.4 The Matrix Approach

The Licensing Authority will support:

- 3.4.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety and Crime Reduction Strategy [Community safety and crime reduction strategy 2023 to 2026](#) recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports: mixed use venues encouraging a wider age balance.
- 3.4.2 A 'Matrix' approach to licensing decisions has been adopted and is set out below. It provides a firm framework of what the licensing authority would like to see within its area and gives an indication of the likelihood of success or otherwise to investors and businesses making applications. It underpins the City Safety Policy (see above at 3.1).

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

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

3.4.3 Explanatory notes on matrix

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

Food and dining venues	• Provide substantial table meals to customers dining at the premises • Food is prepared on site • Alcohol is sold to customers ancillary to a substantial table meal for consumption at the premises (or in an associated outdoor dining area) only • If takeaway service is provided, must be ancillary to provision of substantial table meals
Fast food premises	• Provide late night refreshment of fast food intended for immediate consumption on the premises or takeaway • Food is served in disposable packaging
Cafes	• Sell alcohol to customers for consumption on the premises in addition to other food and drink products • Food and drink is served to customers seated at a table including to any outdoor designated area • Food is prepared on site and the premises will have a fully operational kitchen • A full menu of the hot and cold food items available will be clearly on display within the premises. • Generally operate in the daytime and early evening only.
Performance venues	• Provide performances of live music, theatre, dance and other creative arts to entertain an audience • Includes live music venues, concert venues, cabarets and theatres • Does not include karaoke or Grassroots Music Venues
Grassroots Music Venues	• Grassroots Music Venues are small, typically local venues that provide a platform for emerging and independent musicians to perform. They are often pubs, clubs, or other small spaces where artists can hone their craft, gain experience, and connect with a local audience. These venues play a crucial role in nurturing talent and supporting the development of the music scene. • A member of Music Venues Alliance Brighton or Music Venues Trust or similar
Nightclubs	• Provide regulated entertainment and the sale of alcohol • Main licensable activity is recorded and live music with provision of dance floors, sound systems and light displays • Generally, operate at night and into early hours of the morning
Public houses and bars	• Sell alcohol to customers for consumption on the premises

	• Sale of alcohol takes place at the bar • Includes tap rooms and craft beer pubs • May also carry out other licensable activities • Does not include cafes
Non-alcohol led venues	• Cultural venues such as art galleries, museums, theatres • Experiential entertainment venues such as escape rooms and social gaming venues • Alcohol is sold to customers for consumption on the premises • Supply of alcohol is ancillary to entertainment offering • Does not include shared workplaces and co-working offices
Off licences	• Supermarkets and convenience stores which supply alcohol for consumption off the premises in addition to other retail products • Includes alcohol delivery services fulfilling remote orders for sale of alcohol • Restrictions on ABV% e.g. the Sensible on Strength 6% condition
Shared workplaces, co-working offices	• Office premises in which individual workstations and meeting rooms are rented to solo workers and small businesses
Members' clubs	• Premises authorised to carry out licensable activities under a club premises certificate

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

- a). **Applications within the CSA** will be subject to a special policy requiring robust measures to be included in the operating schedule to promote safety. Applications within the SSA will be subject to the special stress policy set out in 3.3.
- b). **Exceptional circumstances.** The Licensing Authority will determine exceptional circumstances on a case-by-case basis. An example of exceptional circumstances could be where the applicant has provided sufficient assurances to the responsible authorities that they do not make relevant representations against the application. Another example is where the application is for a variation to an existing premises licence and the applicant satisfies the criteria for a "good operator".
- c). **Activities which the Licensing Authority values and wishes to encourage:** LGBTQ+ and TNBI venues; outdoor regulated entertainment; cafes; members' clubs; traditional pubs (outside the CSA); non-alcohol led licensable activities, especially within the city centre. The Licensing Authority will aim to permit these types of venues in appropriate locations, but will consider each case – including any relevant representations – on its own merits.
- d). **Location.** Consideration will be given to the character of the area of the venue in every case. In residential areas, the Licensing Authority will pay particular

attention to the potential of a venue to cause public nuisance, especially noise disturbance, littering and anti-social behaviour. In these areas, an early closing time may be appropriate.

- e). **Food and dining venues.** The Licensing Authority will require conditions to ensure that these venues are food-led, such as: alcohol to be sold only to customers taking a substantial table meal; no takeaway service of food for immediate consumption (an ancillary meal delivery service is acceptable). Where the venue has an agreement to use an adjacent outdoor area, the Licensing Authority will require evidence that a pavement licence has been granted for use of the highway (for highway land) or landowner's consent (for land other than a highway).
- f). **Off licences.** Particular consideration will be given to applications for off-licences in areas which already have one or more off-licences in close proximity, due to concerns about street drinking, underage sales and anti-social behaviour. Where relevant representations are made raising these issues, the application is likely to be refused or – if it is appropriate to grant the application – granted subject to a terminal hour in line with neighbouring off licences.
- g). **Outdoor events.** Outdoor events will generally be supported where they have been arranged through the Council's event planning process.

3.4.5 **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.

3.10 Promoters and irresponsible drinks promotions

- 3.10.1 The Licensing Act 2003 makes no mention or provision for the use of promoters within licensed premises. Many of the late night bars and clubs within the Brighton & Hove area regularly hire promoters to sell nights at their venues. Issues that have been identified with the use of promoters within the nighttime economy, in recent years include individual promoters vouching for underage customers to get them inside licensed premises where they can access alcohol, providing flyers to passersby who throw them on the floor and irresponsible promotions for their nights. Many premises now have an agreement with their promoter for acceptable promotions and behaviour which includes the signing of a written contract of expectations. This shows premises evidencing their due diligence and ensures that promotion companies know what is expected of them. The contract could include obligations to pick up self-generated litter, verification of ages of their customers and users of their social media, promoters being over the age of 18 and responsible advertising on social media.
- 3.10.2 The Licensing Authority expect licensed premises to develop staff policy and training on recognising signs of drunkenness, spiking and vulnerability, for example, offering drinking water and tips for refusing customers who appear drunk. And discourage company policies that promote bonuses and sales incentives for selling alcohol. Licensing Authority will expect necessary precautionary processes to restrict drunkenness, e.g. Licensing Guidance states happy hours should not be designed to encourage individuals to drink excessively or rapidly.

