

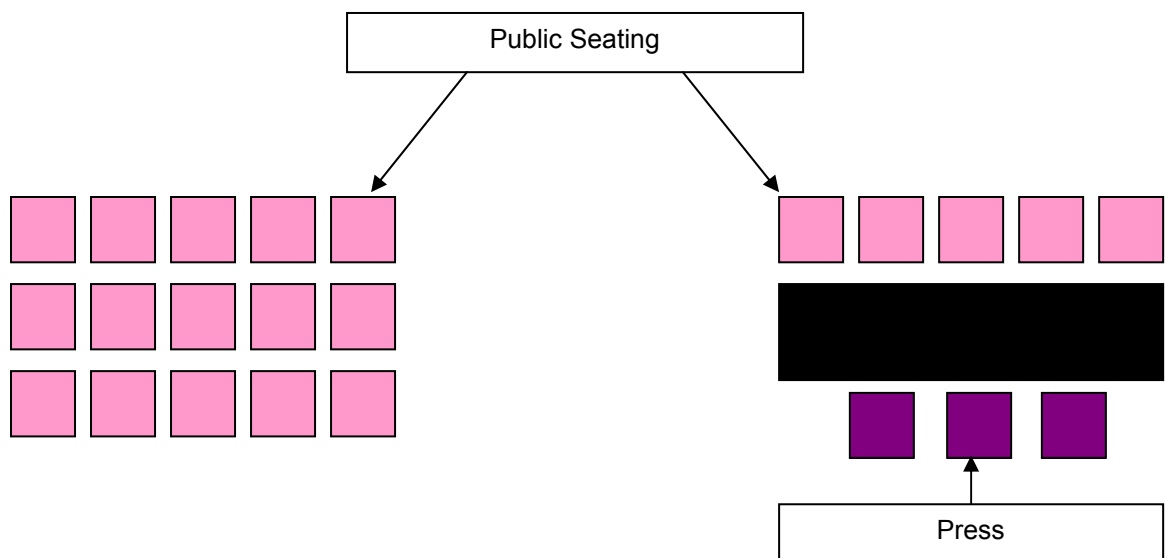
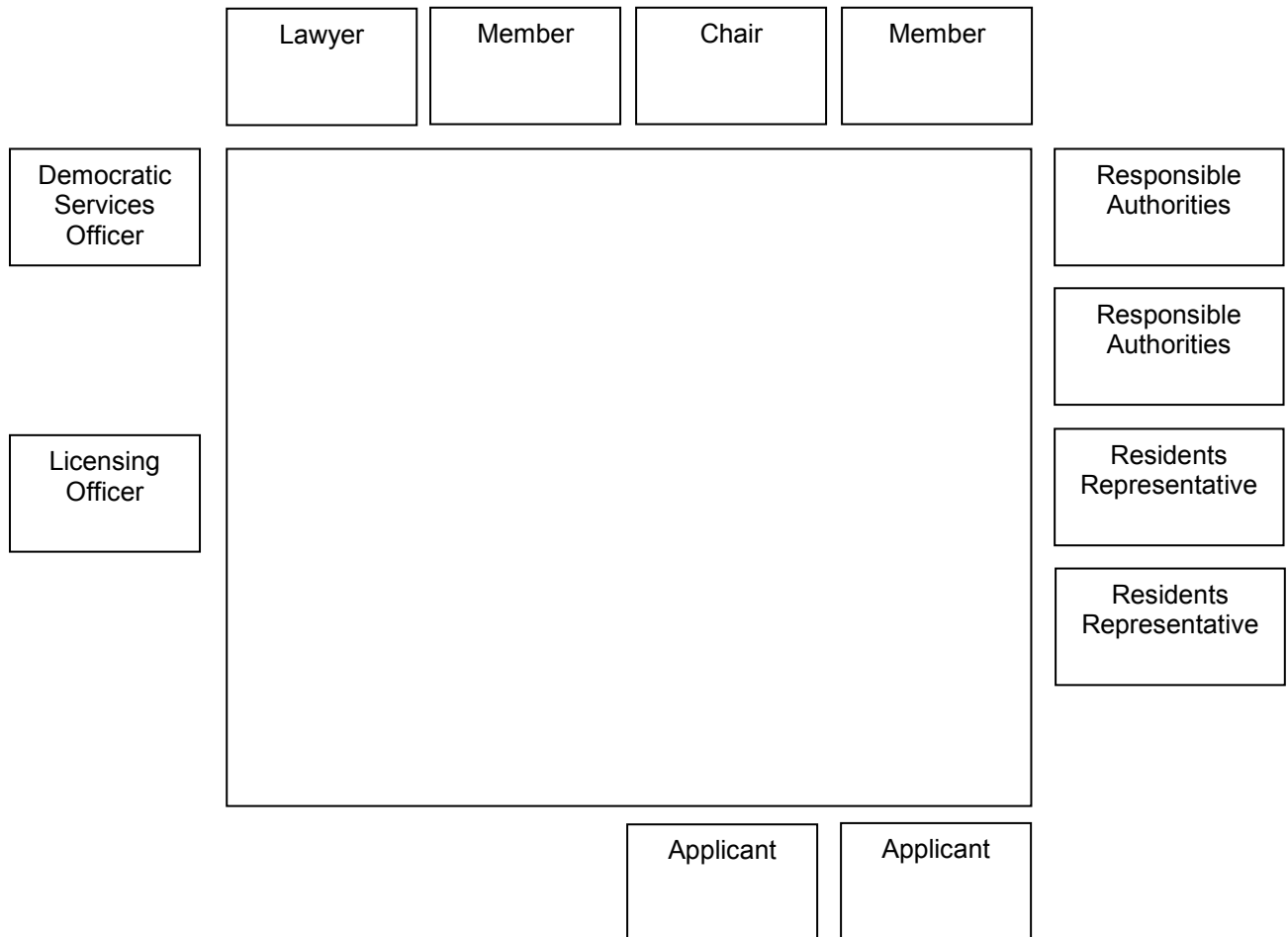
Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	6 January 2009
Time:	10.00am
Venue	Committee Room 3, Brighton Town Hall
Members:	Councillors: Harmer-Strange, Lepper and Simson
Contact:	Jane Clarke Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and 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.
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Democratic Services: Meeting Layout



AGENDA

Part One

Page

81. TO APPOINT A CHAIRMAN FOR THE MEETING

82. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the main Licensing Committee may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (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 2 of the Agenda states in its heading either that it is confidential or 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 categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

83. THE HUB, 129 ST JAMES STREET, BRIGHTON, BN2 1TH 1 - 34

Contact Officer: Jim Whitelegg Tel: 29-2143
Ward Affected: Queen's Park

84. THE GROSVENOR CASINO, 9 GRAND JUNCTION ROAD, BRIGHTON 35 - 64

Contact Officer: Kevin Newman Tel: 29-4431
Ward Affected: Regency

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

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 fifth working day before the meeting.

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.

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.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 24 December 2008

Licensing Panel (Licensing Act 2003 Functions)

Agenda Item 83

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003 for The Hub, 129 St James's Street, Brighton, BN2 1TH		
Date of Meeting:	6th January 2009		
Report of:	Assistant Director Public Safety		
Contact Officer:	Name:	Jim Whitelegg	Tel: 292143
	E-mail:	jim.whitelegg@brighton-hove.gov.uk	
Wards Affected:	Queen's Park		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

- 2.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for The Hub

- 2.2 The application is for:

A New Premises Licence under the Licensing Act 2003 for

The application proposes

A small bar and cafe with a maximum capacity of 40, including staff, and the majority of customers will be seated.

