

## Appendix A

<b>Section 16 of 18</b>
<b>LICENSING OBJECTIVES</b>
Describe the steps you intend to take to promote the four licensing objectives: a) General – all four licensing objectives (b,c,d,e) List here steps you will take to promote all four licensing objectives together.
Please see attached

Application by Prez Ed Limited to Vary the Premises Licence at Presuming Ed, 114-115  
London Road, Brighton, BN1 4JG

### Background Information

Following the grant of a planning application in respect of the above premises (reference BH2025/00717), to change the use of the ground floor from café/restaurant to café/bar and live performance venue (sui generis) and to change the first floor from existing performing arts, meeting rooms, rehearsal space and staff accommodation to function/meeting rooms, exhibition space, live performance venue and bar (sui generis), the Applicant is proposing to vary the existing premises licence to reflect the change of use. There will be no change to the second floor which is used for staff accommodation.

For information purposes, condition 3 attached to the planning permission, under the above reference, relates to noise mitigation measures required to be carried out as detailed in an acoustic assessment carried out by Sustainable Acoustics. This includes soundproofing as recommended in the acoustic report. Therefore, it is not proposed to replicate this condition in the premises licence application, but please note the proposed change to existing condition 14 under Annex 3 of the premises licence, as set out below, which relates to a noise limiting device being fitted and used to control amplified music played at the venue.

Paragraph 1.9.2 of the Statement of Licensing Policy (“Licensing Policy”) states that licensing decisions will take into account any relevant planning decisions by planning officers and will not normally cut across such decisions. The Applicant is being fully transparent in referring to the granted planning permission and accompanying conditions.

The premises is located at the junction of London Road with Francis Street and has a mix of retail, commercial, cafes, restaurants and leisure uses at street level, with primarily residential premises above, in existing traditional two or three storey buildings. Francis Street mainly consists of residential properties. The premises is located in an area which is well serviced by public transport including a number of different bus services in close proximity to the premises as well as a nearby train station. There are also a number of nearby taxi firms in the vicinity.

The premises does not fall within the council's cumulative impact zone but it does fall within the allocated special stress area under the Licensing Policy. This area is a concern to the licensing authority due to the relatively high levels of crime and disorder and nuisance and the area is being kept under review. Paragraph 3.2.3 of the Licensing Policy states that varied applications for premises will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules to make positive proposals to ensure their operation will not add to the problems faced in these areas. The premises has Mobile Support Unit with Atlas and

has been a member for a number of years. The Operator is a member of the BCRP that operates with radios and uses the Nightsafe & Yellow Card Scheme and current condition 7 under Annex 3 of the premises licence supports this. The Operator has a challenge 25 policy as set out at condition 18 under Annex 3 of the premises licence. The Operator is offering a condition of a minimum of two SIA door staff on Fridays and Saturdays, as set out below. The Operator has compiled a dispersal policy and vulnerability and safeguarding policy. There is an extremely low incident rate over the last ten years' and the Operator does not envisage this changing with trading an additional hour at the end of the day, in view of the strong management of the premises and the existing and proposed conditions in support of the licensing objectives.

### **Premises Use / Concept**

The Applicant has been running the premises since December 2014. The premises supports local artists and has an eclectic mix of artwork on its internal walls and ceilings. The Applicant proposes to run a mixed-use event space for the whole community and provide a creative space to encourage networking, pitching ideas and polishing concepts that will generate independent and creative businesses as well as providing a safe space accessible to all including groups that might feel marginalised or isolated such as those with physical and mental health challenges and LGBTQ+. The Applicant would like to host more events associated with the Brighton Festivals, host short film festivals, as well as in-house pop-up kitchen events, with local chefs and cooking crews.

The proposal to expand uses and to cater for the increasing demand for a venue to hold meetings, screening and theatrical events and the ever-increasing influx of remote workers to local hubs closing has led to a change in planning use and the submission of this variation application.

The Applicant proposes to continue to run a café/bar offering some food on the ground floor by day, but also to use it as a bar in the evening and as a venue for local bands and DJ's.

It is proposed that the first floor will be used for:

- private meetings and functions, supporting local businesses.
- local artists' exhibitions and sales.
- a space for digital artists, graphic designers and creative coders.
- an XR hub for digital animation and film game and VR/VR development.
- a networking and innovation space for Brighton professionals and students.
- a quiet space to attract a more dynamic age group and demographic with the opportunity to hold private meetings, workshops and media/tech-related events throughout the day and evening.
- a venue for theatre performances, local bands and DJ's.
- a further bar for customers and guests.

The Applicant is proud of the artistic and cultural nature of the premises and wishes to continue to develop this and requires further flexibility in running the premises as a mixed use space. Paragraph 1.7.1 of the Statement of Licensing Policy supports entrepreneurial activity, promoting the city's businesses and supporting growth of the creative industries sector. Paragraphs 1.8.1-1.8.3 of the licensing policy confirms that Brighton & Hove has taken a leading role in the national consortium, the Cultural Cities Network and confirms that the cultural offer has grown through new festivals, venues and organisations developing. The Applicant's vision is to continue and contribute to the cultural and artistic offering in the locality. The Applicant is a member of Music Venue Alliance for Brighton, the Music Venues Trusts, Brighton actors network group, Brighton film makers, Brighton actors and film makers, Brighton animation, Brighton poetry scene, audio active, Brighton international animation festival, Brighton digital festival, and Brighton fringe (member since 2017).

Following a pre-application site visit at the premises with police and the licensing authority in August 2025, the proposal is as follows:-

### **Proposed Variation**

The Applicant is proposing to increase the hours for licensable activities by one hour until 01:00 every day with closing half an hour later. This is in line with the permitted hours of use under the granted planning permission.

The Applicant is proposing to increase the hours of use in respect of the external courtyard / terrace area every day until 23:00 in line with the permitted hours of use under the granted planning permission.

The Applicant is not proposing to alter the hours of use in respect of the outside area at the front of the premises. Condition 8 under Annex 3 of the premises licence will remain.

### **Proposed Removal of Conditions**

The Applicant proposes to remove conditions 1, 2, 3, 4, 10, 12 and 17 under Annex 3 of the Premises Licence which are now not appropriate or fit for purpose, following the recent granted planning permission and authorised change of use.

### **Proposed Additional Conditions**

The Applicant proposes to add the following conditions to the premises licence:-

1. A minimum of 2 SIA licensed door staff shall be on duty at the premises on Friday and Saturday from 23:00 until half an hour after closing, when the premises opens beyond 00:00.
2. A dedicated phone line shall be available to residents to call in the event of any concerns.
3. No deliveries will take place between the hours of 20:00 hrs and 08:00 hrs.

### **Proposed Change to Conditions**

The Applicant is proposing to change existing conditions 14 and 15 under Annex 3 of the Premises Licence as follows:-

14. All amplified music will be controlled by a noise limiter which must be fitted to moderate the sound output of the house system, to be set at levels agreed with the Local Authority. This must be used by all those providing pre-recorded and live entertainment.

14a. No external audio equipment will be permitted to be used, unless approved by the Local Authority in writing.

15. Smoking will be allowed in the courtyard until 23:00, at which time the courtyard will close. Smokers will then be able to stand without drinks and smoke at the front of the premises in the street.