

REP A
EF CON ENDS 11.07.2025 VALID PCD & PPN



Police Station
John Street
Brighton
BN2 0LA
Tel: 01273 470101
www.sussex.police.uk

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

Email: brighton.licensing@sussex.police.uk

09/07/2025

Dear Emily Fountain,

**RE: APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR FLAMES
KEBAB & PIZZA, 36 PRESTON ROAD, BRIGHTON, EAST SUSSEX, BN1 4QF UNDER
THE LICENSING ACT 2003. 1445/3/2025/04771/LAPREV**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the above variation 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 (revised January 2021) and the Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025).

This is a proposed variation to a premises licence in an area of the City which is subject to a Special Policy adopted by Brighton & Hove City Council. The premises lies in the Special Stress Area (SSA) (as defined in the BHCC Statement of Licensing Policy) and seeks to extend the licensable hours for late night refreshment.

The premises is currently licensed as follows:

Late Night Refreshment

Everyday: 23:00 – 01:30

Opening hours

Everyday: 17:00 – 01:30

They have applied to vary the licence to the following hours:

Late Night Refreshment (Indoors)

Everyday: 23:00 – 04:00

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Applicant has ticked 'indoors' for where the provision of late-night refreshment will take place – this is believed to be an error as they make mention that they 'only serve hot food for takeaway and delivery', meaning that 'outdoors' is likely to be required as well.

Opening hours

Everyday: 15:30 – 04:00

Paragraph 3.2.2 of the Brighton and Hove City Council 2021 Statement of Licensing Policy states:

“This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it.”

While Sussex Police acknowledge that the premises application is not asking for the sale of alcohol, offering hot 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 is surrounded by 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.

The licensing decision matrix on page 18 of the Council Statement of Licensing Policy (SoLP) suggests that new premises or premises licence variations asking for these licensable activities and hours are a 'No'. While Paragraph 3.2.3 states that within the SSA *“applications will not be subject to the presumption of refusal”* it goes on to state that *“operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas”*.

The applicant did pre consult with Sussex Police via email and was advised that we would be unable to support their application (Please see Appendix 1). They were given advice and asked questions around potential conditions to consider as well as local issues and some of this has been addressed within their application and cover letter. However, Sussex Police do not believe this goes far enough to evidence why their application would be an exception to policy or why the SoLP matrix should be departed from.

Paragraph 14.40 of the Secretary of State's Guidance to the Licensing Act 2003 (February 2025) provides:

‘In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described....Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.’

The applicant has offered some information under Section M of their application and in their cover letter but these are minimal workable conditions and Sussex Police do not believe these go far enough to help mitigate any potential risk in this area of the City. The conditions



offered fall far short of the current city-wide expected standard and while there is some mention of crime prevention measures such as CCTV and that the 'premises licence holder holds a valid SIA Door Supervisor licence', these have not been fully elaborated on. Additionally, no reduction in hours or restrictions around walk in/in person collections has been suggested e.g. closing to the public from 01:30. While what is offered can go some way to reduce incidents occurring and being managed within the premises itself, there are no conditions that can address the risks around take away and what happens once customers leave the premises. Sussex Police additionally contend that the carrying on of additional licensable activity and the hours applied for at these premises will add to the existing issues in this area.

Although there is no presumption of refusal in this area, it is still for the applicant to make positive proposals (including suitable conditions) to ensure they will not add to the existing issues in an area. We do not believe the applicant has done this and what is offered does not evidence that special attention has been paid when drawing up an operating schedule. Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application in light of the Police concerns, local issues and Local Authority special policy.

While we are unable to support this application and are seeking refusal, we have drawn up a list of potential conditions which go beyond what has been offered within the application. Should the panel be minded to grant this application in full or part, we ask you to consider imposing the conditions attached at Appendix 2. These can be added to or amended depending on what clarification the applicant provides.

Additionally, if the panel are minded granting, we ask for following to be considered:

- Eat in only from 01:30 (their current end time for licensable activity) or closing the premises to the public fully from 01:30 and offering a delivery only service.