6. Prevention of Crime and Disorder

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

- 6.1.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programs which will raise their awareness of the issues relating to spiking, drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programs to help identify children at risk and issues of basic child protection and vulnerable individuals. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence and their responsibility to uphold all four licensing objectives.
- 6.1.2 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS
- 6.1.3 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 6.1.4 Measures put in place should support the intentions of Operation Marble (police operational order), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the city centre; to deal positively with offences and offenders; to secure and preserve evidence which will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

6.2 Sussex Police

- 6.2.1 Sussex Police have a specific Operation relating to the night-time economy called Operation Marble (detailed in 4.3.7) and work closely with partners to ensure a safe and vibrant city centre. Police data shows the correlation between intoxication and violent crime is highest in the city centre. There continues to be an increasing demand for resources further into the early hours of the morning with the highest sustained risk during the week occurring on a Friday into Saturday between 22:00 – 04:00 (with moderately high risk until 05:00) and a Saturday into Sunday between 21:00 – 04:00 (again with a moderately high risk until 05:00). For full details of these statistics see the Police Data set at Appendix E.

- 6.2.2 The dealing and use of drugs remains an issue across the city and Sussex Police welcome proactive policies from licensed premises. A drug safe and seizure recording initiative is in place of which further details can be obtained by contacting Brighton & Hove Police Licensing (brighton.licensing@sussex.police.uk). This initiative encourages licensed premises with Door Supervisors to search and seize drugs from persons attempting to enter their premises and ensures that once drugs are removed from persons, they can be safely collected and destroyed by Sussex Police. We ask that licensed premises make regular contact with Police Licensing to get seized items collected.
- 6.2.3 Dispersal from the city centre during the late evening and early morning remains a policing challenge. Over recent years, there has been a proliferation of off-licences and late night refreshment venues offering walk in/take away services along the city's arterial routes. This has led to incident 'hot spots' where patrons from the night time economy continue to interact, albeit away from any safety measures afforded by on-licences. As such, Sussex Police support the Council's Special Policy in offering guidance to both applicants and the Licensing Committee in relation to off-licences and late night refreshment licences.
- 6.2.4 Sussex Police have continuing concerns that, despite staff training in age-restricted sales, under age individuals are still being served alcohol both on and off the premises in some of the city's licensed premises. As such, regular intelligence-led 'test-purchase' operations are conducted to highlight premises where sales are taking place and ensure appropriate enforcement action is taken to prevent further sales. The introduction of identification scanning machines at premises throughout the city has proved successful in mitigating some risk, but operators must maintain vigilance regarding the fraudulent use of genuine IDs. Sussex Police continue to work alongside the Brighton Crime Reduction Partnership (BCRP) to tackle the problem of those who use false or another's identification to enter licensed premises and purchase alcohol. The advent of digital identification means that the ID process is continually evolving. There is an expectation by Sussex Police and the Local Authority that licensed premises are proactive around staying informed and abreast of any changes and providing training / support to their staff as required.
- 6.2.5 Sussex Police work closely with venues and other organisations within the city to protect vulnerable people from becoming victims of crime. As well as work to prevent under age sales, vulnerability training is offered to identify persons who may have been made vulnerable through alcohol or drugs. Additionally, spiking awareness training has regularly been organised by the BCRP, the PCC and other external providers. Sussex Police also support initiatives such as (but not limited to) safe spaces, night safety marshals, mobile teams of volunteers actively checking people's well-being and the Beach Patrol.
- 6.2.6 Public Space Protection Orders have proved an effective tool for Sussex Police in targeting enforcement action in problem areas of the city. It *'allows Police Officers and Police Community Support Officers to remove alcohol from any person in a public place if that person is involved in anti-social behaviour (ASB) or the officer believes that by having alcohol in their possession there is an increased risk of ASB. It is an offence to refuse to hand over alcohol when*

required to do so. They have been particularly effective in the day time economy where members of the street community are causing ASB issues for members of the public and local businesses, especially during the summer months where there is a large influx of visitors to Brighton & Hove.

- 6.2.7 Policing the night time economy continues to provide a challenge and in the climate of limited resources and newly emerging problems, Sussex Police support maintaining a Special Policy in the city centre which defines areas of high crime and risk and offers restrictions around types of premises that will be granted to ensure that existing issues are not extended. Police will continue to take enforcement action where appropriate if the actions of a Premises Licence Holder, Designated Premises Supervisor, Door Supervisors or Staff have fallen below the high standard expected across the city. Sussex Police also recognise and support businesses which are aware of their social responsibilities and as such, actively contribute towards keeping Brighton & Hove a safe and enjoyable city.

6.3 Care, control and supervision of premises

- 6.3.1 The Licensing authority supports the Brighton Crime Reduction Partnership and other approved schemes. Where appropriate, premises licence holders should be members of the BCRP for the deterrence to violent crime that such membership provides. The BCRP NightSafe radio scheme is normally expected as an operational requirement for city centre bars, clubs and pubs and is an example of best practice in achieving the aim of reducing crime and disorder and improving public safety. Well managed pub-watch schemes provide information exchange between the premises licence holders and responsible authorities that reduce and deter violent crime and disorder. The council will support a responsible licensing scheme.
- 6.3.2 The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The police will consider the applicants, objecting to the application where appropriate. The police may suggest crime prevention measures in relation to, for example, the internal layout of the premises, closed-circuit television, help points, lighting and security staff. The police may ask for conditions which support such measures to be imposed when licensing applications are granted, eg type of licence, capacity, operating hours restrictions.
- 6.3.3 Following the grant of a licence, the management and supervision of the premises, in so far as it might impact on crime and disorder, will continue to be monitored. Particular attention will be paid to any licensed premises where there is evidence of criminal activity or any association with racist or homophobic crime. The licensing authority will keep itself well briefed on the nature, location and type of premises where alcohol related violence and disorder are occurring so it can take full account of the facts and avoid exacerbating problems as required by the Community Safety Strategy. Where licensed premises are found to cause nuisance or be associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions may include use of closed-circuit television, licensed door supervisors and earlier closing times. Such action to restrict the operation

may be taken for trial periods to allow businesses an opportunity to remedy existing disorder, nuisance or disturbance.

- 6.3.4 This policy recognises the use of registered Door Supervisors. All Door Supervisors will be licensed by the Security Industry Authority. Mobile security units and similar systems are in use by some premises operators as a means of providing security cover at very short notice at premises which may not normally require a permanent security presence. This policy endorses the use of units following such guidance and standards in appropriate circumstances.
- 6.3.5 The development of codes of practice and general operating standards for security companies is encouraged for local businesses; premises operators are urged to ensure that security services, when engaged, are provided by suitably qualified businesses operating to recognised standards and who should be working towards SIA accreditation.
- 6.3.6 Enforcement will be achieved by the enforcement policy appended (Appendix B).

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 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence. Noise emanating from within licensed premises should not normally be audible outside.
- 8.1.3 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.
- 8.1.4 Generally, regulated entertainment in the open air including tents and marquees should have a maximum closure hour of 2300. Earlier hours may be imposed in sensitive open spaces or near residential areas. The Licensing Authority will have regard to Noise Council guidance.

