



Brighton & Hove City Council

Schedule 12 Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2024/05685/LAPRET

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Malika
46 - 50 Kings Road
Brighton
BN11NA

Licensable activities authorised by the licence

Performance of Recorded Music
Performance of Live Music
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Performance of Recorded Music – Indoors only: Background music at an acceptable level to create an ambience in the premises at all times it is open.

Performance of Live Music – Indoors only: Background music at an acceptable level to create an ambience in the premises at all times it is open.

Late Night Refreshment
Every Day: 23.00 - 00.00

Sale by Retail of Alcohol
Every Day: 10.00 - 17.00

- The sale of intoxicating liquor and other beverages shall be by waiter/waitress service for consumption by persons seated at tables and there will be no vertical drinking.



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- Substantial food shall be available at all times that alcohol is offered for sale on these premises.

Every Day: 17.30 - 00.00

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

The opening hours of the premises

Every Day: 08:00 to 17:00
17:30 to 00.30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises. Off the premises subject to Condition 4 of Annex 3 only.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Sales Solutions (Southeast) Ltd
Flat 8, 41-45 St James's Street,
Brighton,
BN2 1RB

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number: 15475947

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Justin Michael Manning
REDACTED

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Personal licence number: REDACTED Issuing Authority: REDACTED



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Annex 1 – Mandatory conditions

S19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
 - a) at a time when there is no designated premises supervisor in respect of the premises, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of



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24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

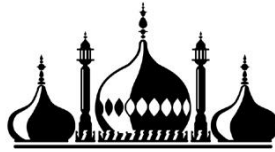
(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

(e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
6. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;



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- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 —

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:

(b) “permitted price” is the price found by applying the formula—

$$P=D+(D \times V)$$

where—

(i) P is the permitted price,

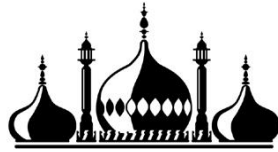
(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence,
or



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(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

S 21; mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
 - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:



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- a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry act 2001 (c12) (premises with premises licences authorising plays or films): or
 - b) In respect of premises in relation to:
 - I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or
 - II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
- a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and
 - b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Annex 2 – Conditions consistent with the Operating Schedule See Annex 3

Annex 3 – Conditions Attached after a Licensing Panel Review Hearing on 21 February 2023

General

1. Neither Mr Andrew Cheesman nor Mr Ellis Cheesman will operate at the premises in the role of Premises Licence Holder nor as the Designated Premises Supervisor.

2. Operating Style:

(a) Between the hours of 10:00 – 17:00:

- The sale of intoxicating liquor and other beverages shall be by waiter/waitress service for consumption by persons seated at tables and there will be no vertical drinking.



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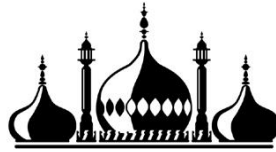
- Substantial food shall be available at all times that alcohol is offered for sale on these premises.

(b) Between the hours of 17:30 – 00:00 (Midnight)

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

3. 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.

4. Alcohol for off sales is only permitted to customers seated at tables within the designated seating area immediately outside the premises. The outside area within the submitted plans will be subject to a valid tables and chairs licence issued by Brighton & Hove City Council. The area size and permitted hours of use will be operated as per the granted pavement licence. The area must be clearly defined by a substantial barrier, the nature of which has prior agreement with the Highways Department.



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For the Prevention of Crime and Disorder:

5. SIA licensed door supervisors shall be employed 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.

6. At all times the premises are open to the public, the management will contract the back-up services of an approved mobile support unit (MSU) with a minimum of 2 SIA registered Door Supervisors operating from it. A copy of the MSU contract will be retained at the premises and made available for immediate inspection upon request by Sussex Police or Council Officials. The MSU will be accredited by the Brighton Business Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.

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 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.



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- 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.
8. The premises will become a member of the Business Crime Reduction Partnership or similar scheme approved by the Licensing Authority. The scheme must operate, subject to local coverage, radios and additionally an exclusion/banning scheme of named individuals within both the day and night-time economy.
9. An incident & refusals 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. 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. 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 12 months.
10. There will be no alcoholic drink promotions such as discounts or 3 for 2.

For the Prevention of Public Nuisance:

11. No Noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
12. Speakers shall not be located/operated in the entrance lobby or outside the premises.

Public Safety

13. In regard to the use of polycarbonates, a documented risk assessment will be written which identifies the activities undertaken at the premises when polycarbonate drinking vessels will be used both externally and internally. This includes the removal of other glass items such as beer and wine. 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 Protection of Children from Harm



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14. 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 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.

15. Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

16. 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
- - 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. The records will be retained for at least 12 months and shall be made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.

17. No person under 18 shall be allowed in the premises after 22:00hrs on any day unless accompanied by an adult.



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Annex 4 – Plans



Rev	Date

These drawings should be approved by the authority.
No alterations to be made from the original or otherwise to be made without the authority of the authority.
Client

Bad Boys Fish & Chips Ltd
Project: Proposed Alterations
48-50 Kings Road, Brighton
Drawing: Proposed Floor Plan

Scale: 1/100 Date: March 2021

Site: William Avenue Plot: East Sussex Tel: 01273 202128
0101 0001 Fax: 01273 211497 Email: info@turnerassociates.co.uk

Turner Associates
Structural and Planning Consultants

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