By permitting consumption only within the venue they then take responsibility for the safeguarding of their customers and can have SIA security in place to help manage this. The applicant has not offered anything concrete in their application around how many SIA they plan to employ or what times.

Allowing people to walk in/takeaway means this safeguarding then falls to other agencies when customers leave the premises. This risk can be reduced if the premises is physically closed to the public with no collections from a certain time and only deliveries permitted.

- Deliveries can only be made to a private or workplace address.

This would stop consumption in public spaces in the early hours outside of safe controlled spaces.

- Reduction in hours for Late Night Refreshment

Recent Operation Marble crime data (February - April 2025) has shown that there is a peak risk of violent, sexual and drug offences on a Saturday and Sunday all the way up to 05:00,



evidencing the very real risk to the licensing objective of crime & disorder. Reducing the hours which the premises is open to the public or can provide take away may help manage this risk and prevent persons gathering in the locale when already intoxicated and interacting with one another negatively.

An additional condition of:

- The premises will not operate under this licence until all conditions set within it are evidenced to Sussex Police and the Local Authority Licensing Team as being adhered to.

The reason for this being that other recent applications that have been granted have been open and operating prior to adhering to all the conditions set at a hearing, putting the public and their staff at risk.

Yours sincerely,

REDACTED

Sgt Mark Redbourn o.b.o Insp Ben Morrison

Operations (inc. Licensing) Inspector
Brighton & Hove Division
Sussex Police

Attachments:

- Appendix 1 – email chain between Sussex Police Licensing & the applicant
- Appendix 2 – potential conditions

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

REP A - Appendix 1 Redacted

Request for Extension of Opening Hours – Flames Kebab and Pizza, Preston Road

Ebadullah Abid

Flames Kebab and Pizza

36 Preston Rd,

Brighton and Hove

BN1 4QF

[REDACTED]

Date: 27/05/2025

Dear Licensing Officer,

I am writing to you as the leaseholder of Flames Kebab and Pizza, located on 36 Preston Road Brighton, to formally request an extension of our business operating hours until 4:00 AM.

We have experienced a significant demand from our customers for late-night service, particularly through orders received after our current closing time. In response to this ongoing demand and in an effort to support the sustainability of our business during these economically challenging times, we believe that extending our hours will allow us to better serve the community and remain competitive.

We are fully committed to complying with all licensing conditions and will take the necessary steps to ensure that our operations do not cause disturbance to local residents or businesses during these extended hours.

I kindly ask you to consider this request and advise on any further steps we may need to take to proceed with this application.

Thank you for your time and consideration.

I look forward to your response.

Yours sincerely,

Ebadullah Abid

Leaseholder

Flames Kebab and Pizza

From: [REDACTED] on behalf of [Brighton Licensing](#)
Subject: RE: Request for extension of opening hours
Date: 28 May 2025 14:21:55
Attachments: [Statement of Licensing Policy 2021.pdf](#)
[image001.jpg](#)
[image002.jpg](#)

Dear Ebadullah Abid,

Thank you for your email and the attached letter with your request around potentially extending your licensing hours at Flames Kebab & Pizza, 36 Preston Road, Brighton. Can I ask whether you have read and considered the Brighton & Hove City Council (BHCC) Statement of Licensing Policy as part of this process please? I have attached a PDF of this for your reference.

Generally new premises licence applications and variations for Late Night Refreshment, even without alcohol, in the Special Stress Area (which Preston Road sits inside) until 04:00 would not be supported by Sussex Police. Premises open into the early hours of the morning attract their own unique issues and even if they are not themselves serving alcohol, may have to deal with intoxicated persons. Is the intention to remain open to walk ins/collections for the entire time you are licensed?

I note that your premises licence currently has no conditions attached to it under Annex 2 apart from one around public safety limiting the number of people allowed on the premises. Can I ask what other measures you have adopted already or would propose if you were to put forward an application to extend your hours? This may include but is not limited to: CCTV, use of SIA doorstaff, staff training etc.

