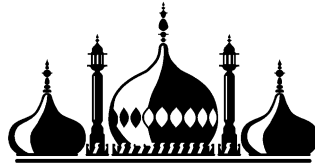


Appendix C

NOTICE OF INTERIM



STEPS PENDING REVIEW

Brighton & Hove

TO: The Licence holder

TO: The Chief Officer of Police

of Karen's Diner

RE: Sections 53A and 53B Licensing Act 2003 – Summary reviews; consideration of interim steps. Decision of the Licensing Panel at the meeting convened on Friday 9th February 2024 at 10.00am. Premises known as Karen's Diner, 3B The Boardwalk, Brighton Marina, Brighton BN2 5WA.

The panel considered the certificate and application for summary review by the Police. The panel has consulted the Police and questioned them about the circumstances which have led to the application for summary review of this premises licence. The premises licence holder was not present at the meeting.

The panel has decided to take the interim step of suspending the premises licence pending the determination of the full review proceedings. This suspension has immediate effect.

Reasons:

The panel has considered all the interim steps available to it. It must focus on the immediate measures that are necessary to prevent further serious crime occurring. In the circumstances the panel agreed with the police and considered that suspension of the licence was the only effective solution to promote the licensing objectives particularly that of public safety, protection of children from harm, and prevention of crime and disorder and to prevent the occurrence of further serious incidents.

REDACTED. There was also a report of inappropriate actions towards a minor. The panel also has taken into consideration the strong evidence of drug use at the premises following drug swabbing on the 2nd February 2024, and the serious breaches of the conditions on the licence notably CCTV, and no evidence of any training as required. The Certificate and police application detail the incident, the drugs readings and breaches of conditions. The police have serious concerns about how the premises is being run under the current management and believe there is potential for further incidents if swift action is not taken. They have no confidence in the management of the premises. The panel is very concerned about the evidence and accounts presented to it, which it takes very seriously. It shares the police concerns about the management of the premises and their ability to uphold the licensing objectives and keep their customers, staff and public safe. The persistent absence of the DPS is of concern as they should be in day to control and ensuring licensing conditions are being met. However, removal of the DPS, though considered by the panel, is not by itself adequate to ensure public safety. The widespread breach of conditions; most significantly the apparent wilful and deliberate removal of the CCTV is of huge concern as is the lack of training. There appears to be a culture of disregard for conditions which makes imposition of any further conditions ineffective as they are not likely to be adhered to. Further, despite the intervention made by police, and complaints from restaurant users, there is still apparently inappropriate content in social media that the premises control which shows no reflection on the welfare of minors and children on the premises. We acknowledge that the character of the business has an element of rudeness but consider that lines have been crossed with regard to what is appropriate to the welfare of children. Taking into consideration all of the above, the panel considers that suspension of the licence pending the full review hearing is necessary in the interests of public safety, safeguarding, and to prevent further crime and disorder occurring at the premises.

This decision takes effect immediately. The premises licence holder may make representations against this decision. Such representations should be addressed to the Head of Safer Communities, Bartholomew House,

Bartholomew Square, Brighton, BN1 1JP. Email: EHL.Licensing@brighton-hove.gov.uk

REDACTED R L Sidell Legal adviser to the Panel for Head of Law
Dated 9th February 2024