- 8.1.5 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.
- 8.1.6 Reasonable controls are available to all premises operators to minimise the impact of noise from customers outside. The council's Environmental Health Department has issued guidance on a number of steps that can be taken in this respect which are endorsed by this policy (see 8.2 below).

8.2 Smoking Advice

8.2.1 Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on their premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Health Act 2006 and that any structures, awnings, retractable canopies, etc have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas. Having reviewed the contents of the premises licence it may be necessary to request a variation of your licence.
- Licence tables and chairs on the Public Highway under the provisions of the Highways Act 1980. These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters will also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.

- Employ staff and/or SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Ensure door supervisors maintain order outside venues and protect customer safety. BCRP supports the use of Night Safe. Radio net and other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.
- Use CCTV to manage outside areas.

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

9. Protection of Children from Harm

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

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

application will be considered on its own merit but particular areas that will give rise to concern in respect of children are to be found in section 9.1.4 below.

9.1.3 To reduce alcohol-induced problematic behaviour by under 18 year olds, to enforce underage purchase and drinking laws and to assist in the protection of children from harm, the licensing authority supports the following measures: -

a). Police should exercise powers (Confiscation of Alcohol (Young Persons) Act 1997) to remove alcohol from young people on the street

b). Police and trading standards should implement test purchasing to reduce sales to under 18s in on and off sales licensed premises

c). Further take-up of proof of age schemes will be promoted

d). In-house, mystery shopper type schemes operated by local businesses will be supported

e). Providers of events specifically catering for unaccompanied children should consider whether all staff at such events need to be DBS checked

f). Use of a PSPO in the City Centre

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

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

Options may include:

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

9.1.5 Licensees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification,

- 9.1.6 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. For exclusively under 18 events reference should be made to police guidelines (available from the Police Licensing Unit, Brighton tel. 101). The licensing authority recognises the Director of Children's Services as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to the Director of Children's Services in its capacity as the responsible authority. Copies should be sent care of the Police. The "What to do" booklet is a national one and can be accessed at: www.brightonandhove.scb.org.uk/wp-content/uploads/What-to-do-if-a-child-is-being-abused.pdf If you are concerned about a child locally to contact the Multi-Agency Safeguarding Hub (MASH) on 01273 290400, or you can contact Sussex Police on 101. If they think a child is in immediate danger to dial 999.
- 9.1.7 Trading standards and the police undertake ongoing enforcement operations around under-age sales and test purchasing. Sussex Police and BCRP undertake work concerning proxy purchases and counterfeit ID as part of the partnership support work with Community Safety and Trading Standards.
- 9.1.8 Trading standards have a programme of business support including training for local businesses to avoid underage sales. Trading standards offer business support including for local businesses to avoid underage sales. The training also covers identifying fake ID's, Challenge 25, intoxication, proxy purchasing and implementing due diligence measures.
- 9.1.9 Trading Standards also supplies business support materials guidance and advice on the enforcement penalties on all age restricted products for example vapes, tobacco, fireworks etc.

10. Integration of Strategies

- 10.1 The licensing authority shall secure the proper integration of this policy with local crime prevention, planning policy, transport, tourism and cultural strategies by: -
- Liaising and consulting with Sussex Police, Community Safety Partnership Board, sustainability commission representatives and following the guidance in community safety and crime and disorder strategy
 - Liaising and consulting with Public and Drug and Alcohol Programme Board
 - Liaising and consulting with the East Sussex Fire & Rescue Service
 - Liaising and consulting with the Safety Advisory Group (Emergency Planning)
 - Liaising and consulting with the Planning authority
 - Liaising and consulting with the Highways authority
 - Liaising and consulting with local business and business associations. Having regard to any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols

- Liaising and consulting with the Trading Standards Team, for example with regard to test purchasing codes of practice

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

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

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

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

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

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.

Objective	Best Practice Measure/suggested conditions
An understanding of the Licensing Act 2003 (The Act)	Well trained staff will contribute to well run premises and a responsible approach to the sale of alcohol, provision of entertainment and late-night refreshment. Formal qualifications for your staff, either to Personal Licence level or to another appropriate standard recognised by bodies such as the British Institute of Innkeepers (BII) would be preferential
Preventing Intoxication on Licensed Premises	Licence holders must ensure all staff understand their legal responsibilities under the Licensing Act 2003,

	particularly that serving alcohol to intoxicated persons is an offence. To prevent intoxication occurring on premises, operators should: * Avoid promotional activities that encourage customers to drink more than intended or consume alcohol rapidly * Refuse admission to individuals who are already intoxicated upon arrival * Train staff to recognise early warning signs of intoxication, utilising all team members including glass collectors as additional observers, and consider installing mirrors to improve visibility across the premises * Provide staff training covering alcohol's effects and techniques for managing difficult situations, giving them the knowledge and confidence needed to refuse service to intoxicated customers.
A comprehensive Duty of Care Policy to be established in relation to preventing intoxication	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. Given Brighton and Hove's diverse community, the policy should specifically address: * LGBTQ+ customer safety: Staff should be aware that intoxicated LGBTQ+ individuals may face additional risks including targeted harassment, discrimination, or hate crime * Violence Against Women and Girls prevention: Recognition that intoxicated women and girls are particularly vulnerable to predatory behaviour, with clear procedures for identifying and responding to concerning situations 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.
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.	Subject to GDPR guidance and legislation: * Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.

	* The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times. * CCTV footage will be stored for a minimum of 31 days. * The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. * The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. * Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be 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. * Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable. This can be via email - brighton.licensing@sussex.police.uk. Repair records /invoices shall be kept on site for at least 12 months and be readily available to be viewed by all authorised person upon request. * 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.
Incident reporting	An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. * The 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.
Security in and around the premises	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. * SIA badges must be clearly displayed whilst working. * Door staff should sign into a register detailing their full SIA licence number, their name, contact details and the time and date their duty commenced and