As it stands, it is highly likely that Sussex Police would raise a representation to an application with the terms you are currently proposing. Preston Road is one of the main routes out the city centre and crime data shows that demand for police resources continues across the city until the early hours of the morning (05:00), particularly at the weekends. You have not offered or proposed anything to mitigate potential risk, nor have you provided any reasons why your application would be an exceptional circumstance under the BHCC Policy.

I appreciate this may not be the answer you were hoping for. You are of course still within your rights to make the application and have it heard by a panel of Councillors if Sussex Police do raise a representation. You will have a chance to present your case and the panel will make a decision based on hearing all parties points of view/evidence. The expectation would be on you as the applicant to take into account the BHCC Special Policy, offer exceptional circumstances and show how you would mitigate any increased potential risk that your premises could bring.

Kind regards,

Claire

Claire Abdelkader

Police Licensing Officer

Level 4 PALO Qualification

(she/her/hers)

Brighton & Hove Licensing Unit

Sussex Police | John Street | Brighton | BN2 0LA

From: Flames kebab & pizza ltd

Sent: 27 May 2025 19:45

To: Brighton Licensing

Subject: Request for extension of opening hours

Think before you click!

This email comes from an outside source. Do not click on links or open attachments unless you trust the sender. [Report any unexpected or unusual content.](#)

Dear Sir/Madam

I hope you are well.

Please find attached a formal letter requesting an extension of the opening hours for Flames Kebab and Pizza. The letter includes all necessary details regarding the proposed changes and the reasons for this request.

I would be grateful if you could review it at your earliest convenience. Should you need any further information, please don't hesitate to contact me.

Kind regards,
Ebadullah Abid

Flames Kebab & Pizza, 36 Preston 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.

Prevention of crime & disorder

2. 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 if CCTV footage is required to prevent and detect suspected or alleged crime; CCTV footage will be available to be viewed immediately and any CCTV footage that is required to be downloaded will be made available within 24 hours of an incident.
 - (e) 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, within 24hrs and without charge.
 - (f) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable - brighton.licensing@sussex.police.uk.
 - (g) 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.
3. There will be a minimum of 1 SIA licensed door staff at all times the premises opens past 01:00. The door staff will be on duty from 01:00 until the premises is closed to the general public and ensure that all customers have left the vicinity of the premises.
4. 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.

5. 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.
6. 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.
7. An incident log shall be kept at the premises and must be completed within 24 hours of the incident. It can be in paper or electronic form and will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any visit by a relevant authority or emergency service.
8. The incident log will:
 - a) be inspected and signed off by a manager at least once a month.
 - b) 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 or as listed in condition 7 above.
 - c) be used to give feedback to staff to ensure that the log is used on each occasion that an ejection or incident occurs at the premises and to identify any patterns or trends.
 - d) be kept for a minimum of twenty four (24) months.

Public safety

-

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.

10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Protection of children from harm

11. No children under the age of eighteen (18) will be allowed to remain in the premises unaccompanied from 23:00.

12. All staff will be trained in:

- Identifying persons who are vulnerable for reasons which could include, but are not limited to: their age, 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 12 weeks, with the date and time of the verbal reinforcement/refresher training documented.

REP B
EF CON ENDS 11.07.2025 VALID PCD & PPN

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

Date: 9th July 2025
Our Ref: 2025/01669/LICREP/EH
Phone: 01273 295801
e-mail: sarah.cornell@brighton-hove.gov.uk

Dear Emily Fountain,

Licensing Act 2003 - Representation regarding the application for a Variation of the Premises Licence for Flames Kebab and Pizza, 36 Preston Road, Brighton, BN1 4QF Premises Licence Application Reference - 2025/04771/LAPREV

I refer to the application made by Ebadullah Abid, for a variation of the Premises Licence at Flames Kebab and Pizza, 36 Preston Road, Brighton. The proposal is to extend the current late night refreshment hours and opening hours from 01:30am to 4am every day.

The Licensing Team, in its role as a Responsible Authority, has concerns about this application and therefore I am submitting this representation on the grounds of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. This premises is also situated on Preston Road, which sits within the Licensing Authority's Special Stress Area (SSA).

