

Appendix A

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Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

This application relates to a small Indian Restaurant that until recently held a Premises Licence.

The Premises Licence Holder changed the name of the company that held the Premises Licence and allowed the old company to be dissolved.

Due to a regrettable administration error he did not transfer the Licence to the new company.

This led to the Premises Licence lapsing.

The site is in the Licensing Authority's Cumulative Impact Zone. In accordance with Section 3.1.6 and 3.1.9 of the Licensing Policy I submit there are exceptional circumstances for this application to be considered.

This application is, in effect, to reinstate a Premises Licence for a restaurant that has hitherto been run in a compliant and safe manner.

The error in not changing the Premises Licence Holder is acknowledged as a mistake, with no ulterior or malicious motive.

The restaurant has been run well under Mr Islam's stewardship and is compliant in terms of promoting the licensing objectives to the extent that, until the issue of the lapsed licence was discovered, no regulatory problems had been caused.

I submit that this application can be dealt with under the aforementioned provisions of 'exceptional circumstances' and that it replaces a licence in name only that has been held for some years previously.

It will not, for the reasons mentioned above, have a negative Cumulative Impact.

The application replicates the previous licence detail in licensable activities, timings and conditions.

These are CCTV, Challenge 25, Staff Training, Refusals Register, Doors and windows closed post 2300 hrs except for access and egress, alcohol delivered by table service only and no vertical drinking at the site.

These conditions and good management have ensured the premises has properly promoted the licensing objectives.

b) The prevention of crime and disorder

This application is, in effect, to reinstate a Premises Licence for a restaurant that has hitherto been run in a compliant and safe manner.

The error in not changing the Premises Licence Holder is acknowledged as a mistake, with no ulterior or malicious motive.

The restaurant has been run well under Mr Islams stewardship and is compliant in terms of promoting the licensing objectives to the extent that, until the issue of the lapsed licence was discovered, no regulatory problems had been caused.

The application replicates the previous licence detail in licensable activities, timings and conditions.

Suggested Conditions

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

CCTV

2. 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, including the entrance to the premises. 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 GDPR 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 - brighton.licensing@sussex.police.uk.

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.

Incident Log

3. a) 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 least once a week.

b) The logbook 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.

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.

8. Signage advertising the "Challenge 25" policy will be displayed in prominent locations inside the premise.

d) The prevention of public nuisance

The site has never provided Regulated Entertainment and doesn't intend to do so. The risk of causing a public nuisance is minimal and conditions on the previously held licence have ensured this licensing objective has been actively and properly promoted.

Suggested Conditions:

4. There will be no regulated entertainment other than background music allowed.
5. All windows and doors will be kept closed after 23:00 at the latest except for entry and exit.

e) The protection of children from harm

The Restaurant will run an age verification policy of Challenge 25. This, together with documented Staff Training, has ensured this Licensing Objective has been fully promoted to date and with the inclusion of the identical conditions from the previous licence being included in this application - will ensure future compliance.

Suggested Conditions;

6. a) The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive induction training. This training will take place prior to the selling of such products:
 - ❖ The lawful selling of age restricted products
 - ❖ Refusing the sale of alcohol to a person who is drunk.
- b) Further verbal reinforcement/refreshers training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refreshers 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.
7. 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 – including when delivering. The recommended forms of ID that will be accepted are passports, driving licenses with a photograph or proof of age cards

