

REP A



**Brighton & Hove
City Council**

Regulatory Services – Licensing Team

Brighton & Hove City Council
2nd Floor Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

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

Date: 17 December 2025
Our Ref: 2025/02910/LICREP/EH
Phone: 01273 294429
e-mail: [REDACTED]

Dear Donna Lynsdale

**Licensing Act 2003 - Representation regarding the application for a Variation of the
Premises Licence for Express Pizza & Chicken, 172 Portland Road, Hove BN3 5QN
Application Reference - 2025/08949/LAPREV**

I refer to the variation application made by Kamram Khan for the extension of Late-Night Refreshment (LNR) hours at Express Pizza & Chicken, 172 Portland Road, Hove BN3 5QN.

The Licensing Team, in its role as a Responsible Authority, has concerns about this application and I am submitting this representation on the grounds of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and to uphold our Statement of Licensing Policy (SoLP).

The applicant has applied to vary the Premises Licence to extend the current hours for late night refreshment every day until 05:00hrs. After 01:00 the premises will operate a delivery only service.

It is recognised that this premises is not in either the Cumulative Impact Zone (CIZ) or Special Stress Area (SSA). However, this representation is submitted as there are concerns that the application does not meet the requirements of the Council's SoLP, with regards to applications made for late night takeaways.

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.

The Matrix Model, on page 18 of the Council's SoLP, states that in all other areas outside of CIZ and SSA, applications for late night takeaways shall be granted up to 12:00midnight. These premises are already licensed for LNR until 1:00am every day. The policy does state that each application is still considered on its individual merit and there is discretion to depart from the policy where justified. However, departure from the Matrix Model is only expected in exceptional circumstances.

Telephone: 01273 290000
www.brighton-hove.gov.uk

The applicant has offered conditions within the operating schedule. However, I do not believe they have demonstrated exceptional circumstances to depart from our policy or how the grant of a late-night refreshment licence until 05:00am would not impact on the area.

Please note that a breach letter was also issued to the premises and the proposed premises licence holder on 7 August 2025 for carrying out unauthorised licensable activities under the Licensing Act 2003, a copy of which is enclosed with this representation.

The Licensing Team makes this representation to uphold the Council's SoLP, which we believe this application contradicts, as The Matrix states that no late-night takeaways beyond 12:00midnight should be granted in "Other Areas" and request the Panel determine the outcome of this application.

Yours sincerely



Corinne Hardcastle
Licensing Officer
Regulatory Services - Licensing Team



Regulatory Services - Licensing Team
Brighton & Hove City Council
2nd Floor Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Kamran Khan
Premises Licence Holder
Express Pizza & Chicken
172 Portland Road
Hove
BN3 5QN

Date: 7 August 2025

e-mail: [REDACTED]

Dear Mr Khan,

Licensing Act 2003 - Unauthorised Licensable Activities - 2019/04235/LAPRET
Express Pizza & Chicken, 172 Portland Road, Hove, BN3 5QN

As the premises licence holder, I am writing to confirm that this authority has received an allegation that your premises are operating beyond 01:00am without either the benefit of a premises licence or temporary event notice being in place for those extended times. Whilst investigating this we have noticed that on the website of your delivery partner Just Eat they are advertising opening hours beyond 01:00am every day of the week.

It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if –

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
- (b) he knowingly allows a licensable activity to be carried on.

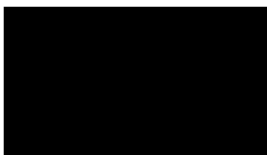
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

If you continue to trade without a Late Night Refreshment Licence past 01:00, then this may be taken into consideration if you submit any applications in the future.

Please note this Authority and Sussex Police have officers monitoring the City both day and night and we will be monitoring the premises. If it is witnessed that your premises is carrying out further unauthorised licensable activities then enforcement action will be taken.

Please acknowledge receipt of this email.

Yours faithfully



Telephone: 01273 290000
www.brighton-hove.gov.uk

Corinne Hardcastle
Licensing Officer
Licensing Team

Cc Brighton & Hove Police Licensing Team (by e-mail)



REP B

DL CON ENDS 30.12.2025 VALID PCD

Police Station
John Street
Brighton
BN2 0LA

Tel: [REDACTED]
www.sussex.police.uk

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

23/12/2025

Email: brighton.licensing@sussex.police.uk

Dear Donna Lynsdale,

**RE: APPLICATION FOR A NEW PREMISES LICENCE FOR EXPRESS PIZZA AND CHICKEN,
172 PORTLAND ROAD, HOVE, BN35QN 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. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy (revised January 2021).

