

**Premises Licence  
Brighton and Hove City Council**

**Premises Licence Number**

**1445/3/2021/00618/LAPRMV**

**Part I – Premises Details**

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

Molly Malones  
57 West Street  
Brighton  
BN1 2RA

**Licensable activities authorised by the licence**

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

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

**Performance of Live Music - Indoors**

Monday - Sunday: 10.00 - 04.00 hrs

**Performance of Recorded Music - Indoors**

Monday - Saturday: 10.00 - 04.00 hrs

Sunday: 12.00 - 04.00 hrs

**Late Night Refreshment - Indoors**

Monday - Sunday: 23.00 - 04.00 hrs

**Sale by Retail of Alcohol**

Monday - Saturday: 10.00 - 04.00 hrs

Sunday: 12.00 - 04.00 hrs

**For all of the above activities:** 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 - Sunday: 10.00 - 05.00 hrs

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**

Indigo Leisure Limited  
63 Western Road  
Hove  
BN3 1JD

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

Registered Business Number      03808062

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

Sean Matthew Kirkpatrick  
REACTED

**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

## 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**

### **For the Prevention of Crime and Disorder:**

1. Suitable illumination will be provided to the exterior areas of the building.
2. A minimum of 3 SIA Door Supervisors will be on duty when one or two floors are being used on Friday, Saturday and Public Holidays from 20:00.
3. A Door supervisor will be placed on the outside of each exit door of the premises from 20:00 on Friday, Saturday and Public Holidays until all members of the public have left the premises.
4. Where possible one of the SIA door supervisors will be female.
5. Whilst SIA door supervisors are on duty they will check the premises every half an hour. A record of these checks will be kept at the premises. This will include the outside area.

6. The licensee will ensure that prominent, clear and legible notices are displayed at the exit to the outside area notifying the public that no drinks are to be taken outside after 21:00.
7. A designated glass collector will be employed for each floor that is open to the public to collect glasses after 20:00 on Friday, Saturday and Public Holidays.

**For Public Safety:**

8. Where practicable all drinking receptacles shall be made from shatterproof material.

**For the Prevention of Public Nuisance:**

9. Staff will organise taxis for customers when required to take them from the premises.
10. Customers will be seen off the premises when appropriate and encouraged to disperse from outside the building in a quiet and orderly manner.
11. No music will be played in the outside area.
12. External doors will be closed at 12:00 (Midnight) Sunday to Thursday and 03:00 Friday and Saturday (and Public Holidays) save to gain access to or egress from the premises.
13. Internal doors will be closed at 12:00 (Midnight) Sunday to Thursday and 03:00 Friday and Saturday (and Public Holidays) save to gain access and or egress from the Lower or Ground floor.
14. Windows will be kept closed from 12:00 (Midnight) Sunday to Thursday and 03:00 Friday and Saturday (and Public Holidays).
15. The licensee shall ensure that 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 area quietly.

**For the Protection of Children from Harm:**

16. Children, under the age of 18, will be permitted to enter the premises between the hours of 12:00 and 18:00 whilst under the supervision of an adult. No children will be admitted to the premises at any other time.

**Annex 3 – Conditions attached after a hearing by the licensing authority on 27<sup>th</sup> October 2008:** (both conditions deleted as a consequence of MV reference:2021/00151/LAPRMV)

### **Annex 3 – Conditions attached after a hearing by the licensing authority on 12<sup>th</sup> November 2014:**

1. The premises licence holder /management will have in place a written operations manual detailing policies, risk assessments and training specific to the premises, details of which have been inspected by Sussex Police and approved by them and the Licensing Authority. The operations manual acknowledges the good practice and both legal and social responsibilities of the licence holder and will document the management structure and all training carried out. It will also identify the controls necessary to promote the protection of children from harm and will include what considerations have been made for both normal day to day activities and any special events or functions which may arise during the year including public holidays, when seasonal variations are taking place and other city wide events e.g: Pride. This operations manual will be reviewed every 12 months or sooner should the need arise and a copy shall be retained at the premises and available for inspection by the Police and the Licensing Authority, upon request. Any major change intended to this manual shall be approved by Sussex Police and the Licensing Authority before being taken into use.
2. Licence holders and staff must monitor customer behaviour for breaches of these policies and undertake regular inspections of the sections of the premises not visible to the bar area e.g: the toilets.
3. During times when SIA door staff are employed at the venue, premises inspections will be hourly and include the toilets and the smoking area. They will be recorded in writing in the incident book.
4. The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences with a photograph of 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.
5. Signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.
6. 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 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 Data Protection 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 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 and remedied as soon as practicable.
7. SIA Licenced 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 7 days in advance. Further, as part of this written risk assessment the premises licence holder will consult with Sussex Police and take into consideration their advice regarding the following: Public holidays, when seasonal variations are taking place and other city wide events e.g: Pride. This written risk assessment will be reviewed every 12 months or sooner should the need arise and a copy shall be retained at the premises.
8. The premises will become a member of the BCRP or similar scheme approved by the Licensing Authority that operates with radios and uses the Nightsafe and Yellow Card Scheme or similar reporting scheme.
9. An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident 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.
10. All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales and drunkenness:
- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age-restricted products and not serving a drunk prior to the selling of such products, and verbal reinforcement / refresher training thereafter at intervals not to exceed 8 weeks with the date and time of the verbal reinforcement/refresher training documented.
  - All age-restricted sales and preventing serving an intoxicated person 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 and Hove Trading Standards upon request.
  - All staff are to receive training in line with that detailed in the operations manual of condition 1.
11. The premises shall at all times maintain and operate a refusals recording system and an incident log (either in book or electronic form) which shall be reviewed by the Designated