	Concluded * 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. 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.
Brighton Crime Reduction Partnership (BCRP) membership	Premises will become a member of the BCRP or similar scheme approved by the Licensing Authority that operates with radios and uses the Nightsafe & Yellow Card Scheme or similar reporting scheme.
ID scanners	The use of ID scanners where appropriate. The premises shall install a recognised electronic identification scanning system for customers entering the premises. The system shall be operated at all times door staff are on duty and all persons entering the premises will be scanned. The system should have the ability to identify the hologram of an ID and read both Passports and ID cards, including PASS cards. The system should be able to conduct tests to determine if a document is genuine or counterfeit. The system must be compliant with the Information Commissioners good practice guidance for ID scanning in clubs and bars.
Equalities and inclusion policy	A comprehensive, documented equalities and inclusion policy framework that demonstrates the organisation's commitment to creating and maintaining a fair, diverse, and inclusive environment. This framework should encompass clear policies, procedures, and measurable objectives that actively promote equality of opportunity, prevent discrimination and harassment, and foster an inclusive culture where individuals from all backgrounds can feel safe. The policy must be regularly reviewed, updated to reflect best practice and legal requirements, and supported by appropriate training and monitoring mechanisms.
Safety of staff and customers	Licence holders should have comprehensive, clearly documented policies and procedures in place which systematically identify all public safety risks associated with their premises for both customers

	and staff, and detail the robust measures implemented to prevent, manage, and respond effectively to those risks. These policies should encompass risk assessment methodologies, hazard identification protocols, emergency response procedures, staff training requirements, and regular review mechanisms to ensure ongoing compliance with health and safety legislation. The documentation must demonstrate a proactive approach to risk management, including contingency planning for various scenarios, clear allocation of responsibilities amongst staff members, and established communication channels for reporting and addressing safety concerns promptly and effectively. Licence holders should prepare themselves for the implementation of Martyn's Law.
Safety of staff and customers	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, 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.
Safety for staff	Licensed venues are encouraged to take all reasonable steps to support the safe travel of staff following late-night shifts, including the provision of free or subsidised transport home where appropriate, as part of their duty of care.
Drinking receptacles	The use of reusable plastic and polycarbonate drinking vessels and containers, especially outside areas or after specified hours.
Vulnerability policies and training	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. There will be a special emphasis on safety, including measures to tackle drink spiking and unwanted sexual behaviour. 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.

	Training and initiatives should include; • Safety-First Door Policy: Venues will no longer be allowed to eject vulnerable individuals, especially lone adults, without care. Whether someone is intoxicated, separated from their group, or simply in need of help, venues must act responsibly. • Premises to contact the Night Safety Marshalls (NSMs) to assist vulnerable persons to get home safely and get the help they need during the NSM operating hours. • BCRP spiking and vulnerability training • Home Office Spiking training • Implementation of the 'Ask for Angela' scheme or similar initiatives • Training in the use of the Back Off Back Up (Bobu) app and displaying the sticker to show venues are part of the safety network – or similar schemes
Vulnerability policies and training	Awareness of child sexual exploitation, modern slavery and human trafficking indicators.
Drug Use	* A zero tolerance policy to the use of drugs in the premises should be adopted. * Posters can be displayed throughout the premises to remind customers of the zero-tolerance policy. * 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. * 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.
Smoking on the premises	Staff should be aware of their responsibilities regarding smoke-free legislation and for monitoring compliance, including in relation to enclosed (or substantially enclosed) smoking shelters.
Music, singing and speech noise breakout from the premise	A noise management policy should be in place that sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.
Noise and nuisance from customers arriving and leaving the	* Reduce the potential for excessive queue lines with a well-managed and efficient door policy.

premises	* 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 * Display prominent notices close to the exit doors, requesting patrons to leave the premises and quickly and quietly. * Display prominent signs in external areas such as beer gardens and forecourts asking customers to keep noise to a minimum. * Restrict the use of external areas after a certain time (e.g.10pm) if premises are in a residential area
Smokers outside the premises	* Limit the number of smokers permitted outside at any one time after a certain time. * Discourage smokers from loitering outside by not permitting them to take their drinks with them and removing external furniture after a certain time. * Locate smoking areas away from residential premises. * Do not permit customers to congregate on and block the public highway to passers-by
Noise and disturbance caused by deliveries, collections and waste disposal	Commercial deliveries, collections and storage/ disposal of waste (especially glass), including beer deliveries, refuse collections and storage / disposal of waste and recyclables in external areas should be restricted between certain times
Children accessing licensed premises	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.

	* All staff including door staff and bar staff should be trained on the policy.
Underage sales of alcohol	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. * 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: 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 b) Identifying if a person may be intoxicated and refusal of sale c) Vulnerability initiatives and how to respond to potential drink spiking * 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. * All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police,

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

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: 08/07/2026

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: 08/07/26

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 16 of the Application
2. Appendix B – Part A of Premises Licence
3. Appendix C – Representations
4. Appendix D – 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.

all current conditions to remain except for condition 7

b) The prevention of crime and disorder

all current conditions to remain except for condition 7

c) Public safety

all current conditions to remain except for condition 7

d) The prevention of public nuisance

all current conditions to remain except for condition 7

e) The protection of children from harm

all current conditions to remain except for condition 7



Brighton & Hove City Council

Schedule 12

Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2023/04871/LAPRET

Part 1 – Premises Details

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

Lewes Road Convenience Store
192 - 193 Lewes Road
Brighton
BN2 3LA

Licensable activities authorised by the licence

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Sunday 09:00 - 20:00

Excluding Sundays 09:00 - 23:00

The opening hours of the premises

Monday - Saturday 07:00 - 23:00

Sunday 09:00-20:00



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

Alcohol is supplied for consumption off the Premises

Part 2

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

Msl Convenience Store Limited
192-193 Lewes Road
Brighton
BN2 3LA

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

Registered Business Number 15215600

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

Hafiz Jarabanda
REDACTED

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

Party Reference: REDACTED

Licensing Authority: REDACTED



Annex 1 – Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
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.

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 —



Brighton & Hove City Council

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

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

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

where—

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph



shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

The Prevention of Crime and Disorder

1. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in
 - all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days
 - The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. A member of staff must be present at all times who can operate the system and supply copies of these images on request to either Police, Council or other authorised Officer.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to Data Protection guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV,



Brighton & Hove City Council

and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police.

- Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
2. Notices will be prominently displayed by the entry door and point of sales stating CCTV is in operation and the provisions of the licensing act regarding underage and proxy sales.
 3. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.
 4. No beers, lagers or cider with an ABV content exceeding 6% will be sold other than premium speciality bottled beer, lager or cider.
 5. The area given over to the display of alcohol will be no more than 15% of the sales area.
 6. All spirits to be behind the counter and beyond arms reach of customers.
 7. No single cans of 440ml or less of beer, lager or cider will be sold; only multipacks of 4 or more cans will be sold.
 8. All alcohol shall be concealed from display when the licence is not in operation.
 9. Clear notices shall be displayed in prominent positions in the premises informing customers of the permitted / opening hours for the sale of alcohol.
 10. If a scheme is in operation the premises licence holder will ensure the premises will become a member of the Business Crime Reduction Partnership (BCRP) whilst this scheme is in existence and if not, any similar body. The premises will sign up and pay for membership of the BCRP before alcohol is sold.
 11. There will be no displays of alcohol within 3 meters of the entrance of the store or, with the exception of spirits behind the counter if the counter is situated at the front of the store.
 12. No alcohol displays will be visible through the windows of the display, with the exception of spirits behind the counter and the main alcohol display.