2.3 Summary table of existing and proposed activities

	<i>Existing</i>	<i>Proposed</i>
B Films	N/A	Sun – Thurs: 09:00 – 00:00, Fri & Sat: 09:00 – 02:00
F Recorded Music	N/A	Sun – Thurs: 09:00 – 00:30, Fri & Sat: 09:00 – 02:30
L Late Night Refreshment	N/A	Sun – Thurs: 23:00 – 00:00, Fri & Sat: 23:00 – 02:00
M Supply of Alcohol	N/A	Sun – Thurs: 09:00 – 00:00, Fri & Sat: 09:00 – 02:00
O Hours premises are open to public	N/A	Sun – Thurs: 09:00 – 00:30, Fri & Sat: 09:00 – 02:30

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Representations received

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

3.1.1 Four representations were received, including a petition with five valid signatories. The representations were received from the Police, the Environmental Protection team and from local residents.

3.1.2 The representations received had concerns relating to Cumulative Impact, the Prevention of Public Nuisance, the Prevention of Crime and Disorder, Public Safety

4. CONSULTATION

Commentary on licensing policy

- 4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

- 1.2 The licensing objectives are:-
- (a) Prevention of crime and disorder;
 - (b) Public safety;
 - (c) Prevention of public nuisance;
 - (d) Protection of children from harm.
- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 1.5 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
- 1.15 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their

immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In respect of the prevention of crime and disorder

- 2.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority recommends that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door staff so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection.
- 2.3 It is expected that the designated premises supervisor (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.
- 2.4 Cumulative impact – the licensing authority may receive representations from either a responsible authority or an interested party that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with ‘need’ which relates more to the commercial demand for a particular type of premises. The issue of ‘need’ is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore does not form part of this licensing policy statement.
 - 2.4.1 Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
 - 2.4.2 The licensing authority after careful consideration has determined that the concentration of licensed premises in a small area of the city centre is causing problems of crime and

disorder and public nuisance, and that therefore an approach to Cumulative Impact is necessary as part of its statement of licensing policy. This special policy was adopted for inclusion within the statement of licensing policy by Council on 13 March 2008.

- 2.4.3 This special policy will refer to a Cumulative Impact area (“the Area”) in the Brighton city centre, a detailed plan of which is attached at **Appendix A** of the Statement of Licensing Policy (SoLP).
- 2.4.4 The effect of this special policy is that applications for new premises licences or club premises certificates within the Area, or variations which are likely to add to the existing Cumulative Impact, will normally be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.
- 2.4.5 Any variation application will potentially come within this special policy, including those for extensions of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact.
- 2.4.6 This special policy also applies to all new premises licences and club premises certificates, for example pubs, off-licences, restaurants and take-away establishments.
- 2.4.7 The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.
- 2.4.8 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether it is justified in departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the Cumulative Impact of the Area, it may be granted. The Impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of Cumulative Impact, a small restaurant or theatre may not.

- 2.4.9 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.
- 2.4.10 Special Stress Areas – **Appendix B** of the SoLP details two areas of the Brighton city centre which border the Cumulative Impact area at **Appendix A** and which are deemed areas of special concern in terms of the levels of crime and disorder and public nuisance experienced within them.
- 2.4.11 While it is not considered appropriate at this stage to include these areas within the main impact area as such, these Special Stress Areas (SSAs) are of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced.
- 2.4.12 New and varied applications for premises and club premises certificates within SSAs will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. **Appendix C** 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.
- 2.4.13 On receipt of any application in SSAs, 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 C**. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.
- 2.4.14 The Licensing Authority will keep the Cumulative Impact Area and Special Stress Areas 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 with a view to bringing the SSAs into the Cumulative Impact Area. If it is found that the above problems are receding the Special Policy may be reviewed with a view to revising the areas' boundaries.

2.5.1 Diversity of premises

This attempts to ensure that there is a mix of the different types of licensed premises, particularly in areas where there is a high density of such premises. It will provide resilience against changing trends and attract a more diverse range of customers from different age groups, different communities of interest and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This in turn may have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time, may create opportunities for violent crime and public disorder and therefore encourages mixed use venues, varying hours of business and a wider age balance.

2.5.2 Café Bars

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.

Licensees should be aware that breach of these conditions is likely to lead to proceedings for revocation of the licence.

2.5.5 Care, control and supervision of premises

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 will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.

2.8 Enforcement issues will be considered in the light of any relevant enforcement policies and close links will be sought

between all enforcing authorities, e.g. through the use of intelligence sharing and strategy groups. Such protocols may lead to the targeting of agreed high risk and problem premises whilst permitting a lighter touch approach in respect of well run premises.

In respect of Public Safety

- 3.2 Conditions will be imposed in accordance with operating schedules to protect public safety including where justified:-
- (a) provision of close circuit television and panic buttons.
 - (b) use of shatterproof drinking vessels, bottles requiring use of toughened glass or plastic (recognised by Community Safety Strategy).
 - (c) use of security personnel, such as door supervisors, licensed by the Security Industry Authority (recognised by the Community Safety Strategy).
 - (d) requirement of a minimum of a licensed door supervisor for every 100 customers in nightclubs and large city centre pubs or as indicated by risk assessment.
 - (e) occupant capacity conditions will be applied where appropriate.
 - (f) the provision of designated and suitably trained first aiders.
- 3.3 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 as recognised by the Community Safety Strategy and Policing Strategy. Applicants may be required to consult local transport operators and are encouraged to support the use of public transport through the provision of advice, contact details etc.
- 3.4 Policy recognises that the numbers of late night revellers can lead to service delivery pinch-points, for example at city centre taxi ranks. Frustration and restlessness in queues can lead to anti-social behaviour and public disorder which can be controlled by , for example, taxi marshalling systems. Operators whose customers contribute to the night-time demand for taxis may wish to consider assisting in the provision of resources for such systems or similar schemes.

In respect of the prevention of public nuisance

- 4.1 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, or 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)
- 4.4 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.
- 4.5 Staggered closing times will not be used to combat binge drinking disorder and antisocial behaviour. Zoning will be avoided. A general principle of later opening so that customers can leave for natural reasons, slowly over longer periods will be promoted, to prevent unnatural concentrations of people. The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 4.7 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.
- 4.8 Regard will be had to any history or likelihood of nuisance. Generally, favourable consideration will be given to applications for later hours in the city centre and on busy main roads. Powers may be exercised to impose conditions as to hours of opening in order to avoid unreasonable disturbance to residents of the neighbourhood.

Strategic Integration

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, 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.

- 6.7 This policy avoids duplication with other regulatory regimes wherever possible.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

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: Karen Brookshaw Date: 15.12.2008

5.2 Legal Implications:

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: 15.12.2008

5.3 Equalities Implications:

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.

5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Brighton & Hove City Council - Cumulative Impact Area
2. Appendix B – Brighton & Hove City Council – Special Stress Areas
3. Appendix C – Measures to be considered in SSA's
4. Appendix D – Map of area.

Documents in Members' Rooms

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy

Background Documents

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.