This is a proposed variation 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 Others Area (as defined in the BHCC Statement of Licensing Policy) and seeks the following licensable hours for Late Night Refreshment off the premises:

Late Night Refreshment (Off the premises)

Monday - Sunday: 23:00 – 05:00

The premises already has a premises licence which allows Late night refreshment until 01:00.

In accordance with the BHCC Statement of Licensing Police, Late Night refreshment in the 'Others' areas is only until Midnight, therefore this premises licence already benefits from additional hours from that proposed in the city's policy.

However, this variation is requesting an extension for a delivery service only between 01:00 – 05:00.

The applicant has offered conditions within the operating schedule. However, I do not believe they have demonstrated exceptional circumstances to depart from our policy or how the grant of a late-night refreshment licence until 05:00am would not impact on the local area.

social media





Sussex Police has also been in communication with the applications representation. I have asked the applicant to consider pulling the application in to 2am allowing 1-hour additional delivery. At the time of this letter being submitted this has not been agreed.

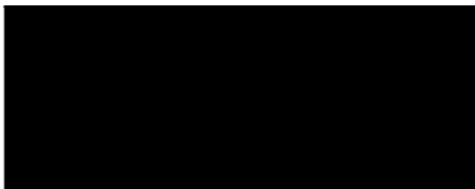
Sussex Police also have little confidence in the premises licence holder who is applying for this premises licence variation. This premises was found on the 7th August 2025 to be in breach of the current licence by carrying out unauthorised activities. A breach letter with photographic evidence was sent to the premises licence holder.

Previous to this, a breach letter was issued on the 02nd of February 2022 by PC Hancox for the same concerns. Following on from this it has been noted that all calls to police recording any anti-social behaviour also stopped in 2022, which is a concern that this premises is not recording any incidents experienced.

Following these breaches no communication has ever been received from the premises licence holder, who also did not pre consult with Sussex Police prior to the submission of this application.

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. Currently, we do not believe the applicant has gone far enough to evidence why their application would be an exception to policy or how it mitigates the risk for off sales. Therefore, Sussex Police invite the Licensing Authority to seriously consider this application

Yours sincerely,



Sgt Mark Redbourn O.B.O Insp Ben Morrison
Operations, Planning & 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.



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

Police Station
John Street
Brighton
BN2 0LA

Tel: [REDACTED]

Email: brighton.licensing@sussex.pnn.police.uk

02/02/2022

Kamran KHAN

Express Pizza & Chicken
172 Portland Road
Hove
BN3 5QN

Dear Mr KHAN

Licensing Act 2003 – Unauthorised licensable activities.

RE: Express Pizza & Chicken 172 Portland Road Hove BN3 5QN

Our records show that you are the Holder of the Premises Licence. I write with reference to the above premises where Police conducted a visit on 01/02/2022 @ 14.30. As part of the licensing check I would like to highlight the following breach of the licence:

2. Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises internally and externally. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate co-operation and technical assistance to the Police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime.

Attending officers have stated that the CCTV was not working, and that staff did not have knowledge of how to use it or where to go in order to get it fixed.

I would also like to take the opportunity to remind you that your Late-Night Refreshment Licence only allows you to be open till 01.00, after this time no more orders of food can be taken or food dispatched.

On your website you are advertising the following

Monday – Thursday 14.00-02.00

Friday 14.00-03.00

Saturday – Sunday 12.00-03.00

Please see attached screen shot.

I remind you that non-compliance with licence permissions and conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that: -

(1) A person commits an offence if –

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be carried on.*

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

The highlighted breaches constitute an offence of carrying on licensable activity otherwise than under and in accordance with an authorisation (the premises licence and the attached conditions). Please can you now ensure these breaches are rectified with immediate effect. Police Licensing will conduct a follow up visit within the next few weeks and I must advise you that any further breaches of your licence may mean enforcement action is taken.

If there are any matters within this letter that you wish to discuss then please do not hesitate to contact us via the email address above.