13. There will be no advertising of alcohol outside the premises on such devices as A boards.
14. A documented security risk assessment must be written by the Designated Premises Supervisor and agreed by Sussex Police, which identifies the activities undertaken at the premises and the controls necessary to promote the licensing objectives. It will include a written assessment demonstrating what considerations have been made for both normal day to day activities and any special events or functions which may arise during the year. This document shall be immediately available for inspection by the Police and the Licensing Authority, upon request. SIA trained and licensed security staff shall be employed on occasions when a requirement is identified by the licence holder's risk assessment or requested by Sussex Police.

The Prevention of Public Nuisance

15. Notices will be prominently displayed by the exit door asking customers to respect nearby residents and to leave the shop & area quietly, not to loiter outside the shop, to dispose of litter responsibly and advising customers not to drink in the street as they are in an area subject to a DPP0.
16. Management and staff will proactively discourage persons from drinking or loitering outside the shop.
17. The shop front will be kept tidy at all times and shall be swept at close.
18. No deliveries will be received or removal of rubbish take place between 20.00 and 07.00 daily.

For the Protection of Children from Harm

19. The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:



Brighton & Hove City Council

- The lawful selling of age restricted products;
 - Refusing the sale of alcohol to a person who is drunk.
20. Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed eight weeks, with the date and time of the verbal reinforcement/refresher training documented.
 21. All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and Brighton & Hove Weights & Measures Officers upon request.
 22. 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, driving licences with a photograph or proof of age cards bearing the ‘PASS’ mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.
 23. Signage advertising the “Challenge 25” policy will be displayed in prominent locations inside the premises.
 24. The premises shall at all times maintain and operate refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, local authority staff and Weights and Measures officers.
 25. The premises will not operate an alcohol delivery business.
 26. All staff to be specifically trained in proxy sales and signage to deter proxy sales will be displayed.
 27. Notices will be displayed in store stating that it is an offence for under 18’s to purchase alcohol.

Annex 3 – Conditions attached after a hearing by the Licensing Authority – N/A

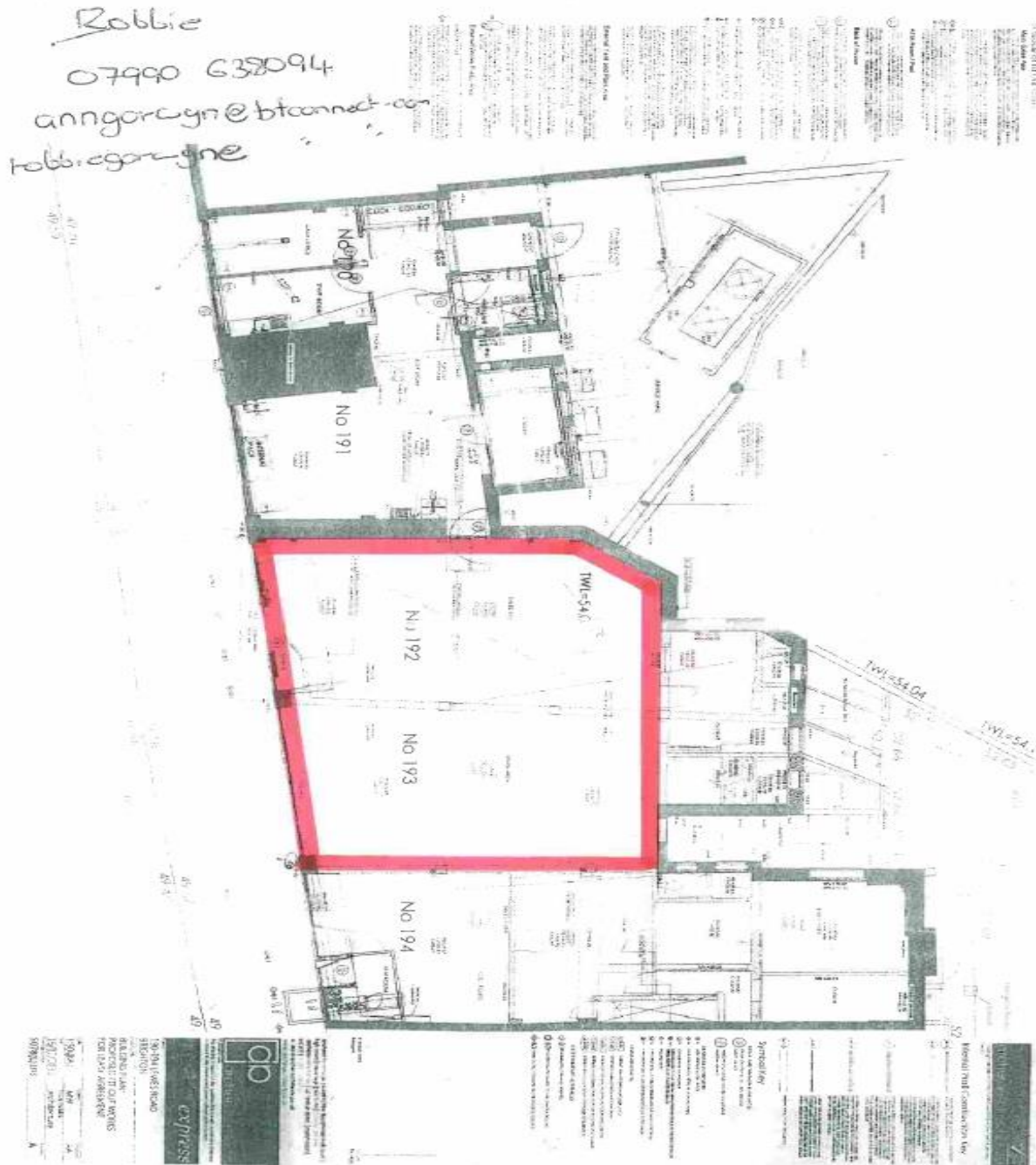


Brighton & Hove City Council



Brighton & Hove City Council

Annex 4 – Plans



Appendix C

REP A

EF CON ENDS 02.06.2026 VALID PCD & PPN

From: [REDACTED]
Sent: 16 May 2026 18:50
To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>
Subject: Objection to the Premises Licence Variation Application – MSL Convenience Store Limited, 192–193 Lewes Road, Brighton BN2 3LA

I am [REDACTED], owner of [REDACTED]
[REDACTED]
at: [REDACTED]

I am writing to formally object to the premises licence variation application submitted by the above premises.

