



## Schedule 12

### Part A

Regulation 33, 34

### Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2023/00224/LAPREV

#### Part 1 – Premises Details

**Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code**

Valley Gardens (which includes St Peter's Square to include the surrounds of St Peter's Church and the area to the North of the Church hereafter referred to as St Peter's North)

Gloucester Place

Brighton

#### Licensable activities authorised by the licence

Performance of Dance

Exhibition of a Film

Anything of a similar description to live music, recorded music and performance of dance

Performance of Live Music

Performance of Recorded Music

Performance of a Play

Sale by Retail of Alcohol

#### Times the licence authorises the carrying out of licensable activities

##### Performance of Dance

Every Day: 09:00 – 23:00 Indoors & Outdoors (Both)

##### Exhibition of a Film

Every Day: 09:00 – 23:00 Both

Anything of a similar description to live music, recorded music and performance of dance

Every Day: 09:00 – 23:00 Both

##### Performance of Live Music

Every Day: 09:00 – 23:00 Both

**Performance of Recorded Music**

Every Day: 09:00 - 23:00 Both

**Performance of a Play**

Every Day: 09:00 - 23:00 Both

**Sale by Retail of Alcohol**

Every Day: 09:00 - 23:00

**PLUS in respect of the above activities:** From the last weekend of April (whatever date this falls on) until the first weekend in June (whatever date this falls on) for the Brighton Festival: - Sundays to Wednesdays 11:00 - 00:30 and Thursdays to Saturdays 11:00 - 02:00 hrs.

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Brighton & Hove City Council  
Brighton Centre  
Kings Road  
Brighton  
BN1 2GR

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Ian Duncan Baird  
REDACTED

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Party Reference: REDACTED

Licensing Authority: REDACTED



## Annex 1 – Mandatory conditions

### S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
  - a) at a time when there is no designated premises supervisor in respect of the premises, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
  - (e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

6. The responsible person must ensure that—
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider:  $\frac{1}{2}$  pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula—
$$P=D+(D\times V)$$
where—
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and



- (iii)  $V$  is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—
  - (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **S 20: mandatory condition: exhibition of films**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where –
  - (a) The film classification body is not specified in the licence, or



(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question, admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section –

“children” means any person aged under 18; and

“film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

**S 21; mandatory condition: door supervision**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
  - b) Be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
  - a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry act 2001 (c12) (premises with premises licences authorising plays or films): or
  - b) In respect of premises in relation to:
    - I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or
    - II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
  - a) “Security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and
  - b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

**Annex 2 – Conditions consistent with the Operating Schedule**



**General:**

1. The building known as St Peter's Church is not included within this premises licence. Licensable activities are only permitted on the Council owned land within the red line.
2. The staging of entertainment on Council land is controlled and administered by the Council's Events Office. The Events Office is aware of its duty of care to public, contractors and employees when hiring out Council land. All significant events produce documents in accordance with the "Purple Guide" and the Health and Safety at Work Act 1974. A risk assessment is undertaken for each event, with a full multi-agency approach taken in the planning of any major events. Every event is governed by the Council's Outdoor Events Policy and Events Strategy (to be published approximately at the end of 2020), a copy of which is available on request.
3. The licence holder will abide by the Event Safety Guide HSG195 (commonly known as the Purple Guide), and all events will be run in line with the Council's Events Policy.
4. The Licence holder will meet with the emergency services (Police, Fire and Ambulance) every three months to provide information on forthcoming events and proposed events, to discuss safety issues and agree which of the major outdoor events require a full multi-agency approach. These full multi-agency meetings are to be minuted and circulated to all attendees.
5. Any event in any location for over 5,000 people, must be notified to the Police for prior consultation at least six months in advance, or (in the case of spontaneous or short notice events) immediately after notice of an event is given to the licensee and/or the Council.
6. All supplies of alcohol (on the premises) to be from a tent or other delineated area. Where alcohol is to be supplied to the public or given to invited guests, as an integrated element of an event, delineated areas with physical boundaries will be constructed. All such alcohol to be consumed within the delineated area where it is served.
7. All bars will keep a refusals log at point of sale to record any incidents of people being refused the purchase of alcohol.
8. Minimum of half hour drinking up time to be allowed where alcohol is supplied, even if event closes early unless emergency situation.



