

## Appendix D

### Final Proposed Revision of Conditions for Brighton Cocktail Company, 87-93 Dyke Road – 27<sup>th</sup> June 2023

Retain

Remove

Replace/Update/New

#### Annex 2 – Conditions consistent with the Operating Schedule

##### General

1. Authorised staff employed by Sussex Police in the role of licensing officer shall have the right of access to the licensed premises during hours of operation for the purpose of inspection of the premises and premises records in order to ensure the promotion of the licensing objectives.
2. The sale of intoxicating liquor and other beverages in the café area (including the outside area) shall be waiter/waitress service for consumption by persons seated at tables and there will be no vertical drinking.
3. Substantial food shall be available at all times that alcohol is offered for sale on these premises.
4. Sale of alcohol for consumption off the premises will be permitted only **as follows**:
  - a) Until 18:00 hours each day to persons who have already purchased food or drink for consumption on the premises, and will be restricted to unopened bottles of wine only.
  - b) **In sealed units as part of a gift box for a pre booked and pre paid event where the person paying for the gift boxes has done so prior to the event taking place. All events will be finished by 21:00.**
  - c) **As part of an online order that will be fulfilled as per conditions 19, 20, 21, 22 and 23**

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

5. 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. The system shall be on and recording at all times 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 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 (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.

~~6. 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 intervals not to exceed 4 weeks. 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.~~

6.

- (a) An incident and refusals log will be maintained by the premises showing a detailed note of incidents and refusals that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at intervals of no more than four (4) weeks.
- (b) 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.
- (c) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.

(d) Any refusals made for alcohol service e.g. underage, will be recorded and feedback given to staff as relevant. The log will be kept for a minimum of twenty four (24) months.

7. 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 & Yellow Card Scheme or similar reporting scheme.

**For Public Safety:**

8. 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.

**For the Prevention of Public Nuisance:**

9. Provide signage at all exits and outdoor areas, including those used for smoking by staff and patrons 'Please respect the needs of local residents, leave quickly and quietly; do not disturb neighbours';
10. Use a wind down period to encourage people not to leave en-masse, staff to ensure people are directed to taxi ranks/public transport or wait for taxis in a manner that will not cause nuisance, staff to manage persons leaving the premises do not congregate in the immediate vicinity so as to minimise disturbance;
11. All windows and doors (front and rear) should be kept closed after 11pm, except for access and egress;
12. Staff shall not allow smokers to take drinks outside and shall limit the number/location, as necessary and monitor customers smoking outside on a regular basis to ensure there is no public nuisance.
13. Keep the premises and immediate vicinity free from litter at all times, including at close of trading;
14. Deliveries, recycling and rubbish should not be dropped off, collected or placed outside except between the hours of 7am and 7pm;
15. Licensees are expected to communicate with local residents and businesses with a view to addressing and resolving problems relevant to the four licensing objectives. Including: giving contact telephone numbers to local residents so they can report any issues to the premises and have them dealt with. It is

expected that contacts at the premises would be in a position of responsibility, available when the premises are open, so that problems can be addressed at the time. Licensees should also arrange meetings offering contact with neighbours, where changes are planned or to resolve problems, with a view to good relations.

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

16. The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph or proof of age cards bearing the ‘PASS’ mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.
17. Signage advertising the ‘Challenge 25’ policy will be displayed in prominent locations in the premises.
18.
  - 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 including proxy sales
    - \*Refusing the sale of alcohol to a person who is drunk
  - b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed twelve (12) 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.

### **Customer online orders for delivery**

19. The company website through which alcohol is sold will have measures in place to prevent underage sales. This includes customers having to select/fill out a declaration that they are over 18 before purchasing online.
20. All forms of advertising and promotional literature detailing online sales (including internet sites and flyers/leaflets) will clearly and predominantly state that the company operates a Challenge 25 policy. The forms of approved ID that will be accepted will be listed clearly on the premises website and at point of purchase.

21. Alcohol will only be delivered via the postal service e.g. Royal Mail or other recognised parcel provider to a residential or business address. No alcohol will be delivered in an 'instant' same day fashion e.g. locally by a member of staff or third party delivery service. There will be no collections of orders from the premises.
22. When an order is taken for delivery a record will be kept by the premises of the following:
- a) A list of individual items ordered;
  - b) The delivery address;
  - c) The method of payment;
  - d) The name of the person ordering and receiving alcohol;
  - e) The date and time of delivery;
  - f) The name of the employee of the premises who posted the delivery
23. This record of sales and deliveries will be kept and made available for inspection by the Police, Licensing Authority or Trading Standards for 6 months from the date of delivery or refusal of alcohol.

## Environmental Protection

**From:** Emma Grant <Emma.Grant@brighton-hove.gov.uk>  
**Sent:** 06 June 2023 12:03  
**To:** EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>  
**Subject:** FW: The Brighton Cocktail Company, Dyke Road - variation

I refer to the application for Variation of the prem lic for The Brighton Cocktail Company, Dyke Road. Subject to the conditions proposed in the application, on the current premises licence and the following condition which has been agreed with the applicant, EP will not be putting in a representation to this variation.

***Mail order deliveries will only be collected by the national delivery partners between the hours of 7am and 7pm?***

There is no history of noise complaints at this premises. The applicants agreement to the above condition can be seen in the email chain below.

Thanks Emma  
Environmental Protection Officer

Emma Grant  
Licensing Officer. Safer Communities | Brighton & Hove City Council,  
2nd Floor, Barts House, Barts Square, BN1 1JP  
07826 951829 / [emma.grant@brighton-hove.gov.uk](mailto:emma.grant@brighton-hove.gov.uk)

My working hours are Monday to Thursday mornings

Our customer promise to you

We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect | Our organisation complies with the GDPR. To learn more about how we comply and care for the security and privacy of your personal data, visit this page.

**From:** Shannon Severy REDACTED

**Sent:** Tuesday, June 6, 2023 11:06 AM

**To:** Emma Grant <[Emma.Grant@brighton-hove.gov.uk](mailto:Emma.Grant@brighton-hove.gov.uk)>

**Subject:** Re: The Brighton Cocktail Company, Dyke Road – variation

Hi Emma,

Thank you for your email. Yes, I am happy to add the proposed condition.

Best,

Shannon Severy

**Founder | [The Brighton Cocktail Company](#)**