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## Brighton & Hove Licensing Unit

Police Station  
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Brighton  
BN2 0LA

Tel: 01273 404535 ext **REDACTED**

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

**APPENDIX B3**  
**(POLICE REVIEW**  
**APPENDIX C)**

11<sup>th</sup> August 2022

Mr Ali Algun  
Yelken,  
109 St James's Street,  
Brighton,  
East Sussex,  
BN2 1TH

Dear Mr Algun,

**Licensing Act 2003 – Unauthorised licensable activities**  
**RE: Yelken, 109 St James's Street, Brighton, East Sussex, Bn2 1TH.**

Our records show that you are both the Premises Licence Holder (PLH) and Designated Premises Supervisor (DPS) for the above premises. I write with reference to the above premises where Police Licensing visited during the citywide Pride event (5<sup>th</sup> – 7<sup>th</sup> August 2022).

As part of this visit it was identified that you were selling alcohol for consumption 'off' the premises, allowing vertical drinking and for alcohol to be consumed not ancillary to a main meal which your premises licence **does not** permit. There was no Temporary Event Notice in place and there was no statement (known as a Section 172F statement) to show that you had notified Brighton & Hove City Council Licensing that you were taking advantage of temporary permissions under the Business and Planning Act 2020.

**Sussex Police Headquarters**  
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In addition to this, I would like to highlight the following breaches of the licence conditions:

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

Alcohol is supplied for consumption *on the Premises*.

Because there was no authority in place permitting 'off' sales of alcohol e.g. a TEN or Section 172F Statement, the above were therefore not being complied with.

- Part A of the licence was not fully available on the day of the visit.
- Part B was not correctly on display.

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

### **General**

1. Alcohol will be served by waiter/waitress service to persons seated at tables and ancillary to a main table meal only. There will be no vertical drinking at any time.

I have to advise you that it is an offence under Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that:-

*(1) A person commits an offence if –*

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be carried on.*

*(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.*

The highlighted breaches constitute an offence of carrying on licensable activity otherwise than under and in accordance with an authorisation (the premises licence and the attached conditions). This letter acts as a formal written warning, however further enforcement action is being considered and you will be notified in due course.

A record of these events will be placed on the premises file and will be taken into account when Sussex Police consider any future applications or events that may relate to the premises.

I must also advise you that any further breaches of your licence may mean further enforcement action is taken, which could include a Review of your licence.

If there are any matters within this letter that you wish to discuss then please do not hesitate to contact us on the phone number or email address above.

Yours sincerely,

**REDACTED**

Sgt Mark Redbourn  
Police Licensing  
Local Policing Support Team  
Brighton & Hove

cc. Paper copy to Mr Ali Algun (Joint PLH and DPS – Hand delivered)  
Brighton & Hove City Council Licensing Team (via email)