According to the application, the premises seeks to extend its alcohol sales hours to:

09:00 to 02:00 on Fridays and Saturdays
09:00 to 01:00 on Sundays to Thursdays

In my view, this variation would have a direct negative impact on the licensing objectives, in particular:

The prevention of crime and disorder

The prevention of public nuisance

Prevention of Crime and Disorder

Lewes Road is well known as one of the areas in Brighton most affected by crime and anti-social behaviour and has been identified by the relevant authorities as a High Concern Area.

As the owner of a business [REDACTED], I regularly witness issues involving intoxicated individuals, shouting, fights, disruptive gatherings, theft, vandalism, and repeated police attendance, especially during late-night hours. Since December 2021, I have personally worked night shifts in my shop and I hold a Personal Licence.

Despite my experience and qualifications, I regularly encounter difficult situations involving intoxicated individuals, most commonly after 11:00 pm. These incidents are often challenging and require the direct presence of the business owner or someone with substantial practical experience in handling sensitive and confrontational situations.

For this reason, I have not been able to find a suitable employee willing and capable of working night shifts with confidence and competence. Based on my experience, simply holding a Personal Licence or receiving training does not necessarily mean that a person can effectively manage the real challenges that occur on Lewes Road late at

night to the same standard as an owner who is personally present and actively managing the business.

I also have numerous CCTV recordings documenting incidents and disturbances that occur during late-night trading, and I am willing to provide these recordings to the Council or the Licensing Panel upon request.

Approximately seven months after taking over our business in 2022, my business partner, [REDACTED], and I applied to extend our alcohol sales hours by one hour, from 1:00 am to 2:00 am. The Council refused that application.

We fully accepted and respected that decision. After several years of daily practical experience operating during late-night hours, I am now firmly convinced that the Council made the correct and responsible decision.

Based on my current experience, I believe that extending alcohol sales hours to very late hours on Lewes Road is not in the public interest, regardless of who makes the application, including any application that I may personally submit in the future.

Extending alcohol sales until 1:00 am throughout the week and until 2:00 am at weekends would inevitably increase the existing levels of crime, disorder, and public nuisance in an area that already experiences significant problems.

Limited Experience of the Current DPS at This Premises

According to the records, the Designated Premises Supervisor (DPS), [REDACTED], has been responsible for this premises since 15 November 2023.

In my opinion, effective management of a premises in a sensitive location such as Lewes Road requires regular on-site presence and several years of direct practical experience dealing with the daily risks associated with alcohol-related crime and anti-social behaviour.

The DPS Is Also Responsible for Another Alcohol-Licensed Premises on the Same Road

[REDACTED] has also served as the DPS of [REDACTED] on Lewes Road since 2023.

That premises operates [REDACTED] and remains open after Premier Store currently closes at 11:00 pm. It has some of the longest alcohol trading hours on Lewes Road and frequently experiences late-night issues involving intoxicated individuals, gatherings, and public nuisance.

I am also aware of an incident a few months ago during which police attended the premises and it was closed during the night following a matter that required police intervention.

Given his responsibilities at another premises operating extended hours in a high-risk area, I have genuine concerns about whether he can provide effective and direct supervision of an additional premises seeking to sell alcohol until 2:00 am.

Recent Security Incidents in the Area

Approximately two months ago, there was a significant armed police response near the junction of Lewes Road and Elm Grove following reports of a person believed to be carrying a weapon, and the road was temporarily closed.

Although no weapon or suspect was ultimately found, the incident demonstrates the heightened security sensitivity of the area and reinforces the concern that any increase in the availability of alcohol during late-night hours may place additional pressure on the police and the local community.

No Genuine Need to Extend Alcohol Sales or General Trading Hours

There are already numerous premises in the area selling alcohol until late, including my own business, which trades until 1:00 am daily (and until midnight on Sundays) and is

[REDACTED] Premier Store.

In addition, [REDACTED], supervised by the same DPS, operates [REDACTED] and remains open after Premier Store currently closes at 11:00 pm.

There are also several other nearby premises licensed to sell alcohol until very late hours, including:

Liquor Hut Store – until 1:00 am daily and until 2:00 am on Saturdays

Boozyclouds Store – until 3:00 am daily

The Booze Corner – until 5:00 am daily

Accordingly, late-night access to alcohol is already widely available in the area, and there is no genuine need or clear justification for extending this premises' alcohol sales until 2:00 am.

I would also like to make clear that my objection is not limited to the extension of alcohol sales hours. I also object to any extension of the general opening hours beyond 11:00 pm, even if no alcohol is sold during those additional hours.

Based on my daily experience, simply keeping shops open late into the night increases gatherings in the area and is associated with higher levels of nuisance, disturbances, and anti-social behaviour.

Request

For all of the reasons set out above, I respectfully request that the Licensing Panel refuse the premises licence variation application submitted by MSL Convenience Store Limited in order to protect the licensing objectives and safeguard local residents and businesses.

Yours faithfully,

[REDACTED]

REP B

EF CON ENDS 02.06.2026 VALID PCD & PPN

-----Original Message-----

From: [REDACTED]
Sent: 17 May 2026 23:31
To: EHL Licensing <EHL.licensing@brighton-hove.gov.uk>
Subject: Objection to Premises Licence Variation Application – MSL Convenience Store Limited, 192–193 Lewes Road, Brighton BN2 3LA

To: Licensing Team – Brighton & Hove City Council

I am [REDACTED], co-owner and Designated Premises Supervisor (DPS) of [REDACTED]
[REDACTED]

I write to formally object to the application submitted by MSL Convenience Store Limited to extend alcohol sales until 2:00 am on Fridays and Saturdays and until 1:00 am on all other days.

As the DPS of a licensed premises [REDACTED], I am legally responsible for ensuring compliance with the licensing objectives and for maintaining the safe and responsible sale of alcohol.

I dedicate my full attention to supervising this single premises. I work there daily during daytime hours and remain in continuous contact with the operation, including making visits and checks during late-night hours whenever necessary to ensure full compliance with the licensing objectives.

From my direct experience, managing a licensed premises on Lewes Road requires regular on-site presence and ongoing supervision due to the recurring issues associated with alcohol-related crime and anti-social behaviour in this High Concern Area.

[REDACTED] is also the DPS of [REDACTED]
[REDACTED]

I therefore have genuine concerns as to how [REDACTED] can provide effective and direct supervision of two alcohol-licensed premises on the same high-risk road, one [REDACTED] and the other seeking permission to sell alcohol until 2:00 am.

Although I mainly work daytime shifts, I deal daily with the operational consequences of incidents that occur during late-night trading, including customer complaints, security concerns and the wider impact of anti-social behaviour in the immediate area.