APPENDIX A

Brighton & Hove City Council - Cumulative Impact Area

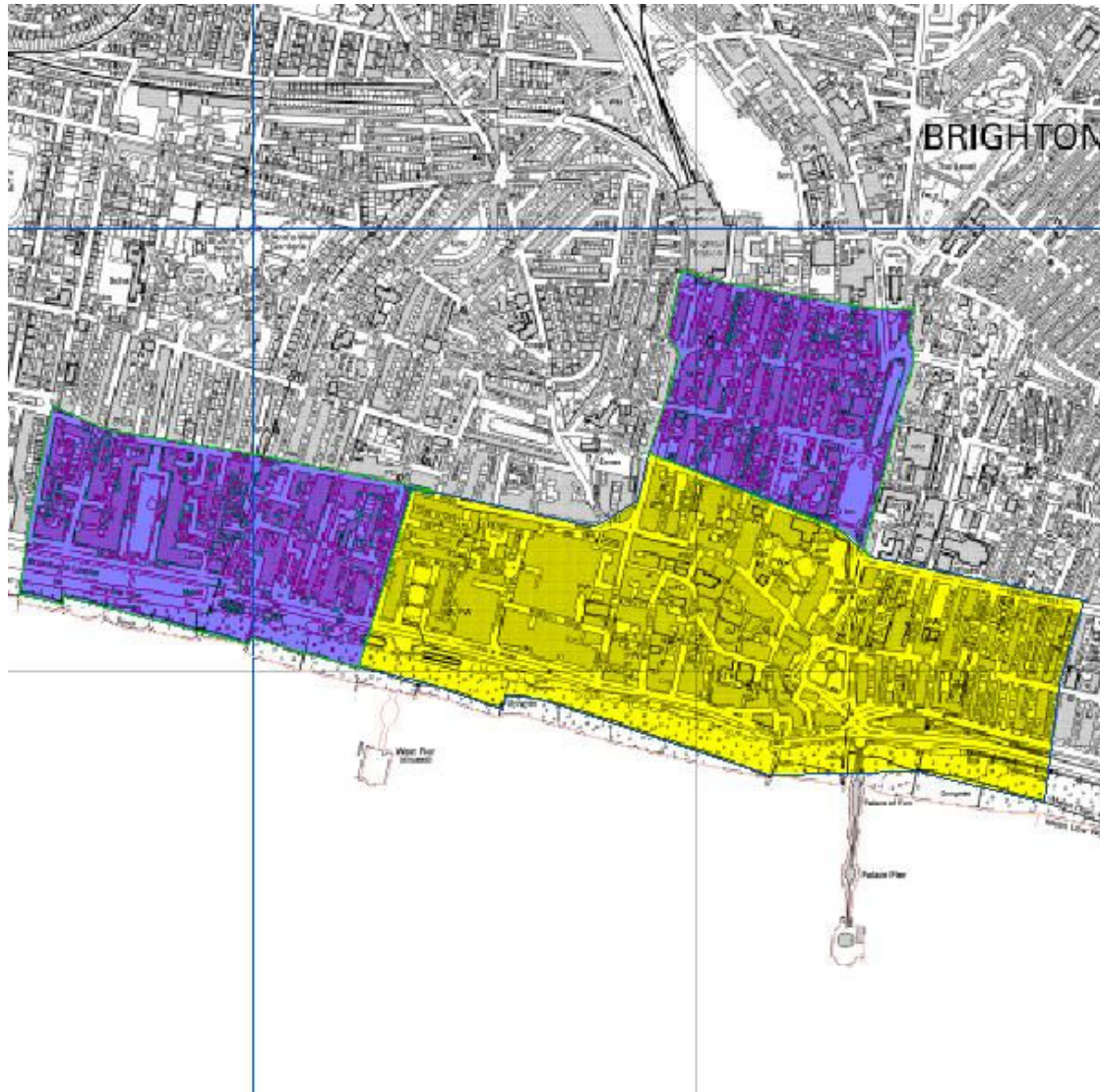


The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street

APPENDIX B

Brighton & Hove City Council – Special Stress Areas

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.

Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary; westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.

APPENDIX C

Measures to be included for consideration in SSAs are:

Matters that would normally be expected in operating schedules -

- the adoption of a “Challenge 21” policy with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital cctv system by liaison with, and to a standard approved by, Sussex police
- policies for dispersal of customers which may include signage regarding taxi services’ telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA door staff or Mobile Support Unit personnel display appropriate badges when on duty

Items to which positive consideration would be given -

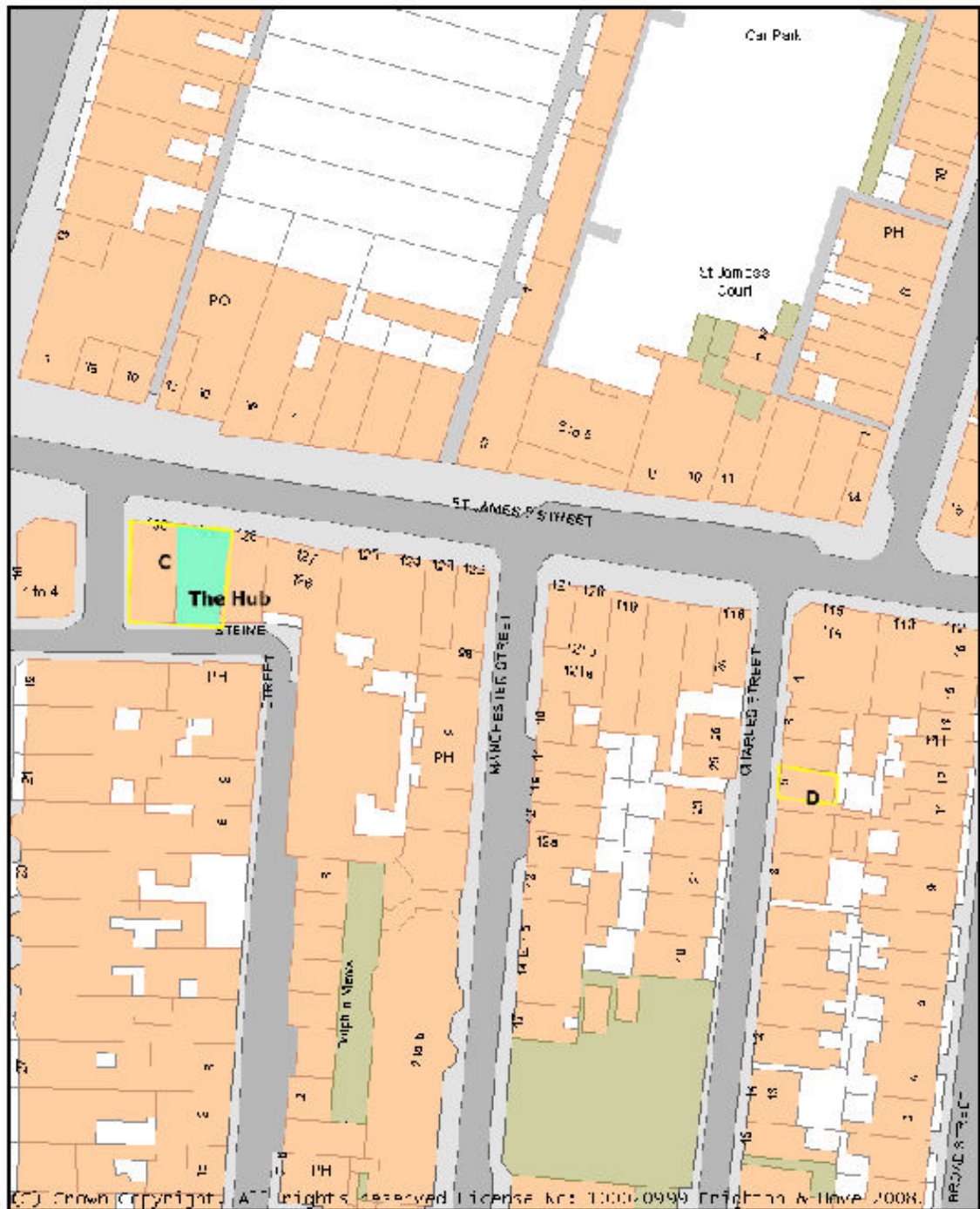
- membership of Brighton Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of ‘nightsafe’ radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly 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