As stated in the Council's Statement of Licensing Policy (SoLP), the SSA is deemed an area of special concern in terms of the levels of crime and disorder and nuisance experienced within it. Our SoLP states that new and variation applications for premises within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas.

Guidance issued under S182 of the Licensing Act 2003 states that in completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. The guidance goes on to say that applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, SSA and matrix approach to decision making policies), applicants are also expected to demonstrate an understanding of how the policy impacts on their application, any measures they will take to mitigate the impact, and why they consider the application should be an exception to the policy.

On looking at the application form and covering letter, the applicant has proposed some additional measures to promote the licensing objectives, it is up to the panel to decide if they feel that these measures constitute exceptional circumstances to depart from our policy.

The Council's 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. The SoLP 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 decision-making Matrix on page 18 of the Council's SoLP clearly shows that late night takeaways in the Special Stress area should have a maximum terminal hour of midnight. This application is asking for 4am every day and it is unclear if the extension will cover walk-ins and deliveries, or just deliveries after a certain time.

It is my opinion, granting this application is likely to add to the additional burdens and problems in the Special Stress area. The Licensing Team act as guardians of the Council's SoLP and I make this representation on behalf the Licensing Authority as I believe the application made is contrary to our policy and therefore invite the panel to carefully scrutinise the application and decide if it constitutes exceptional circumstances to depart from our policy.

Yours sincerely

REDACTED

Sarah Cornell
Senior Licensing Officer
Licensing Team
Environmental Health and Licensing
Regulatory Services

Agreed Conditions between Applicant and Environmental Protection 18/06/25

From: Emma Grant <REDACTED>

Sent: 18 June 2025 08:08

To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>

Subject: FW: Application for Late Night Refreshment until 04:00 Flames Kebab and Pizza, Preston Rd

Hello

Please see agreed conditions under the Licensing objective of prevention of public nuisance. Subject to these EP will not be making a representation.

1. Ensuring that all delivery vehicles waiting or arriving to collect orders will be parked legally and will not cause any obstruction or nuisance on the highway or footpaths.
2. Conducting litter patrols every half hour during operating hours in the vicinity of the premises to maintain cleanliness.
3. Displaying prominent notices at all exits, requesting patrons to respect local residents and businesses by leaving quietly.
4. Taking all necessary measures to ensure that no fumes, steam, or odors are emitted from the premises that could cause a public nuisance.
5. Controlling noise levels so that no noise or vibrations emanate from the premises that could disturb nearby residents or businesses.
6. Restricting deliveries to the premises between 9:00 pm and 6:00 am daily.
7. Ensuring that recycling and rubbish are not placed outside or collected between 9:00 pm and 6:00 am daily.

Regards, Emma

Emma Grant

Environmental Protection Officer

Licensing Officer. Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
REDACTED

From: Flames kebab & pizza ltd

Sent: 17 June 2025 20:17

To: Emma Grant

Subject: Re: Application for Late Night Refreshment until 04:00

Hi Emma,

Thank you very much for your detailed email and for outlining the conditions under the licensing objective of preventing public nuisance.

We have carefully reviewed all the conditions and would like to confirm that we are happy to accept and fully comply with each of them, including:

1. Ensuring that all delivery vehicles waiting or arriving to collect orders will be parked legally and will not cause any obstruction or nuisance on the highway or footpaths.
2. Conducting litter patrols every half hour during operating hours in the vicinity of the premises to maintain cleanliness.
3. Displaying prominent notices at all exits, requesting patrons to respect local residents and businesses by leaving quietly.
4. Taking all necessary measures to ensure that no fumes, steam, or odors are emitted from the premises that could cause a public nuisance.
5. Controlling noise levels so that no noise or vibrations emanate from the premises that could disturb nearby residents or businesses.
6. Restricting deliveries to the premises between 9:00 pm and 6:00 am daily.
7. Ensuring that recycling and rubbish are not placed outside or collected between 9:00 pm and 6:00 am daily.

We appreciate the Environmental Protection Team's consideration and support, and we look forward to operating responsibly in accordance with these conditions.

Please let us know if there is any further information or documentation you require.

Thank you again for your assistance.

Kind Regards
Ebadullah