Yours sincerely,

PC HANCOX DH163
Licensing Police Officer
Brighton & Hove Division

c.c Brighton & Hove City Council Licensing Team.

c.c [REDACTED]



Sussex Police
Serving Sussex

www.sussex.police.uk

Brighton & Hove Licensing Unit

Police Station
John Street
Brighton
BN2 0LA

Email: brighton.licensing@sussex.pnn.police.uk

07/08/2025

Kamran KHAN

Express Pizza & Chicken
172 Portland Road
Hove
BN3 5QN

Dear Mr KHAN

Licensing Act 2003 – Unauthorised licensable activities.

RE: Express Pizza & Chicken 172 Portland Road Hove BN3 5QN

Our records show that you are the Holder of the Premises Licence I write with reference to the above premises.

I would also like to take the opportunity to remind you that your Late-Night Refreshment Licence only allows you to be open till 01.00, after this time no more orders of food can be taken or food dispatched.

On Google you are advertising the following

Monday – Friday – 14.00 – 01:50
Saturday and Sunday – 12:00 - 01:50

On Just eat your delivery times show are
Monday – Friday – 14:00 – 04:30
Saturday – Sunday – 12:00 – 04:30

Please see attached screen shots.

I remind you that non-compliance with licence permissions and conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislation states that: -

(1) A person commits an offence if –

Sussex Police Headquarters
Malling House, Church Lane, Lewes, E. Sussex, BN7 2DZ

Telephone: 101 | [REDACTED]
Email: brighton.licensing@sussex.pnn.police.uk

- (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or*
- (b) he knowingly allows a licensable activity to be carried on.*

(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

The highlighted breaches constitutes an offence of carrying on licensable activity otherwise than under and in accordance with an authorisation (the premises licence and the attached conditions). Please can you now ensure these breaches are rectified with immediate effect. Police Licensing will conduct a follow up visit within the next few weeks and I must advise you that any further breaches of your licence may mean enforcement action is taken.

If there are any matters within this letter that you wish to discuss then please do not hesitate to contact us via the email address above.

Yours sincerely,

Mrs Hannah Staplehurst
Police Licensing Officer
Brighton & Hove Division

c.c Brighton & Hove City Council Licensing Team.

c.c [REDACTED]

About

X

Reviews

Info

Offers

Last inspection 03/04/2025

A little bit about us

What is it about Pizza that makes it so hard to resist? is it the lashings of melted cheese or the choice of so many different toppings? Well, whatever it is Express Pizza & Chicken is just the place you need serving all the traditional pizzas you can't go wrong, especially if you order using the JUST EAT App for delivery or collection. Then after you have eaten, we would love to hear what you think of our food and service by leaving feedback on the JUST EAT site.

