

Premises Licence
Brighton and Hove City Council

Premises Licence Number

1445/3/2020/03364/LAPRMV

Part I – Premises Details

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

Rockwater
Kingsway
Hove
East Sussex
BN3 4FA

Telephone number 01273 091166

Where the licence is time limited the dates - The temporary huts shaded in green on the attached plan shall only be used for licensable activities until **14 December 2020** (refer to Annex 2 Condition 6)

Licensable activities authorised by the licence

Performance of Live Music
Performance of Recorded Music
Performance of Dance
Anything of a similar description to live music, recorded music and performance of dance
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Live Music

Every Day 11:00 - 03:00

Performance of Recorded Music

Every Day 11:00 - 03:00

Performance of Dance

Every Day 11:00 - 03:00

Anything of a similar description to live music, recorded music and performance of dance

Every Day 11:00 - 03:00

Late Night Refreshment

Every Day 23:00 - 03:00

Sale by Retail of Alcohol

Every Day 11:00 - 03:00

The opening hours of the premises

Every Day 11:00 - 03:00

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

Rockwater Group Ltd
42 Bruton Place
London
W1J 6PA

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

Registered Business Number 11814588

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

Edmund Leo Raymond Wilson
REDACTED TEXT

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

REDACTED TEXT

Annex I - Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

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

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

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

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

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

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

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

- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:
- (b) “permitted price” is the price found by applying the formula—

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

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (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.

S 21; mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
 - b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
 - a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films): or
 - b) In respect of premises in relation to:
 - I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or
 - II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
 - a) “Security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and
 - b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule

General

1. No regulated entertainment activity of live or recorded music will be played from 01:00 a.m. on a day to day basis, except for at pre-booked private functions at which music and dancing will be allowed.
2. Substantial food shall be available at all times that alcohol is offered for sale on a day to day basis except on pre booked private celebratory functions where a food offer must be included.
3. The roof terrace to be closed at 11 p.m. unless fully enclosed.
4. All other outside areas to be closed to patrons at 11 p.m. save for smokers who will not be permitted to carry out drinking vessels.

5. Any off sale of alcohol sold in an open container for consumption off the premises must not be served in a glass vessel.
6. The temporary huts shaded in green on the attached plan shall only be used for licensable activities until 14 December 2020.

For the Prevention of Crime and Disorder

7.
 - (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times when the premises licence is in operation.
 - (b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - (c) CCTV footage will be stored for a minimum of 31 days.
 - (d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
 - (e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - (f) Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
 - (g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.
 - (h) 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.
8. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence. Any refusals made for alcohol service e.g. underage, will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

9. At Private functions or multiple functions of more than 100 patrons, SIA trained and licensed door supervisors shall be employed on a ratio of 1:100 with a minimum of two (2) on duty from 20:00 and until the last customer has left the premises and the outside area have been dispersed of customers.
10. SIA licensed door supervisors shall be employed on any other occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.
11. A documented 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.
12. A written crowd management procedure/dispersal policy shall be designed and implemented to ensure that there is a wind down period prior to the premises closure and customers are advised accordingly. It will be shared with Sussex Police.
13. The premises will become a member of the Business Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night time economy.

For Public Safety: None

For the Prevention of Public Nuisance

14. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

For the Protection of Children from Harm

17. 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.
18. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.
19.
 - (a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
 - the lawful selling of age restricted products;
 - refusing the sale of alcohol to a person who is drunk; and
 - refusing the sale of alcohol for consumption off the premises to people who may have alcohol dependency issues.
 - (b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
 - (c) All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

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

Annex 4 – Plans





