

Appendix C



Regulatory Services
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

EF CON ENDS 22.05.2025 VALID PCD, PPN & CIZ (A)

Licensing Team
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 19th May 2025
Our Ref: 2025/02576/LAPREN
Phone: 01273 295801
Email: REDACTED

Dear Emily Fountain,

RE: Licensing Act 2003 - Representation against the application for a new Premises Licence application for Station Grill, 62 Queens Road, Brighton, BN1 3XD

I refer to the application made by London Export and Import Ltd, for a new Premises Licence at Station Grill, 62 Queens Road, Brighton. The proposed hours are for Late Night Refreshment, every day 23:00hrs to 03:00hrs and opening from 07:00 every day.

I have concerns about this application and make a representation on the grounds of the prevention of crime and disorder and the prevention of public nuisance and that this application is contrary to our Statement of Licensing Policy (SoLP).

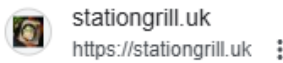
The council has a special policy to address cumulative impact, the special policy was set up because the Licensing Authority determined that the concentration of licensed premises and the subsequent numbers of people drawn into the city centre is causing exceptional problems of crime and disorder and public nuisance. The special policy will only be overridden in exceptional circumstances. New applications and variations to existing licences should normally be refused following relevant representations. This presumption of refusal can be rebutted by the applicant if they can show that their application will have no negative cumulative impact on licensing objectives including the prevention of crime and disorder and public nuisance. The Licensing Authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in the light of the individual circumstances of the case.

This special policy applies to all new premises licences and club premises certificates, for example pubs, restaurants and take-away establishments and 62 Queens Road falls within the cumulative impact area (CIZ).

The Council's Statement of Licensing Policy (SoLP) includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model recognises the diverse operation and different risks presented by different classes of licensed premises. It provides a vision of what the Licensing Authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications. Each application is still considered on its individual merit and there is discretion to depart from the Matrix approach policy in exceptional circumstances. The Matrix table clearly shows that late night takeaways in the CIZ should not be granted.

The applicant has stated in their application and in additional supporting information, that the premises is a restaurant, providing hot food after 23:00 which will be indoor in some cases and will stop serving customers dining it at 23:59hrs. After that it will be mostly for delivery and collection to be consumed at the customer home address not outside the restaurant. When searching on the

internet the premises describes itself as a take-away although I appreciate that they may have a small capacity for dining in:



Station Grill | Fast Food Takeaway & Online Ordering in ...

Station Grill. Located at 62 Queens Rd, Brighton and Hove, Brighton BN1 3XD, UK,
we offer a variety of freshly prepared Fast Food meals delivered straight ...



We have received additional correspondence from our Planning Department regarding this application, Planning are a Responsible Authority under the Licensing Act 2003 and are consulted on applications. They have said that the premises does not have planning permission to be a take-away and has opened an enforcement case for investigation.

For clarity purposes, this is the second time I have put in a representation against this premises and applicant, they originally applied in September 2024 and a licensing panel refused the application at hearing. The applicant appealed that decision and the matter is still pending at the Magistrates Court.

It is important to note that our Cumulative Impact Assessment (CIA) (which must be carried out every three years and forms part of our SoLP) recognises that 'late night refreshment' premises do add to the problems in an already saturated area. The applicant has specifically put forward that they are a 'restaurant' which does not sell alcohol so the premises will not add to the existing cumulative impact.

Extract from the CIA:- "In some areas where the number, type or density of licensed premises such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance, crime and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. These conditions are more likely to arise in city centres."

'Late night refreshment' becomes licensable after 23:00hrs and I believe that granting this application will likely add to additional burdens and problems to the already challenging area, especially when customers are collecting orders from the premises and deliveries are taking place between midnight - 3am. I therefore wish to bring the application to the attention of the panel so that they can question the applicant further and decide whether this application constitutes exceptional circumstances to depart from the policy.