Matters that might be recommended for appropriate restrictions -

- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times

APPENDIX D

The Hub, 129 St James's Street



Date: 16/12/2008 02:22:58

Scale 1:661



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O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0900	0030	On Commencement of British Summer Time - one hour to be added to the relevant Saturday finish time
	next	day	
Tue	0900	0030	Hours extended from the end of sales/opening in 31.12 in each year and upon the night of Saturday/Sunday in the Gay Pride weekend each year until the opening/ start of sales on the following day
Wed	0900	0030	
Thur	0900	0030	Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)
			the standard hours be extended until 02.30 am on not more than 12 occasions per year upon giving not less than 7 days written notice to the Police of their intention to do so upon the holding of any prebooked event and [on Christams Eve, Christmas Day, Boxing Day, New Years Eve and Day Spring May and August Bank Holidays, Good Friday, Easter Saturday Sunday and Monday, St Georges Day St Patricks Day and any other Publicly declared holiday - by one hour]
Fri	0900	0230	
Sat	0900	0230	-Public holidays - extended by one hour + 2.30 extention on not more than 12 occasions
Sun	0900	0030	

P

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

(a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

please see schedule attached

(b) The prevention of crime and disorder

please see schedule attached

(c) Public safety

please see schedule attached

(d) The prevention of public nuisance

please see schedule attached

(e) The protection of children from harm

please see schedule attached

Please tick ☒ yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

**Applicant's submission in respect of the Brighton + Hove City Council
Cumulative Impact Policy**

The Applicant submits that the proposed conditions/Operating Schedule as set out below will ensure that the granting of a Premises licence in respect of these premises – which it will be noted were licensed until 02/08 – does not add to the perceived Cumulative Impact of Licensed premises in particular in the St James Street Area

It is noted:

1. These are small and intimate premises
2. they have a very limited floor area – which will largely be taken up by seating – with a limit on numbers of – it is anticipated between 40 and 50 to include staff
3. There will be no loud music – be it live or recorded – and no dancing
4. Appropriate door staff will be employed
5. Entry to the premises in the last 60 minutes of trading will be prohibited – so as to rather encourage a gradual run down of trade and of customers leaving
6. The premise do not lend themselves to operate as a traditional CafeBar – but the operation will be very similar with some food available.

Proposed conditions/Operating Schedule

Prevention of Crime and Disorder

1. Digital CCTV to be installed maintained and operated to the Sussex Police specification with recordings maintained for not less than 28 days - such recordings to be made available to the Police immediately upon request
2. The Premises will employ not less than one SIA registered door supervisor from 2200 on any day when the premises are open at that time until 15 minutes after the premises shall be closed and cleared and at all times (a) contract for a Mobile Support service with an SIA registered organisation and (b) join the Business Crime Reduction Partnership and participate in any "Exclusion Scheme"
3. Crime Prevention posters to be displayed in the premises when requested by the Police
- 4 not less than 60% of the service area shall be given over to the use of patrons seated at tables and chairs (provided that the service area may be cleared for the purpose of stand-up functions on not more than 12 occasions per year subject on each occasion to not less than 7 days written notice given to the Police)
5. Sales by waiter/waitress service shall be available at all times

Public Safety

1. The numbers of persons – to include staff - in the premises as a whole and/or in any particular part thereof shall not exceed the lesser of either 50 or such numbers as shall be agreed with the Fire Officer from time to time
2. All sales shall be in toughened glass vessels

Prevention of Public Nuisance

1. The Licensee shall ensure that (1) excessive noise does not come from the premises such as to cause persons in the neighbourhood to be unreasonably

disturbed and (2) prominent clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

2. The playing of any recorded music shall be maintained at background levels only

3. No patrons shall be admitted to the premises within 60 minutes of the anticipated closing time on any night the premises shall be open after 2300 hrs.

Protection of Children

1. No person under 18 shall be allowed on the Premises after 2200 on any day nor unless accompanied by an adult

2. As to alcohol sales - the Premises will adopt a policy whereby any person attempting to buy alcohol who appears to be under 21 will be asked for photographic ID to prove their age. The only ID that will be accepted are passports, Driving Licenses with a photograph or Portman Group 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 actual Licence

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Licensing Panel (Licensing Act 2003 Functions)

Agenda Item 84

Brighton & Hove City Council

Subject:	Application for a Variation of a Premises Licence under the Licensing Act 2003 for Grosvenor Casino Seafront, 9 Grand Junction Road, Brighton, BN1 1PP		
Date of Meeting:	6th January 2009		
Report of:	Assistant Director Public Safety		
Contact Officer:	Name:	Kevin Newman	Tel: 294429
	E-mail:	Kevin.newman@brighton-hove.gov.uk	
Wards Affected:	Regency		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Grosvenor Casino Seafront

2. RECOMMENDATIONS:

- 2.1 To determine an application for a Variation of a Premises Licence under the Licensing Act 2003 for Grosvenor Casino Seafront

- 2.2 The application is for:

A Variation of a Premises Licence under the Licensing Act 2003 for

The variations proposes:

To extend the hours for sale of alcohol to 06.00 into Sunday mornings and provision of late night refreshment to 05.00 into Sunday mornings, extend all other licensable activities to 24 hour operation and extend the opening hours of the premises to allow for 24 hours opening.

2.3 Summary table of existing and proposed activities

	<i>Existing</i>	<i>Proposed</i>
B Films	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
E Live music	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
F Recorded Music	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
G Performance of Dance	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
H Anything of a similar description within e, f ,or g	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00	Every Day: 00:00 – 00:00
I Provision of facilities for making music	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
J Provision of facilities for dancing	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
K Provision of facilities for entertainment of a similar description to that falling with in i or J	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Every Day: 00:00 – 00:00
L Late Night Refreshment	Monday - Friday: 23.00 - 05.00, Saturday: 23.00 - 04.30 and Sunday: 23.00 - 05.00.	Every Day: 23:00 – 05:00

M Supply of Alcohol	Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.	Mon - Sat: 10:00 – 06:00, Sun: 12:00 – 06:00
O Hours premises are open to public	N/A	Every Day: 00:00 – 00:00
P Conditions removed as a consequence of the proposed Variation	N/A	

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Representations received

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

3.1.1 One representation was received from the Police.

3.1.2 The representation received had concerns relating to Cumulative Impact and the Prevention of Crime and Disorder.

4. CONSULTATION

Commentary on licensing policy

4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

1.2 The licensing objectives are:-

- (a) Prevention of crime and disorder;
- (b) Public safety;
- (c) Prevention of public nuisance;
- (d) Protection of children from harm.

- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 1.5 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
- 1.15 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In respect of the prevention of crime and disorder

- 2.2 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority recommends that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and

violence in licensed premises, and that suitable training be extended to all bar staff and door staff so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection.

- 2.3 It is expected that the designated premises supervisor (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.
- 2.4 Cumulative impact – the licensing authority may receive representations from either a responsible authority or an interested party that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. This should not, however, be confused with ‘need’ which relates more to the commercial demand for a particular type of premises. The issue of ‘need’ is therefore a matter for the market to decide and can, in some circumstances, be a matter for planning consideration; need therefore does not form part of this licensing policy statement.
 - 2.4.1 Special Policy - Cumulative Impact is defined as the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.
 - 2.4.2 The licensing authority after careful consideration has determined that the concentration of licensed premises in a small area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to Cumulative Impact is necessary as part of its statement of licensing policy. This special policy was adopted for inclusion within the statement of licensing policy by Council on 13 March 2008.
 - 2.4.3 This special policy will refer to a Cumulative Impact area (“the Area”) in the Brighton city centre, a detailed plan of which is attached at **Appendix A** of the Statement of Licensing Policy (SoLP).
 - 2.4.4 The effect of this special policy is that applications for new premises licences or club premises certificates within the Area,

or variations which are likely to add to the existing Cumulative Impact, will normally be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact.