I would also note that this premises was the subject of regulatory concerns raised by the Council and Trading Standards in 2018, when it operated under a different name.

Those concerns included issues relating to compliance with licensing requirements and product safety. While the current management may be different, this history reinforces the need for caution when considering any application to extend alcohol sales at this address.

In my experience, Lewes Road is already saturated with premises selling alcohol until very late hours, and there is no operational or community need for further late-night alcohol availability at this location.

The proposed extension would, in my opinion, increase the risk of:

- Crime and disorder
- Anti-social behaviour
- Noise and disturbance
- Pressure on neighbouring businesses
- Safety concerns for customers and staff

As a DPS myself, I know that the practical challenges of managing a licensed premises in this area become significantly more difficult after 11:00 pm, particularly when intoxicated individuals are involved.

As a Designated Premises Supervisor, I fully understand that this is not a nominal title but a direct legal responsibility to ensure that the licensing objectives are promoted on a daily basis. From my practical experience, managing even one licensed premises on Lewes Road requires constant oversight, active involvement and immediate responses to incidents, particularly during late-night hours.

Based on this experience, I find it difficult to see how one individual can provide effective and direct supervision of two alcohol-licensed premises on the same high-risk road, [REDACTED] the other seeking to sell alcohol until 2:00 am.

As both a co-owner and the DPS of a premises [REDACTED], I can state that there is no genuine operational or community need for this extension and that it is certain to increase the risks of crime, disorder, public nuisance and anti-social behaviour.

For these reasons, I respectfully request that the Licensing Panel refuse this application in order to protect the licensing objectives and safeguard local residents and businesses.

Yours faithfully,

[REDACTED]
[REDACTED]

REP C

EF CON ENDS 02.06.2026 VALID PCD & PPN

From: [REDACTED]
Sent: 17 May 2026 23:33
To: EHL Licensing <EHL.licensing@brighton-hove.gov.uk>
Subject: Objection to Premises Licence Variation Application –
1445/3/2026/01426/LAPREV

To: Licensing Team – Brighton & Hove City Council

Dear Licensing Team,

I am writing to object to premises licence variation application reference 1445/3/2026/01426/LAPREV relating to MSL Convenience Store Limited, 192–193 Lewes Road, Brighton BN2 3LA.

My name is [REDACTED] and I currently live at:

[REDACTED]

I am considering moving to Lewes Road in the near future for family reasons and I am currently looking for a suitable home in that area.

For this reason, I am concerned that extending alcohol sales until 2:00 am on Fridays and Saturdays and until 1:00 am on all other days would increase crime, anti-social behaviour and public nuisance in an area that already has many premises selling alcohol until late at night.

I believe there is no genuine need for additional late-night alcohol sales at this location, and I respectfully request that the Licensing Panel refuse this application.

Yours faithfully,

[REDACTED]

REP D

EF CON ENDS 02.06.2026 VALID PCD & PCH

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

Sent: 20 May 2026 09:26

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

Subject: Representation - Lewes Road Convenience Store, 192 – 193 Lewes Road, Brighton

Dear Emily Fountain,

Re: Application to vary the premises licence for Lewes Road Convenience Store, 192 – 193 Lewes Road, Brighton, East Sussex, BN2 3LA under the Licensing Act 2003.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the application to vary the premises licence for Lewes Road Convenience Store, 192 – 193 Lewes Road, Brighton on the grounds that the prevention of crime and disorder and protection of children from harm licensing objectives are not being promoted should this application be granted. We also refer to the Brighton & Hove City Council Statement of Licensing Policy Jan 2026 (SoLP), Public Health Framework for assessing Alcohol Licensing and the revised guidance issued under section 182 of the Licensing Act 2003 (February 2026).

This variation application is in an area of the city which under the Brighton & Hove City Council Statement of Licensing policy 2006, lies within the “Special Stress” area and seeks the following amends to their licence:

Amended supply of alcohol – off sales and hours open to the public:

Currently: Monday – Saturday 09:00 – 23:00 / Sunday 09:00 – 23:00

Amend to: Sunday – Thursday 09:00 – 01:00 / Friday – Saturday 09:00 – 02:00

Add late night refreshments for hot drinks only:

Sunday – Thursday 23:00 – 01:00 / Friday – Saturday 23:00 – 02:00

Condition removal:

Remove condition 7 under Annex 2 – Prevention of crime and disorder:

No single cans of 440ml or less of beer, lager or cider will be sold; only multipacks of 4 or more cans will be sold.

Reason given for this variation application is so that the operator can have a “level playing field” with the local competition. They also reference section 1.18 of the section 182 Licensing Act 2003 Guidance which states:

When making licensing decisions, all licensing authorities should consider the need to promote growth and deliver economic benefits.

We note there are no new conditions being offered to ensure that if these changes were granted, that they would not impact on the licensing objectives. Nor is there any reference to the Brighton & Hove Statement of Licensing Policy 2026 of which such an application goes against. Despite us previously working with the agent, they did not reach out and open discussions around this application prior to submission. Had they, we could have raised our concerns.

Brighton & Hove City Council Statement of Licensing Policy Jan 2026 (SoLP):

The Brighton & Hove City Council Statement of Licensing Policy has recently gone through a full public consultation review with the new revised edition going live in January of this year. Much of the policy decision within it is based around updated crime data supplied by Sussex Police and addressing today's social challenges.

As we have mentioned, the premises sits within the "Special Stress" area (SSA) as defined within the policy.

Section 3.3.2 of the policy states: *This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it. The area will be kept under review.*

Section 3.4 - The Matrix Approach – provides a firm framework of what the licensing authority would like to see within this area and gives an indication of the likelihood of success. An Off Licence within the "Special Stress" area is not supported.

Within the application there is mention that they wish to have trading hours similar to others in the locality. Section 3.7.1 of the policy addresses this in that it states:

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.

To assist we list below convenience stores with off licence permission in the locality and their permitted trading hours. These are as per our system and might need full confirmation from the local authority. It evidences the area is already saturated and so the need to restrict further expansion of such premises.

Booze Corner 92 Lewes Road – 07:00 – 05:00
M&A Convenience 140-141 Lewes Road – 24hrs
Liquor Hut 53 Lewes Road – 08:00 – 01:00 (02:00 on Fri & Sat)
Wine me up 7 Lewes Road – 10:00 – 01:00 (Midnight Sunday)
BP 100 Lewes Road – 08:00 – 23:00
Sainsbury's 93 Lewes Road – 24hrs

Revised guidance issued under section 182 of the Licensing Act 2003 (February 2026):

We acknowledge the revised guidance that was issued in February of this year and section 1.18 and that is very much a decision for the local authority however, we are confident to say that this guidance is not to override the licensing objectives which is the cornerstone of the Licensing Act. Additionally, the guidance under section 1.19 states that *licensing committees should have regard to relevant local plans and strategies*. In this case, the Brighton & Hove City Council Statement of Licensing Policy Jan 2026.