Yours sincerely

REDACTED

Sarah Cornell

Senior Licensing Officer

Licensing Team Environmental Health and Licensing Regulatory Services



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

Police Station
John Street
Brighton
BN2 0LA

Email:
brighton.licensing@sussex.police.uk

EF CON ENDS 22.05.2025 VALID PCD, PPN & CIZ (B)

19th May 2025

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

Dear Emily Fountain,

RE: APPLICATION FOR A NEW PREMISES LICENCE FOR STATION GRILL, 62 QUEENS ROAD, BRIGHTON, BN13XD UNDER THE LICENSING ACT 2003.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds that it will undermine the Licensing Objectives of the prevention of crime and disorder and public nuisance. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy.

This is a proposed new licence application in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the Cumulative Impact Area (CIZ) (as defined in the BHCC Statement of Licensing Policy) and seeks the following hours and licensable activities:

Late Night Refreshment (Both)

Every Day 23:00 – 03:00

Opening hours

Every Day:

23:00 – 03:00

Paragraph 3.1.2 of the Brighton and Hove City Council 2021 Statement of Licensing Policy states:

“The licensing authority, after careful consideration, has determined that the concentration of licensed premises in an area of the city centre is causing problems of crime and disorder.”

In accordance with the Statement of licensing policy this application would be a “NO”

This premises lies within what was the Regency Ward which within the Brighton & Hove Public Health Framework for Assessing Alcohol Licensing and is ranked number 1 for All injury Violence, All violence against the person and Sexual Offences. Additionally, it’s ranked number 2 for Police recorded alcohol related incidents, demonstrating the higher risk to the Licensing Objective of the Prevention of Crime and Disorder in this area.

Recent incident & crime statistics indicate that during the period of 18th May 2024 and 16th May 2025 there were 283 crimes linked to Queens Road and surrounding side roads. The majority of these incidents were recorded as violent crime in a public place and thefts.

This shows a slight increase in crimes from the previous search which was run between October 2023 – October 2024 where there were 271 crimes recorded.

There was also 9 Sexual Assaults reported along Queens Road in this 12-month period.

With the area already experiencing high number of incidents which occur throughout the day and night, permitting a premises to be open into the night time economy is likely to increase incidents in the locality, which is already a busy thoroughfare road to and from the city centre and the train station and is populated with many Licensed premises all varying from Pubs, off licences and Late Night Refreshment venues.

PC Wade and Licensing officer Hannah Staplehurst worked a night shift on Saturday 10th May 2025. At 23:05 they travelled along Queens Road and witnessed large groups of people congregating at a Late Night Refreshment (LNR) premise. We were unable to access this premises due to the crowd growing along the pavement, however at this time Station Grill 62 Queens Road was closing and this dispersed some of the groups and encouraged them to continue towards the train station.

At 23:45 we visited Queens Road again to visit the LNR premises and crowds were less busy and manageable inside the premises however we were unable to stop due to a few arrests that were taking place on the opposite side of the road, because Police Constables had been assaulted and Queens Road was busy with a number of police vehicles and Police Constables.

While Sussex Police acknowledge that the premises application is not asking for the sale of alcohol, offering food and drink into the early hours encourages persons who may be under the

influence of alcohol or drugs to remain in the area, which has a number of residential flats and properties. This increases the risk of crime and disorder, anti-social behaviour and public nuisance in an area that is already evidenced to be problematic.

I have previously worked with the applicant throughout the consultation period for their first application which was submitted in 2024 and after a licensing hearing this application was refused. Sussex Police are aware the applicant has appealed this decision and are concerned that should be this second application be granted while the first application is in the appeal process, this would encourage a Judge to grant a second licence at appeal as the police concerns and crime data would be dismissed.

The applicant may have been trading during a day for a few months now, but they haven't traded along Queens Road, nor in Brighton during the Night time economy and seemed to have little understanding of the crime and disorder associated with this area. Security has since been offered when requested by the police, the applicant has not offered specific days and times themselves.

Sussex Police are also confused over what the applicant is applying for. I note on this application they are now applying for 03:00 every day which is an hour longer on a Sunday – Thursday than the first application.

The application also says they are a restaurant offering delivery services, but in Subsection A under section 18 of the application it states *"Also, will offer collection services for customers already existing in the city centre"*

During this Consultation period, Licensing Officer Hannah Staplehurst asked for clarification for what the applicant was applying for, and asked for clarity why this application had been submitted while an appeal is progressing with the first court hearing imminent.