- 2.4.5 Any variation application will potentially come within this special policy, including those for extensions of hours, subject always to an applicant satisfying the authority that there will be no adverse effect on Cumulative Impact.
- 2.4.6 This special policy also applies to all new premises licences and club premises certificates, for example pubs, off-licences, restaurants and take-away establishments.
- 2.4.7 The presumption of refusal does not relieve responsible authorities or interested parties of the need to make a relevant representation. If there are no representations the licensing authority must grant the application in terms consistent with the operating schedule submitted.
- 2.4.8 Furthermore, this special policy is not absolute. Upon receipt of a relevant representation, the licensing authority will always consider the circumstances of each case and whether it is justified in departing from its special policy in the light of the individual circumstances of the case. If an application is unlikely to add to the Cumulative Impact of the Area, it may be granted. The Impact can be expected to be different for premises with different styles and characteristics. For example, while a large nightclub or high capacity public house might add to problems of Cumulative Impact, a small restaurant or theatre may not.
- 2.4.9 If the licensing authority decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of one of the licensing objectives and that conditions would be ineffective in preventing the problems involved.
- 2.4.10 Special Stress Areas – **Appendix B** of the SoLP details two areas of the Brighton city centre which border the Cumulative Impact area at **Appendix A** and which are deemed areas of special concern in terms of the levels of crime and disorder and public nuisance experienced within them.

- 2.4.11 While it is not considered appropriate at this stage to include these areas within the main impact area as such, these Special Stress Areas (SSAs) are of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced.
- 2.4.12 New and varied applications for premises and club premises certificates within SSAs will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas. **Appendix C** 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.
- 2.4.13 On receipt of any application in SSAs, 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 C**. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.
- 2.4.14 The Licensing Authority will keep the Cumulative Impact Area and Special Stress Areas 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 with a view to bringing the SSAs into the Cumulative Impact Area. If it is found that the above problems are receding the Special Policy may be reviewed with a view to revising the areas' boundaries.
- 2.5.1 Diversity of premises
- This attempts to ensure that there is a mix of the different types of licensed premises, particularly in areas where there is a high density of such premises. It will provide resilience against changing trends and attract a more diverse range of customers from different age groups, different communities of interest and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This in turn may have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time, may create opportunities for

violent crime and public disorder and therefore encourages mixed use venues, varying hours of business and a wider age balance.

2.5.4 Geographical spread

Spreading the siting of large venues (those with a capacity in excess of 250 people) across the city reduces the problems of dispersing large numbers of people leaving premises in close proximity at the same time. Taxi and bus queues can be flash points for public disorder and violence. A good geographical spread coupled with increased taxi ranks and bus stops near venues reduces waiting time and the potential for crime and disorder.

2.5.5 Care, control and supervision of premises

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 will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.

- 2.7 High volume vertical drinking establishments (HVVD's) may, where necessary and appropriate, have conditions attached relating to: a prescribed capacity, the ratio of chairs and tables to be provided for customers based on capacity and the presence of SIA registered security teams.

- 2.8 Enforcement issues will be considered in the light of any relevant enforcement policies and close links will be sought between all enforcing authorities, e.g. through the use of intelligence sharing and strategy groups. Such protocols may lead to the targeting of agreed high risk and problem premises whilst permitting a lighter touch approach in respect of well run premises.

Strategic Integration

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may

include the use of closed circuit television cameras, 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.

- 6.7 This policy avoids duplication with other regulatory regimes wherever possible.

In respect of Live music, Dancing and Theatre

- 7.1 This policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues the potential for limited disturbance in neighbourhoods will always be carefully balanced with these wider benefits, particularly for children. The impact of licensing on regulated entertainment, particularly live music and dancing, will be monitored. Where indications are that such events are being deterred by licensing requirements, the policy will be revisited with a view to investigating how such situations might be reversed.
- 7.2 The Licensing Committee represents the general interests of a community. In determining what conditions should be attached to licences and certificates as a matter of necessity for the promotion of the licensing objectives. The Licensing authority is aware of the need to avoid measures which deter live music, dancing and theatre - such as imposing indirect costs out of proportion to the income of the licence holder and to the risks presented. Only necessary, proportionate and reasonable licensing conditions should impose any restrictions on such events.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

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: Karen Brookshaw

Date: 15.12.2008

5.2 Legal Implications:

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: 15.12.2008

5.3 Equalities Implications:

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.

5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Brighton & Hove City Council - Cumulative Impact Area
2. Appendix B – Brighton & Hove City Council – Special Stress Areas
3. Appendix C – Measures to be considered in SSA's
4. Appendix D – Map of area.
5. Appendix E – Part A of Premises Licence

Documents in Members' Rooms

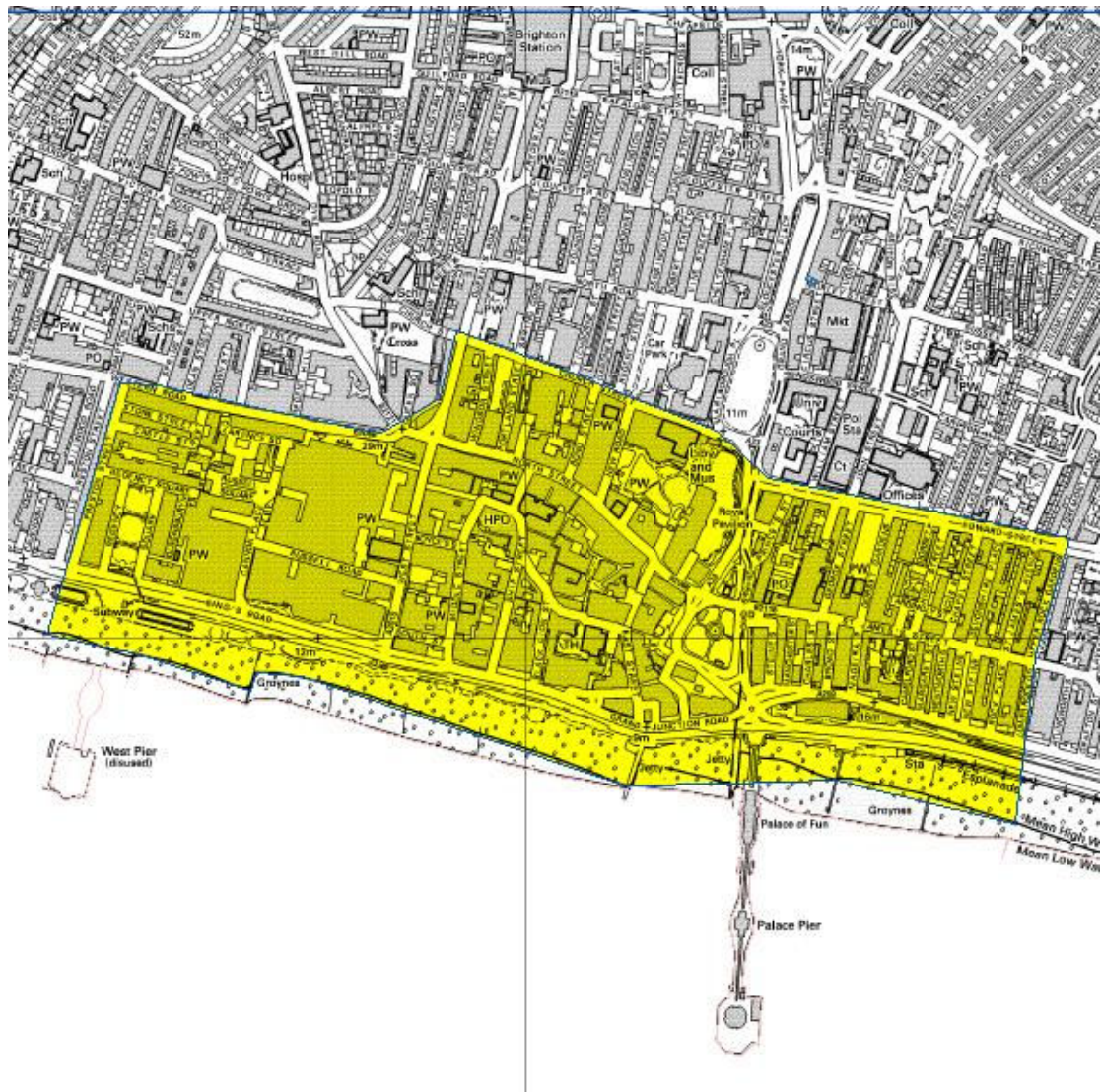
1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy

