



**Brighton & Hove
City Council**

Regulatory Services – Licensing Team

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Date: 3 December 2025 (8/12)
Our Ref: 2025/02822/LICREP/EH
Phone: [REDACTED]
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SC CON ENDS 10.12.2025 VALID PCD & PPN (A)

Dear Sarah Cornell

**Licensing Act 2003 - Representation regarding the application for a Variation of the Premises Licence for Tops Pizza, 6 York Place, Brighton.
Premises Licence Application Reference -**

I refer to the application for a variation of the Premises Licence for Tops Pizza, 6 York Place, Brighton. The proposal is for the following hours and to remove the retail sale of alcohol.

Proposed operation schedule:

The opening hours of the premises
Sunday to Thursday: 12:00 hours until 00:15 hours
Friday to Saturday: 12:00 hours until 02:00 hours

The provision of late-night refreshment
Sunday to Thursday: 23:00 hours until 00:00 hours
Friday to Saturday: 23:00 hours until 02:00 hours

There are no proposed changes to the conditions on the current premises licence. The current premises licence permits late-night refreshment Monday – Sunday: 23:00 hours until 00:00 hours.

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 department received 2 complaints about Tops Pizza in the summer of 2025. These complaints relate to opening beyond their permitted hours. (2am Friday and Saturday and 1am during the week, when the permitted hours were midnight) As well as food hygiene and noise issues. The premises was contacted and an agent advised them to comply with the terms of their licence.

This premises is also situated on York Place, which sits within the Licensing Authority's Special Stress Area (SSA).

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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 the applicant hasn't proposed any additional measures to promote the licensing objectives, in fact the applicant is asking to remove alcohol sales but has not asked to remove any of the conditions on the existing licence. The existing licence has a high number of conditions on, a lot of which relate to alcohol sales, the applicant hasn't addressed the change from a restaurant licence to purely a late night refreshment premises and hasn't indicated whether late night refreshment will be for deliveries only (after a certain time) or walk in's as well.

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. The applicant is asking for 2 additional hours on Friday and Saturday evenings.

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

Emma Grant

Licensing Officer
Licensing Team
Environmental Health and Licensing
Regulatory Services



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

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10th December 2025

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

SC CON ENDS 10.12.2025 VALID PCD & PPN (B)

Dear Sarah Cornell,

RE: APPLICATION FOR A NEW PREMISES LICENCE FOR TOPS PIZZA, 6 YORK PLACE, BRIGHTON, BN1 4GU 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 Special Stress Area (SSA) (as defined in the BHCC Statement of Licensing Policy) and seeks the following hours and licensable activities:

Late Night Refreshment (Both)

Sunday – Thursday	23:00 – 00:00
Friday – Saturday	23:00 – 02:00

Opening hours

Sunday – Thursday	23:00 – 00:15
Friday – Saturday	23:00 – 02:00

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.”

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 this licensable activities and hour is a 'yes until Midnight' which the current premises licence allows. 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".

Recent incident & crime statistics indicate that during the period of 01st December 2024 and 01st December 2025 there were 639 crimes linked to York Place and surrounding side roads. The majority of these incidents were recorded as thefts, where 331 were recorded. However, there was also 113 Violent crimes.

With the area already experiencing high number of incidents which occur mostly throughout the day, with only 65 crimes occurring between the hours of 23:00 – 02:00, permitting a premises to be open into the nighttime economy is likely to increase incidents in the locality, which is located close to The Level and London Road. The crime statistics, if expanded to include some of London Road, The Level and down Grand Parade jump to a concerning 2388 – with 1054 being recorded as theft but there were 584 recorded crimes of Violence against the person.

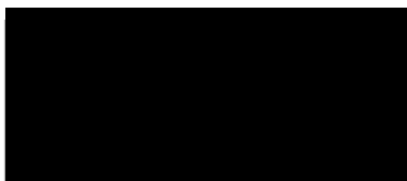
This area populated with many Licensed premises all varying from Pubs/ Bars, restaurants and Late-Night Refreshment venues.

While Sussex Police acknowledge that the premises application is not asking for the sale of alcohol, and in fact removing the licensable activity for the Retail Sale of alcohol, by 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.

The Applicant has not pre consulted with the police before this application was submitted and offers in Section M of the application form "As per current licence conditions" which largely links to the sale of alcohol, no conditions have been offered to control and safeguarding the premises, their customers and the public should this application be granted and be inclusive of deliveries until 02:00.

It is for the applicant to demonstrate they will have no negative impact on the surrounding area. If they are unable to do this then the application should be refused as per the local policy guidance. Please note Sussex Police do not have any representation against the removal of the licensable activity – Retail sale of alcohol. Currently, we do not believe the applicant has gone far enough to evidence why their application would be an exception to policy for Late Night Refreshment and how it mitigates the risk for opening until 02:00 on Friday and Saturdays. Therefore, Sussex Police invite the Licensing Authority to seriously consider this application and in light of the Police concerns, local issues and Local Authority special policy we ask that should the panel be minded granting this application that it is granted with the full proposed conditions (please find attached).

Yours sincerely,



Sgt Mark Redbourn o.b.o. Insp Ben Morrison
Ops Planning and Events (inc. Licensing) Inspector
Brighton & Hove Division

Tops Pizza, York Place, Brighton Sussex Police 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 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.
3. There will be a minimum of 1 SIA licensed door staff at all times the premises opens past midnight. The door staff will be on duty from midnight until close.
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. 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.
6. (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

7. 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

8. 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.

Agreed Conditions between Environmental Protection and the Applicant 08/12/2025

The applicant has confirmed their agreement to the conditions stated below:

- **No noise shall emanate from the premises, nor shall vibration be transmitted through the structure of the premises, which gives rise to a nuisance.**
- **Deliveries, recycling and rubbish should not be dropped off, collected or placed outside except between the hours of 07:00 and 19:00.**
- **A dedicated contact number or email address shall be provided to local residents, allowing them to report any concerns or disturbances related to noise and other nuisance. All reports should be responded to promptly and appropriately to mitigate any impact on neighbouring residents.**