9. Any off sales of alcohol will be strictly limited to non-alcohol led markets and must be sold in closed containers. No other alcohol would be allowed off site, unless under these conditions.
10. Only plastic bottles, tin cans, cardboard cartons or paper cups to be supplied by vendors on site for the supply of alcoholic and non-alcoholic drinks unless otherwise agreed with the licensee. No drinks at events to be sold in glass bottles or vessels except where a meal is being sold or given as part of a hospitality package, and a written risk assessment has been undertaken taking into account the infrastructure of the bar area, type of event, category of audience.
11. No person under the age of 18 years to be admitted to bar areas where meals are not being served. Where meals are not being served, a condition of entry to a bar area will be proof of age, when there is reasonable evidence that a person may look to under 25 years of age. All areas where alcohol will be sold will display 'Challenge 25' signs informing members of the public that they will be challenged for ID when purchasing alcoholic drinks. All bars will keep a refusals log at the point of sale to record any incidents of people being refused the purchase of alcohol.
12. The Council intends to use the Premise License only on occasions when events have been granted permission by the Council, which would not be every day. The licensing objectives would be promoted by a strict planning process in which all relevant departments and blue light services are consulted prior to any event taking place.
13. Where appropriate, SIA door supervisors will be provided at the standard ratio as specified in the Licensing Strategy Document, unless agreed otherwise with Sussex Police. The numbers and qualification of staff (with the exception of door supervisors who must be SIA registered) controlling bar areas to be based on a site-specific risk assessment for the deployment of staff, taking into account the infrastructure of the bar area, time of day, type of event, and category of audience and/or guest.
14. At enclosed events, or within tents, other such temporary structures, or any other building or delineated areas:
15. No patrons to be admitted if in possession of alcohol, unless by prior agreement.
16. The licensee will have an agreed search and seizure policy for alcohol, drugs and weapons.
17. No unaccompanied under 16s to be allowed on site after 10 pm in such areas.



18. An agreement re acceptable proof of age identification will be in place.
19. The licensee will be a member of and participate in the BCRP exclusion notice scheme.
20. The contents of any events proposed for the venue to be agreed and monitored by the Council's Events Office.
21. A full multi-agency approach, including the Police and the Health Service will be adopted for the planning and operation of all events. Advice will be sought from the Child Protection Unit where appropriate. Reference will be made to relevant statutory provisions in relation to child safety, eg. Children's Act.

**For the Prevention of Crime and Disorder:**

22. The police are involved in the consultation and planning of all events in line with the Council's Outdoor Events Policy. The Council will liaise closely with events organisers to ensure that all measures to reduce crime and disorder are taken in accordance with the Purple Guide and event specific risk assessments.

**For Public Safety:**

23. The Events Office will continue to liaise closely with the Environmental Health and Licensing Section, and other Emergency Services to ensure that all statutory obligations are being met.

**For the Prevention of Public Nuisance:**

24. Public access to events will be controlled and supervised by stewards/event staff at all times. With any outside space noise pollution must be recognised as a potential problem. Noise levels will be monitored and adjusted if necessary.
25. Where events include the use of amplified sound and / or plant or machinery a noise management plan will be submitted to the Environmental Health and Licensing Team 28 days in advance of the event or (in the case of spontaneous or short notice events ) shortly after notice of an event is given to the licensee.
26. Events organisers to remove all litter after events, with a security deposit held by the Council to ensure that this happens.

**For the Protection of Children from Harm:**



27. The contents of any events proposed for the venue to be agreed and monitored by the Council's Events Office.
28. A full multi-agency approach, including the Police and the Health Service will be adopted for the planning and operation of all events. Advice will be sought from the Council's Child Protection Department where appropriate. Reference will be made to relevant statutory provisions in relation to child safety, eg. Children's Act. As with any large event, the event organisers are expected to have their own child protection policy which forms part of their event management plan.

#### **Annex 3 – Conditions attached after a hearing by the licensing authority – N/A**

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#### **Annex 4 – Plans**



## Brighton & Hove City Council