Background Documents

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.

APPENDIX A

Brighton & Hove City Council - Cumulative Impact Area

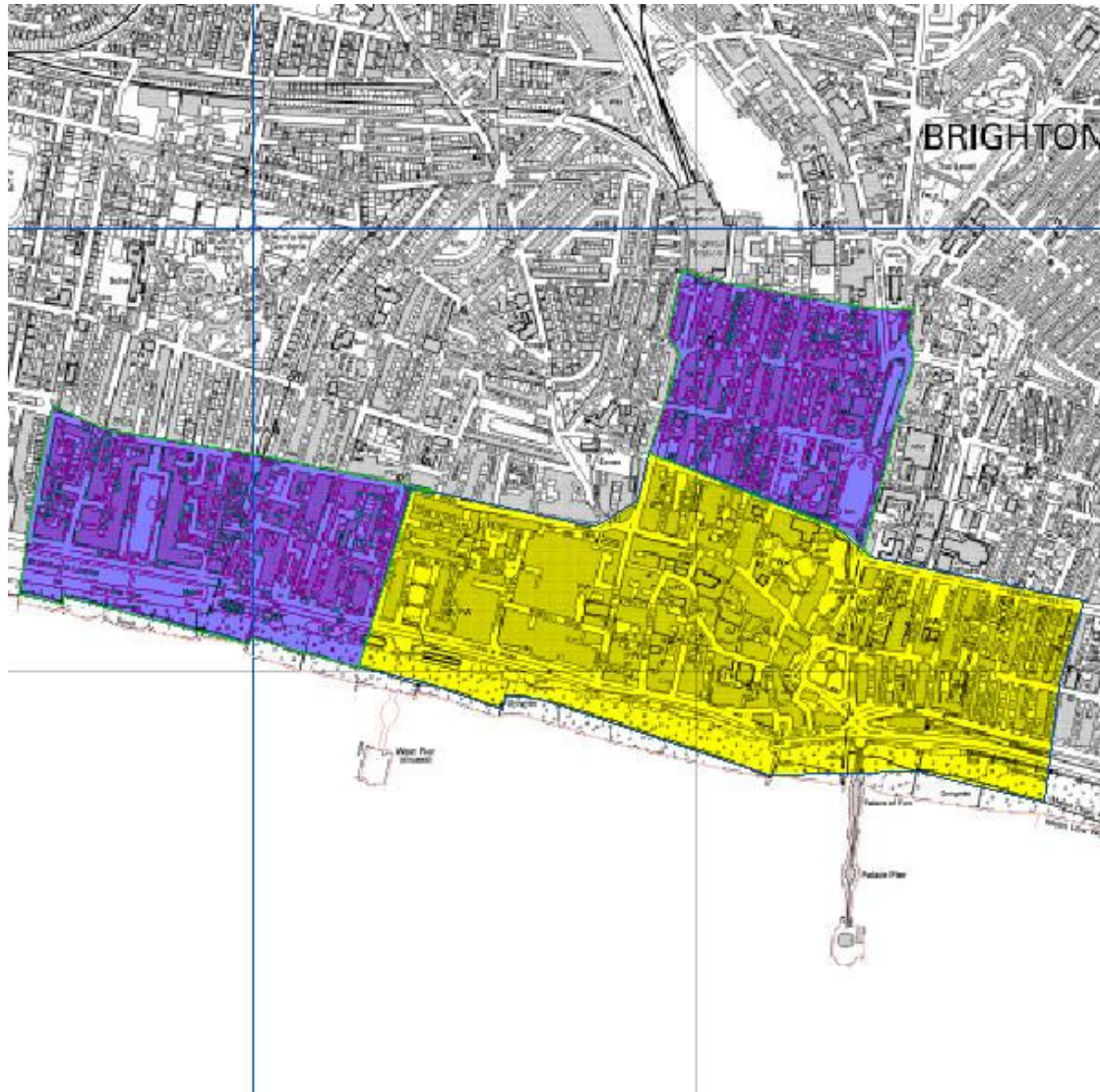


The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street

APPENDIX B

Brighton & Hove City Council – Special Stress Areas

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.

Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary; westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.

APPENDIX C

Measures to be included for consideration in SSAs are:

Matters that would normally be expected in operating schedules -

- the adoption of a “Challenge 21” policy with acceptable proof of id as per existing Statement of Licensing Policy
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital cctv system by liaison with, and to a standard approved by, Sussex police
- policies for dispersal of customers which may include signage regarding taxi services’ telephone numbers and advice to respect neighbours and minimize noise
- systems to ensure any SIA door staff or Mobile Support Unit personnel display appropriate badges when on duty

