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## Brighton & Hove Licensing Unit

Police Station  
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Brighton  
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Date: 06<sup>th</sup> March 2025

The Licensing Technical Support Officers  
Environmental Health, Brighton & Hove City Council  
Bartholomew House, Bartholomew Square  
Brighton, East Sussex  
BN1 1JP

Dear Sarah Cornell,

**SC CON ENDS 11.03.2025 VALID PCD & PCH (A)**

**RE: APPLICATION FOR A PREMISES LICENCE FOR UNDERCLIFF CAFÉ, THE UNDERCLIFF WALK, OIVINGDEAN, BN2 7HG UNDER THE LICENSING ACT 2003.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the above licence application on the grounds of the prevention of crime and disorder and protection of children from harm. We refer to the Brighton & Hove City Council Statement of Licensing Policy (SoLP) within this documentation.

This is a licence application in an area of the city which sits within the "Other Area" (as defined in the Brighton & Hove City Council Statement of Licensing Policy) and seeks the following hours and licensable activities:

Supply of Alcohol (on and off sales)

Monday – Sunday: 09:00 – 22:00

Opening hours

Monday – Sunday: 09:00 – 22:00

The applicant has described the premises as being a kiosk which is located beside the beach. Seating for customers is all external. It's mentioned within the application that "it is essential that customers have the ability to takeaway alcohol". Toilets are by way of public ones as shown on the plan.

Within the plan submitted it shows an external seating area to the side of the unit which is to sit within the licensable area although most sales are likely to be for takeaway.

Sussex Police have submitted this objection as we feel the location on the beach is not an appropriate one for an alcohol licence. There is no inside controlled area for consumption of alcohol.

**Sussex Police Headquarters**  
Malling House, Church Lane, Lewes, E. Sussex, BN7 2DZ

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One concern Sussex Police has is how proxy sales to under 18s will be managed in the outside seating, how will the outside seating area be managed – Sussex Police note there is a side hatch and a single door and question if alcohol to the outside seating area will be supplied by the hatch therefore meaning the applicant with have little control over this area or secondly if alcohol is taken away and possibly consumed on the beach.

Sussex Police would like to put this before a licensing panel and ask for the off sales aspect of the application to be refused as there are no conditions which can be offered, and that Sussex Police can propose which will mitigate the risks of alcohol being taken onto the beach or consumed in public spaces. It is also unclear from the application what types of alcohol will be sold from this premises for consumption.

Sussex Police is aware of the RLSS UK Don't drink and drown campaign and their statistics show that 46% of accidental drownings of those aged between 18-25 involve alcohol and/or drugs in the last 6 years.

The beach is a particular area of vulnerability, not only in relation to the risk of drowning, but the environment of the beach which creates 'hidden' areas in darkness which perpetrators of crime exploit, including sexual offending.

Another concern that Sussex Police would like to raise is in Section J of the application, "Probable increase during Summer Months due to Increased footfall" – there is no further information regarding what hours the applicant is looking for and Sussex Police would have concerns if a premises on the beach in this location was to be trading into the Nighttime economy which would encourage members of the public to buy and consume alcohol on the beach, which increases vulnerability and possible crime..

Sussex Police have noted a kitchen is displayed on the plan, but there is one proposal that alcohol may be served alongside food, therefore Sussex Police have included some conditions which go some way to promoting the Licensing Objectives should the applicant and Sub committee agree to the On sales aspect of this application.

Due to there being no pre consult with Sussex Police and the lack of information provided for the off sales aspect of this application and the premises being positioned on the beach, Sussex Police do not believe the conditions offered go far enough to protect and promote the licensing objectives and therefore ask for a licensing panel to scrutinise this application.

Yours sincerely

**REDACTED**

A/ Insp Mark Redbourn  
Ops Planning and Events (inc. Licensing) Inspector  
Brighton & Hove Division - Sussex Police

## Proposed Conditions for the applicant and subcommittee – for the On sales only.

### **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 shall be by 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. Food menus must be clearly displayed within the premises and include both hot and cold food options.
5. The sale and supply of alcohol for consumption within any outside area will be in agreement with the owner of the property as displayed within the building lease and or appropriate licence issued by Brighton & Hove City Council for use of tables and chairs on the outside area as shown on the plan deposited.
6. No beer, lager, cider or perry with an ABV over 6% or above shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% or above such as craft or specialty brands or brands produced by a micro brewery, or brands produced to commemorate a national or local event.

### **Prevention of Crime and Disorder:**

7. 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 the entrance to the premises and any areas where alcohol is stored. 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) 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 e.g. USB) for the police without difficulty or delay and without charge.
  - g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable [brighton.licensing@sussex.police.uk](mailto: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.
8. 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 month.
  - 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.

9. The premises shall at all times maintain and operate a sales refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book should be kept on the premises and be available for inspection at all times the premises are open by Sussex Police, officers of the Local Authority.

**Public Safety: None**

**Prevention of Public Nuisance: None**

**Protection of Children from Harm:**

10. 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, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID, biometric residence permit cards or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.
11. Signage advertising the 'Challenge 25' policy will be displayed in prominent locations in the premises.
12. a) The Premises Licence Holder/Management 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 and will include:
- The lawful selling of age restricted products Including but not limited to, the requirement for the staff member conducting the transaction to ensure they do Challenge 25 checks regardless of any other staff member / door staff checks that may have taken place.
  - 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 8 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.