Please find below part of the reply that was received

"My first application was not for take away. I confirmed many times that my shop is a restaurant and not a take away shop.

serving dine in , delivery and collection DOES NOT mean that it is a take away. all restaurants including Macdonalds and KFC are restaurants and they offer delivery and food collection services."

Sussex Police would disagree that during the first hearing the applicant stated he was applying for a restaurant as the applicant offered to have a hatch cut in the window at the front in order to pass food to customers waiting on the pavement. Which would possibly mean the tables and chair would have to be removed for this area.

Sussex Police would also disagree and would state that deliveries and collections are in fact take aways as the definition of a take away is where a customer buys food from a premises to be eaten elsewhere.

Sussex Police have little confidence in the applicant and fear should a licence be granted until 03:00 every day, Sussex Police could see an increase in crime and disorder as the applicant would not be able to operate knowledgeably.

Lastly there was issues raised around the Blue notice the applicant had to display as part of this application process. Licensing officer Hannah Staplehurst and PC Wade drove past on the 24th April 2025 and they are able to confirm that there was no Blue Notice on display and spent photos to the BHCC Licensing team. This further raise concerns in the confidence of the applicant to complete licensing conditions.

Although we are unable to support this application and are now seeking refusal for the second time, if the Licensing Panel are minded to grant this application at the hearing, Sussex Police have attached conditions and ask that these conditions are added to the Premises Licence, taking into account the request that the premises trades only for deliveries from Midnight. The conditions being offered unfortunately do not mitigate fully the risks should this premises trade until 03:00am. They go some way to reduce incidents occurring within the premises itself but there are no conditions that can address the risks once customers have departed. The risks of them becoming a victim of crime or them partaking in criminal activity is one that will need to be dealt with by the emergency services. Or if public nuisance issues occur, then this will be for the environmental officers to pick up.

Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

- Attached proposed conditions.

Yours sincerely,

REDACTED

Insp Ben Morrison
Ops Planning and Events (inc. Licensing)
Inspector Brighton & Hove Division
Sussex Police

Please address all future correspondence to Brighton & Hove Licensing Unit, Police Station, John Street, Brighton, BN2 0LA.

REP B Police Licensing - Station Grill, 62 Queens Road, Brighton Proposed Conditions

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 premises will operate as a restaurant until 23:59pm. From Midnight (00:00) until close the premises will be closed to customers (there will be no takeaways or eating in after that time), The premises door will be locked during these times and opened only to allow delivery persons to collect orders. and only deliveries will take place. Clear signage will be placed on the door to advising potential passing customers that the premises is closed.
3. All delivery orders shall be to a registered residential or business address. There shall be no deliveries to public/communal areas or open spaces.

Prevention of crime & disorder

4. Subject to GDPR guidance and legislation:
 - (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 entrances/exits to the premises as well as any outside space. 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 Police e.g. USB) or provide footage via an online link as initiated by 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.
 - (h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by 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.

5. SIA licensed door supervisors shall be employed on any other occasions 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 Events e.g. Football, Pride, Music Events. 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 is open to the public, the management will contract the back up services of an approved mobile support unit (MSU) that operates at all times the premises is open to the public, 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 Crime Reduction Partnership (BCRP) or other similar organisation approved by Sussex Police should the BCRP not be in existence.
7. The premises will become a member of the Brighton 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 nighttime economy.
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 a manager 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.

Any additional conditions offered up within the original application or agreed with any other responsible authority.

Public safety

Any additional conditions offered up within the original application or agreed with any other responsible authority.

Prevention of public nuisance

9. The management will ensure that delivery vehicles waiting or arriving to collect orders will be parked/waiting legally and not causing a public nuisance by way of obstructing the highway or footpaths.

Any additional conditions offered up within the original application or agreed with any other responsible authority.

Protection of children from harm

10. All staff will be trained in:

- Identifying persons who are vulnerable which could include but not limited to, their age or due to intoxication and or drugs as well as identifying potential perpetrators.
- Conflict management.

The operator will have a policy in place assisting staff in how to deal with such situations.

All 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.

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.

Any additional conditions offered up within the original application or agreed with any other responsible authority.