Items to which positive consideration would be given -

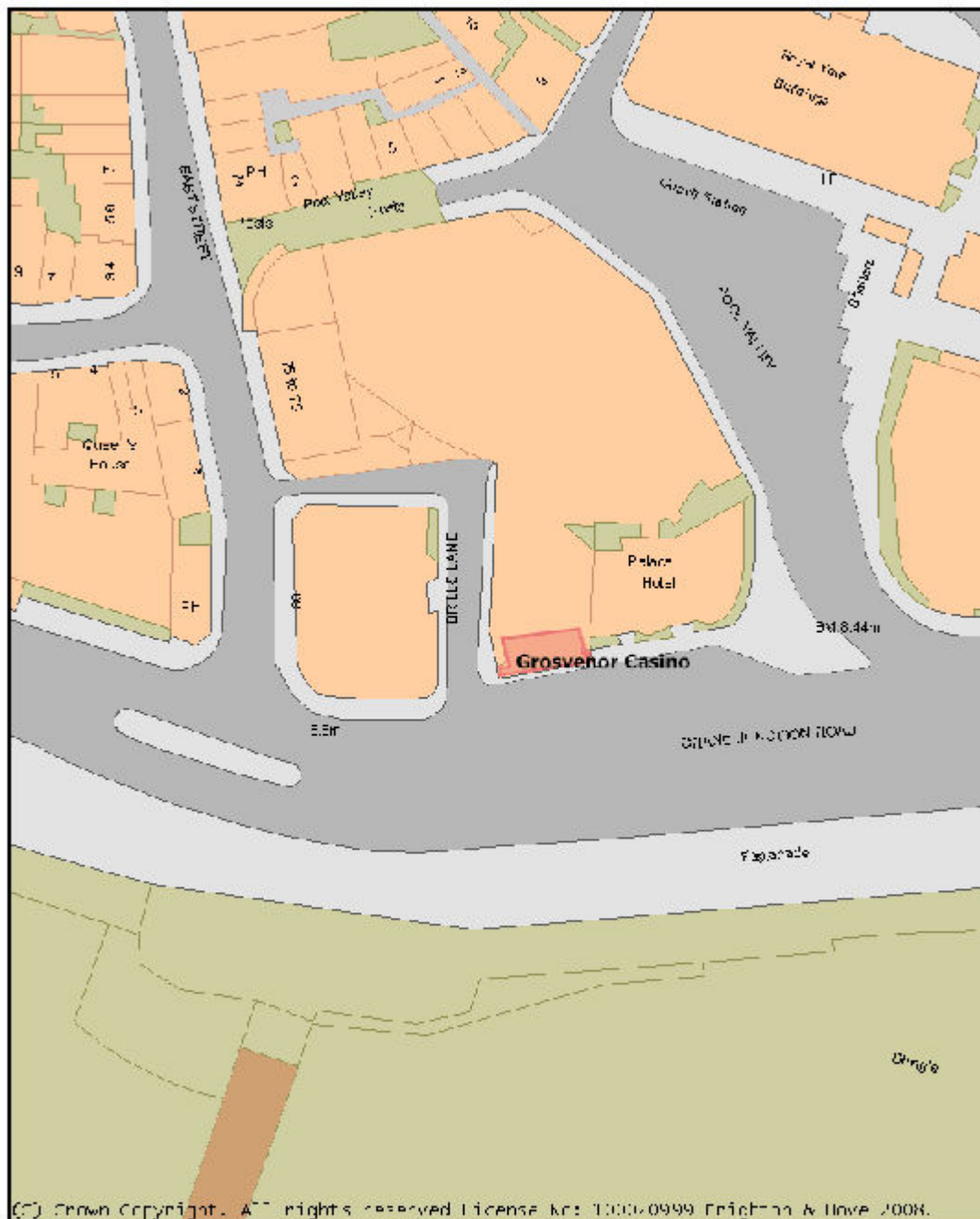
- membership of Brighton Crime Reduction Partnership, Pubwatch, Neighbourhood Watch or similar schemes
- use of ‘nightsafe’ radio system or similar accredited scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly 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

Matters that might be recommended for appropriate restrictions -

- entry to premises by under 18s after certain times
- consumption of food and drink in smoking areas
- access to outside seating areas after certain times

APPENDIX D

Grosvenor Casino 9 Grand Junction Road



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APPENDIX E

Schedule 12

Part A

Regulation 33, 34

Premises Licence

Brighton and Hove City Council

Premises Licence Number

1445/3/2005/02352/LAPREV

Part 1 – Premises Details

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

Grosvenor Casino Seafront

9 Grand Junction Road

Brighton

BN1 1PP

Telephone number 01273 326514

Where the licence is time limited the dates

Licensable activities authorised by the licence

Exhibition of a Film

Performance of Live Music and

Recorded Music

Performance of Dance

Entertainment of a similar description

Making music

Dancing

Entertainment of a similar description

Late Night Refreshment

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Exhibition of a Film - Indoors Music, videos, promotional videos and recordings of a similar kind to be screened at the management's discretion and in accordance with guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Performance of Live Music - Indoors Amplified and unamplified live music at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Performance of Recorded Music - Indoors Provision of recorded music by DJ or other means at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Performance of Dance - Indoors Performance of dance at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Entertainment of a similar description - Indoors Provision of entertainment similar to live or recorded music or of dance regulated by the Licensing Act 2003. Provision of entertainment at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00

Making music - Indoors Provision for making music, to include, but not be restricted to, karaoke. Provision of facilities at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Dancing - Indoors Provision of facilities at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1964. For the avoidance of doubt, Good Friday and Christmas Day are included in the standard timings, however, New Years Eve remains regulated under the Licensing Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Entertainment of a similar description - Indoors Provision of facilities for entertainment of a similar type to making music and dancing. Provision of facilities at the management's discretion and in accordance with Guidelines issued under the Gaming Act 1968.

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00 - 06.00.

Late Night Refreshment Provision of food and hot drink (for consumption on the premises only) at the management's discretion.

Monday - Friday: 23.00 - 05.00, Saturday: 23.00 - 04.30 and Sunday: 23.00 - 05.00.

Sale by Retail of Alcohol

Monday - Friday: 10.00 - 06.00, Saturday: 10.00 - 04.00 and Sunday: 12.00* - 06.00.

*On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The opening hours of the premises

Monday - Friday: 10.00 - 06.30

Saturday: 10.00 - 04.30

Sunday: 12.00 - 06.30.

On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

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

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

Part 2

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

Grosvenor Casinos Ltd

Statesman House

Stafferton Way

Maidenhead

Berkshire

SL6 1AY

Tel: 01628 504000

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

Registered Business Number 00877080

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Susan Jane Moralee

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

Annex 1 - Mandatory conditions

- S 19; mandatory conditions where licence authorises supply of alcohol
 - 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
 - every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
- S 20; mandatory condition: exhibition of films
 - the admission of children is to be restricted in accordance with the following
 - (a) where the film classification body is specified in the licence, unless subsection (3)(b) of S 20 applies, admission of children must be restricted in accordance with any recommendation made by that body
 - (b) where the film classification body is not specified, or [(S20 (3)(b))] the relevant licensing authority has notified the holder of the licence that this subsections applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority

Embedded Conditions:

On Licences

1. Permitted Hours

Alcohol shall not be sold or supplied except during permitted hours.

7) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

4. Late Night Refreshment

The Licence may also provide and permit the consumption of late night refreshment for a period of 30 minutes after the permitted hours set out above, and on New Years Eve until 5am on New Years Day.

5. Recorded Music

Premises licensed for the sale and supply of alcohol may provide, at any time, regulated entertainment by the reproduction of wireless, including television broadcast and of public entertainment by way of music and singing only which is provided solely by the reproduction of recorded sound.

Source Section 182 Licensing Act 1964

Condition Attached to Justices Licence

Numbers are not to exceed those indicated by the Chief Fire Officer

Special Hours Certificates

For casino premises:

5. The sale of alcohol must be ancillary to the use of the premises for gaming facilities and substantial refreshment.

Variations to Embedded Conditions:

1. To remove the restrictions relating to permitted hours as set out in Sections 60 and 76 Licensing Act 1964 with the exception of New Years Eve.
2. To remove the restriction on consumption of alcohol as set out in Section 63(1) Licensing Act 1964.
3. To remove the restriction on credit sales imposed by Section 166 Licensing Act.
4. To extend hours alcohol is sold and the provision of regulated entertainment.