Crime data:

Within a 400-meter radius of the premises, which covers the main part of Lewes Road, the Level, bottom end of Elm Grove and Ditchling Road – so all walking distance from this premises, police crime data between 19th May 2025 and 18th May 2026 reports: 20 sexual offenses / 190 violence against a person / 65 public order / 29 criminal damage / 26 robberies.

We know on recorded data that 67 of these, alcohol and or drugs played a part in the offenses, but this data is not always captured and the offenses above are often linked to alcohol consumption so the figure of 67 is likely to be higher.

On reviewing the Public Health Framework for Assessing Alcohol Licensing, Hanover & Elm Grove ward, of which this premises sits within, it is ranked the 2nd highest ward in Brighton & Hove for increasing or higher risk of drinking under health data.

Off Sales:

When considering off sales, there is limited control the licence holder will have once the drinks have left the premises. There is a risk of proxy sales to both under 18's and persons that could already be intoxicated. To assist with limiting alcohol dependent persons gaining access to alcohol, we have the conditions around minimum 4 cans to be sold. This often puts these items out of the price point for people that are looking for cheap drink to feed an addiction.

The location of the premises being close by to The Level should be taken into consideration. This is an area that at times requires additional policing focus and has previously had a multi-agency approach. Increasing alcohol availability into the early hours is not a positive move for this location.

Taking into consideration our comments, Sussex Police are seeking refusal and invite the Licensing Authority to seriously consider this. It will be for the applicant to evidence to the panel what their exceptional circumstances are to depart from policy and what safeguarding they will have in place to promote the licensing objectives.

Yours sincerely,

[REDACTED]
[REDACTED]
Licensing & NPT Sergeant
Brighton & Hove Division
Sussex Police

REP E

EF CON ENDS 02.06.2026 VALID PCD & PPN

From: [REDACTED]
Sent: 19 May 2026 00:05
To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>
Subject: Objection to Premises Licence Variation Application – 1445/3/2026/01426/LAPREV

To: Licensing Team – Brighton & Hove City Council

Dear Licensing Team,

I am writing to object to premises licence variation application reference 1445/3/2026/01426/LAPREV relating to MSL Convenience Store Limited, located at 192–193 Lewes Road, Brighton BN2 3LA.

My name is [REDACTED] and I live at:

[REDACTED]

I am currently studying [REDACTED]
[REDACTED]

For approximately the past month, I have been training at [REDACTED]
[REDACTED], where I attend three mornings per week.

I also regularly travel along Lewes Road when commuting to and from [REDACTED]

Through my training at the shop and my regular presence in the area, I have become aware of the issues associated with this road, including problems involving intoxicated individuals, anti-social behaviour and public nuisance. The shop manager has been training me on how to deal with these situations when they arise.

Based on this experience, I am concerned that extending alcohol sales until 2:00 am on Fridays and Saturdays and until 1:00 am on all other days would increase crime, anti-

social behaviour and public nuisance in an area that already experiences frequent late-night problems.

I also believe that simply keeping this premises open after 11:00 pm, even if alcohol is not sold during those hours, would increase gatherings, noise and the presence of intoxicated individuals in the area. From what I have learned during my training, some intoxicated individuals may cause problems, attempt theft, or try to take products by force if they are told that alcohol cannot be sold to them under the terms of the licence.

I am also aware that there are already several premises in the area selling alcohol until very late at night, and I do not believe there is any genuine need for additional late-night alcohol sales or extended opening hours at this location.

For these reasons, I respectfully request that the Licensing Panel refuse this application.

Yours faithfully,

A solid black rectangular box used to redact the signature of the person making the statement.

REP F

EF CON ENDS 02.06.2026 VALID PCD, PPN & PCH

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

Date: 28 May 2026
Our Ref: 2026/00761/LICREP/EH
e-mail: [REDACTED]

Dear Emily Fountain

Licensing Act 2003

Representation to the application to vary a Premises Licence (Ref: 2026/01426/LAPREV) Lewes Road Convenience Store, 192-193 Lewes Road, Brighton BN2 3LA

I write to make a representation on behalf of the Council's Licensing and Trading Standards Team, in their capacity as a responsible authority, in relation to the above application to vary a premises licence for Lewes Road Convenience Store, 192-193 Lewes Road, Brighton BN2 3LA.

The applicant has applied to extend the times of the sale of alcohol for 'off-sales', from:

Monday – Saturday: 09:00 – 23:00 / Sunday: 09:00 – 23:00

to:

Sunday – Thursday: 09:00 – 01:00 / Friday – Saturday: 09:00 – 02:00

And to add Late Night Refreshment:

Sunday – Thursday 23:00 – 01:00 / Friday – Saturday 23:00 – 02:00

Also to remove Condition 7 under Annex 2 – Prevention of Crime and Disorder:

No single cans of 440ml or less of beer, lager or cider will be sold; only multipacks of 4 or more cans will be sold.

This representation is made as the Licensing and Trading Standards Team have concerns that the application could have a negative impact on the licensing objective of Prevention of Crime and Disorder, Prevention of Public Nuisance and Protection of Children from Harm. I also refer to the Special Policy contained within the Council's Statement of Licensing Policy (SoLP).

The premises are situated within the Licensing Authority's Special Stress Area (SSA).

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

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

Looking at the application form, particularly section 16 (licensing objectives), the applicant has not addressed the premise's location within the SSA. They have not proposed or offered any additional conditions to mitigate any potential risks of opening with a later terminal hour and also have applied to remove a condition relating to the sale of single cans which was clearly there to mitigate potential risks. They have also not demonstrated exceptional circumstances to depart from our policy or how they will not add to the existing negative cumulative effect in an area already saturated with licensed premises and experiencing high levels of crime and disorder. Particularly in relation to the premises close proximity to 'The 'Level', and issues associated therein.

The Council's SoLP includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model recognises the diverse operation and different risks presented by different classes of licensed premises. The SoLP provides a vision of what the Licensing Authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications. Each application is still considered on its individual merit and there is discretion to depart from the Matrix approach policy in exceptional circumstances.

The decision-making Matrix of the Council's SoLP clearly shows that 'off licences' in the Special Stress area are not supported.

Granting this application may add to the additional burdens and problems in the Special Stress area. The Licensing Team act as guardians of the Council's SoLP and I make this representation on behalf of the Licensing Authority as I believe the application made is contrary to our policy and therefore invite the panel to refuse this application.

Yours sincerely



Licensing Team and Trading Standards

Appendix D

