



**Brighton & Hove  
City Council**

APPENDIX C7 (APPENDIX 6)

**Safer Communities – Licensing Team**  
Brighton & Hove City Council  
2<sup>nd</sup> Floor Bartholomew House  
Bartholomew Square  
Brighton  
BN1 1JP

Premises Licence Holder (PLH)

Date: 11 January 2023  
Our Ref: 2022/02478/LICPRM/EH  
Phone:

e-mail:

Dear PLH

**Licensing Act 2003 – Final Warning Letter**

**Re: The Copper Rooms 12a Regency Square & 76-78 Preston Street Brighton BN1 2FG**  
**Premises Licence Number 1445/3/2022/00663/LAPRET**

This letter constitutes a **final formal warning**. I write to you in your capacity as Premises Licence Holder and Designated Premises Supervisor, following a warning letter sent to you on the 11<sup>th</sup> October 2022 (attached) and a recent complaint about the above premises. I visited you for the third time on the 7<sup>th</sup> January 2023 to check the CCTV was working and compliant with the condition and to inform you that we have received a further complaint about noise.

I asked you to show me the CCTV there appear to be 8 cameras in total, but you could only show me the images from 6 of them. When I asked you to show me evidence that the cameras were recording for 28 days as per the licence condition, I was unable to view any recordings. There was nothing on the hard drive.

The condition on the Licence regarding CCTV is as follows:

**For the prevention of crime and disorder:**

1. Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the RDF (Gray's) bar and covering the entrance following consultation with Sussex Police. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate co-operation and technical assistance to the Police in the event of them requesting CCTV footage.

It is extremely disappointing that after 3 visits and a warning letter that you are still not complying with the above condition. You have also not replied to any correspondence I have sent you.

Telephone: 01273 290000  
[www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

Non-compliance with conditions constitutes a breach of the premises Licence issued under the Licensing Act 2003. You have a duty to ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if –

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  
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 an unlimited fine, or to both.

In light of the fact that you still do not have compliant CCTV, you are therefore breaching your licence and this letter constitutes a **final formal warning**.

I have kept Brighton Police Licensing notified throughout this process as they are the lead agency on the Licensing Objective of the Prevention of Crime and Disorder relating to CCTV. I am aware that they have also sent you breach letters. Please evidence that your CCTV is now recording for 28 days within 14 days of this letter.

Furthermore there were a number of things discussed in our initial visit to the Premises in September followed up with the attached email. Despite asking you to respond to me as a matter of urgency regarding the points that need action on the 29<sup>th</sup> September and again on the 15<sup>th</sup> October I still have not received a response.

Therefore there are still a number of issues that still require correction or clarification as follows:

The licence itself is still in the name of the Copper Rooms and you have not updated your address for either the Premises Licence or your Personal Licence, please do so the details of how to do this were provided on the 29<sup>th</sup> (attached). You have not completed the Minor Variation to remove the 12a Regency Square, which you have now told me you want to do again details of how to do this were provided on the 29<sup>th</sup>.

You were advised at the inspection and on the 29<sup>th</sup> September that written/computer records of checks that you are making in relation to the following conditions would be good evidence of compliance.

1. Toilets checks will be carried out at least once an hour.

We were told on the 15<sup>th</sup> September, this was being done and recorded. You couldn't provide any evidence of this on the 7<sup>th</sup> January.

Despite providing you with the link for BCRP according to you are still not a member of BCRP.

2. *The RDF (Gray's) bar will join the night safe scheme and operate the yellow card scheme while these schemes are in existence.*

Again details of how to join were provided on 29<sup>th</sup> September see attached.

One of the reasons I visited your premises again on the 7<sup>th</sup> was that we had, had another noise complaint the conditions on your licence are as follows:

***For the Prevention of Public Nuisance:***

- 1. Noise levels will be checked by the management to ensure that there is no disturbance to surrounding residents.*
- 2. The manager will not allow customers to drink alcohol where they could cause a nuisance.*
- 3. When leaving customers will be asked leave quietly and respect the neighbours.*
- 4. The RDF (Gray's) bar will operate a quiet door policy where door staff will ask all customers leaving the bar to please leave quietly.*

Despite discussing these conditions extensively on the 15<sup>th</sup> September and providing the follow up email attached. You could not provide me with any evidence that you were completing any noise checks and the signage provided about noise was not on display.

Despite asking you to respond to me as a matter of urgency regarding the points that need action on the 29<sup>th</sup> September and again on the 15<sup>th</sup> October I still have not received a response.

At my most recent visit on the 7<sup>th</sup> January you could produce no evidence of making noise records or toilet checks, BCRP membership or recording CCTV.

Please can you a contact me as a matter of urgency in writing regarding the points above the action that you will take within 14 days of this letter.

I remind you that the Council Licensing and Police Licensing teams have enforcement officers monitoring the city both day and night. Should I or any of my colleagues witness any further breaches of the licence conditions further formal enforcement action may be considered.

I have also attached/enclosed an invoice as your annual fee payments are overdue.

Yours sincerely,  
**REDACTED**

Emily Fountain  
Licensing Officer  
Licensing Team  
Safer Communities

cc. Brighton Police Licensing