Annex 2 - Conditions consistent with the Operating Schedule:

For the prevention of crime and disorder: n/a

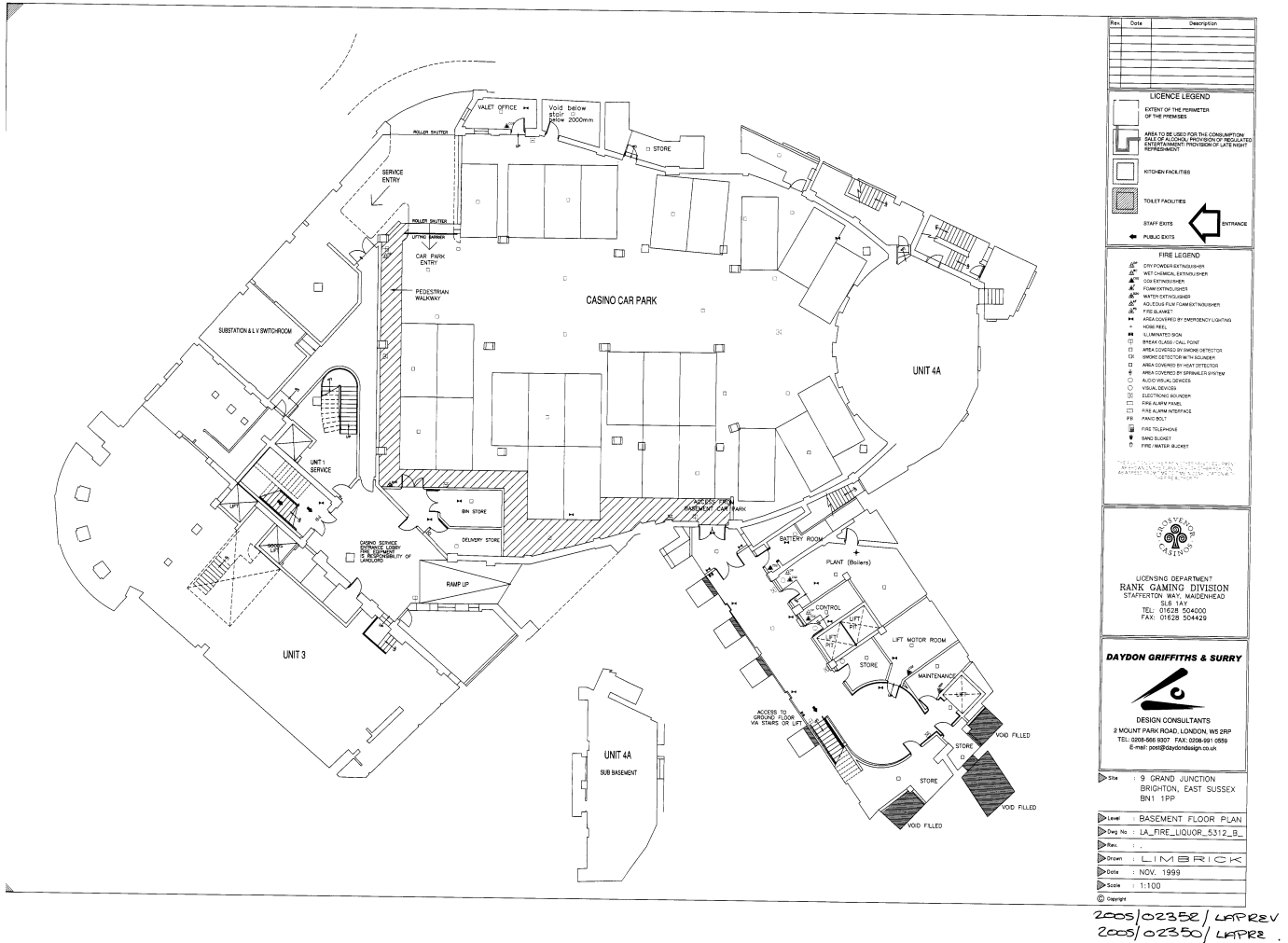
For public safety: n/a

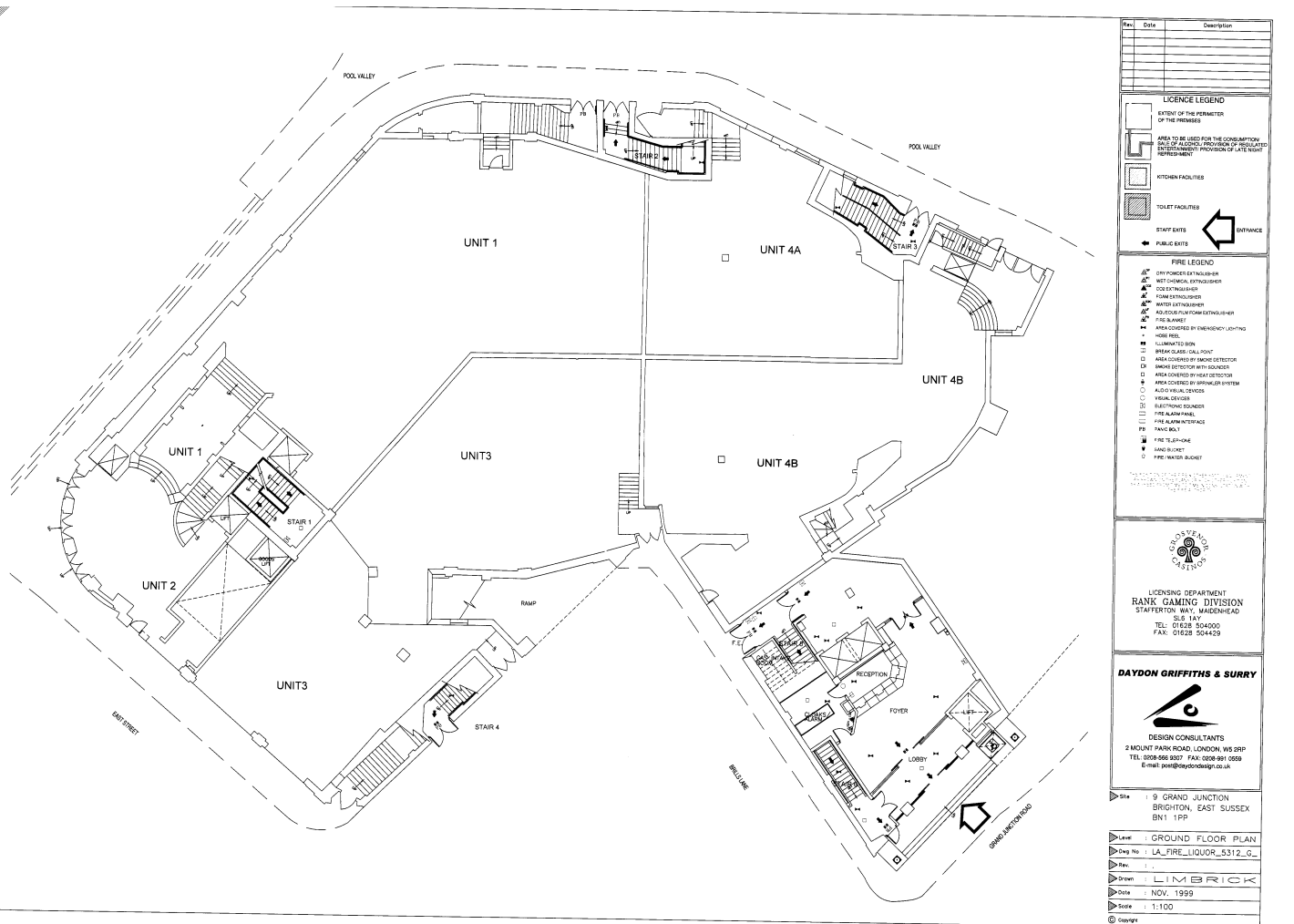
For the prevention of public nuisance: n/a

For the protection of children from harm: n/a

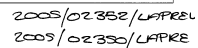
Annex 3 - Conditions Attached after a hearing of a Licensing Panel n/a

Annex 4 – Plans





2005/02352/LA/PRE U
 2005/02350/LA/PRE .



P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 9)

Strict controls are already in place (including those required by the Gambling Commission) in relation to (1) management and supervision of the premises and (2) conduct of customers and staff and appropriate measures will be taken.

b) The prevention of crime and disorder

Please see a) above.

c) Public safety

Please see a) above.

d) The prevention of public nuisance

Please see a) above.

e) The protection of children from harm

Please see a) above.

Document is Restricted