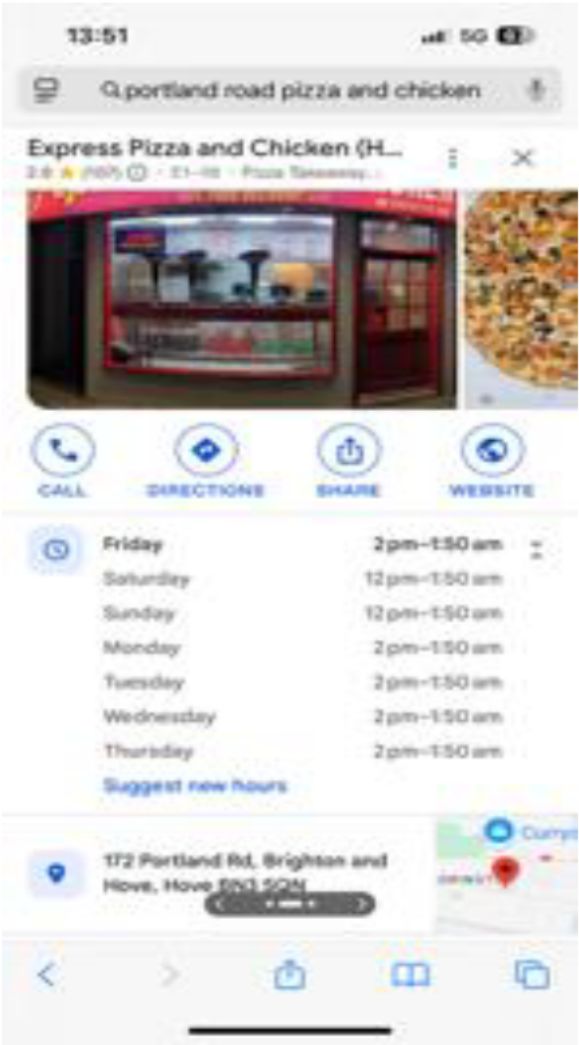
Delivery times

Monday	14:00 - 04:30
Tuesday	14:00 - 04:30
Wednesday	14:00 - 04:30
Thursday	14:00 - 04:30
Friday	14:00 - 04:30
Saturday	12:00 - 04:30
Sunday	12:00 - 04:30

Delivery fee

Minimum order amount

£10.00



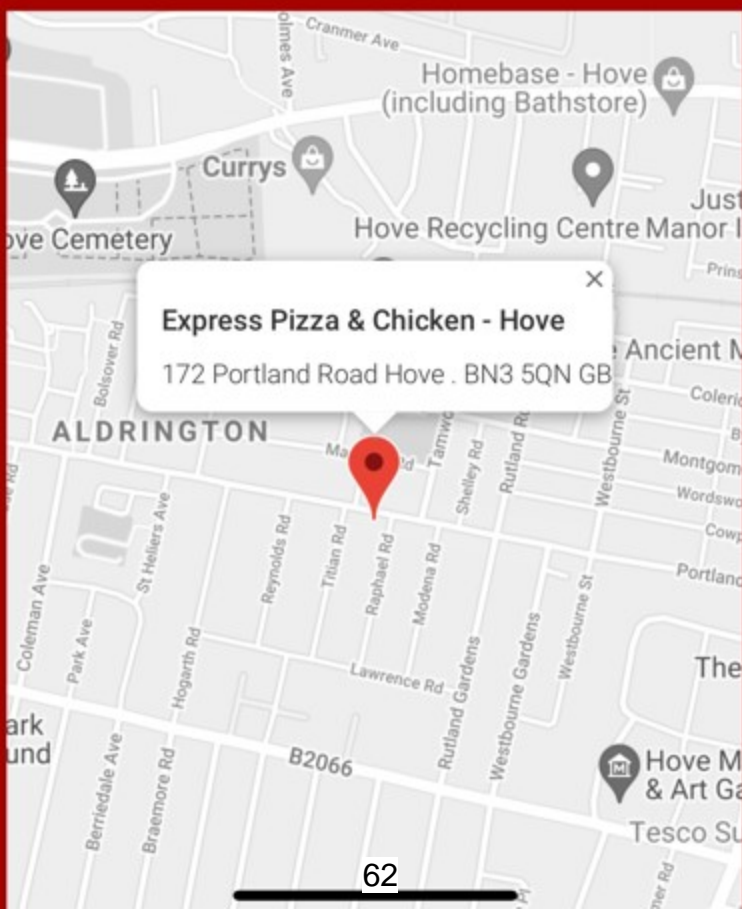
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expresspizzachicken.co.uk

OPENING HOURS

Monday	14:00 - 2:00
Tuesday	14:00 - 2:00
Wednesday	14:00 - 2:00
Thursday	14:00 - 2:00
Friday	14:00 - 3:00
Saturday	12:00 - 3:00
Sunday	12:00 - 3:00



Express Pizza & Chicken - Hove

172 Portland Road Hove . BN3 5QN GB

Environmental Protection Agreed Conditions with Applicant

Additional conditions have been agreed to be added to any new licence if granted under Prevention of Public Nuisance, these are:

1. There shall be no deliveries to the premises except between the hours of 07-00hrs to 19-00hrs.
2. Delivery drivers shall not cause a noise disturbance to the occupiers of residential properties surrounding the premises. This includes the avoidance of slamming doors, playing loud music, shouting, overrevving engines and sounding horns to signal arrival. The driver shall turn the engine off immediately upon arrival for collection.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.
4. Deliveries shall only be made by staff employed by the premises licence holder. (For clarity, this means that no third party delivery drivers shall be used).
5. Deliveries shall only be made by staff on e-bikes or on foot.

The Environmental Protection team therefore have no objections to this application.

