



Brighton & Hove City Council

Schedule 12 Part A

Regulation 33, 34

Premises Licence Brighton and Hove City Council

Premises Licence Number

1445/3/2020/02716/LAPRMV

Part 1 – Premises Details

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

The Mesmerist
1 - 5 Prince Albert Street
Brighton
BN11HE

Telephone number | 01273 328 542

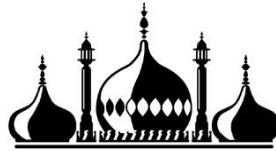
Licensable activities authorised by the licence

Performance of Live Music
Performance of Recorded Music
Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance
Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities:

Performance of Live Music - Indoors
Sunday - Thursday: 09.00 - 01.00, Friday - Saturday: 09.00 - 02.00

Performance of Recorded Music - Indoors
Sunday - Thursday: 09.00 - 01.00, Friday - Saturday: 09.00 - 02.00



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The playing of all descriptions of amplified recorded music as permitted under the existing licence(s). Variation applies to hours of operation only.

Entertainment of a similar description to a performance of live music, any playing of recorded music or a performance of dance - Indoors

Sunday - Thursday: 09.00 - 01.00, Friday - Saturday: 09.00 - 02.00

Live entertainment as permitted under the existing licence(s), and karaoke.

Late Night Refreshment

Sunday - Thursday: 23.00 - 02.00, Friday - Saturday: 23.00 - 03.00

Sale by Retail of Alcohol

Sunday - Thursday: 09.00 - 01.00, Friday - Saturday: 09.00 - 02.00

PLUS, for all licensable activities above:

On St. David's Day, St. Patrick's Day, St. George's Day and St. Andrew's Day, the finish time will be extended by one hour, with seven days notice and agreement with the Police.

PLUS, For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, the finish time will be extended by one hour, with seven days notice and agreement with the police.

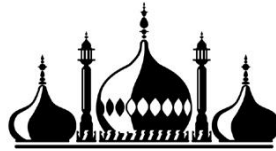
The opening hours of the premises

Sunday - Thursday: 08.00 - 02.00, Friday - Saturday: 08.00 - 03.00

For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, the finish time will be extended by one hour, with seven days notice and agreement with the police. Notwithstanding these usual opening times, the premises, in accordance with the converted right, may chose to open to the public at any time for non-licensable activities/purposes.

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.



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Part 2

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

C-Side Ltd
146 Springfield Road
Brighton
BN1 6BZ

Registered number of holder, for example company number, charity number (where applicable)

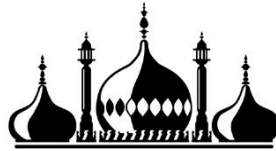
Registered Business Number 02892663

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

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 Issuing Authority: REDACTED



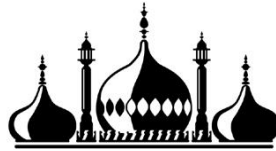
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Annex 1 – Mandatory conditions

S19; 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



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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: ½ pint;



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- (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



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(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 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:



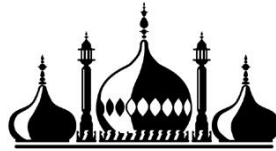
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- I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or
 - II. any occasion 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:

For the Prevention of Crime and Disorder:

1. All door supervisors employed on the premises will be licensed by the Security Industry Authority (SIA).
2. If a disc jockey is used on any night then he/she will ask customers to leave quietly.
3. A minimum of 2 SIA registered door staff will be employed on the main entrance to the premises on Fridays and Saturdays from 9.00pm to close. When the Roof Terrace is open during such hours an additional SIA registered door supervisor will be employed who will regularly patrol throughout the premises including the Roof Terrace. In addition, the premises will make use of the Mobile Support Unit where appropriate and available.
4. The Premises Licence holder will use his best endeavours to ensure that no other entrance or exit apart from the main doorway will be used for public access except in the case of a fire or emergency.
5. The premises will become a member of the Business Crime Reduction Partnership or similar police accredited scheme where such exists.



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6. The premises will adopt the use of a Shopwatch/Nightsafe Radio link or similar police accredited scheme where such exists.
7. The premises will adopt a policy whereby any person attempting to buy or consume alcohol, who appears to be under 21 will be asked for photographic ID to prove their age. The only ID that will be accepted are a photographic driving licence (which will be checked to ensure that the holder is not in possession of a provisional driving licence and still under 18). A passport or an accredited proof of age card bearing the "PASS" mark hologram.
8. The licence holder's staff shall regularly patrol the premises to ensure an appropriate and safe distribution of customers throughout the premises.
9. Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidance relating to the 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 entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - CCTV footage will be stored for a minimum of 31 days.
 - 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.
 - The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - Subject to Data Protection guidance and legislation, 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 Sussex Police) for the Police without difficulty or delay and without charge to Sussex Police.
 - Any breakdown or system failure will be notified to the Police immediately and remedied as soon as possible.

For Public Safety:

10. When the dispense bar is not open and the Roof Terrace is in use, it will be subject to a Risk Assessment by the Designated Premises Supervisor or their appointed deputy with measures no less than the CCTV system and by members of staff to regularly patrol the area. On Fridays and Saturdays, the dispense bar upon the Roof Terrace will, when the



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Roof Terrace is in use, be open and attended by at least one member of staff trained in the requirements of supervising this area from 7.00pm or from opening time of the Roof Terrace until closure.

11. When closed the Roof Terrace dispense bar will be secured shut so that it is not accessible by members of the public.
12. When closed the Roof Terrace shall be secured so that it is not accessible by members of the public.
13. The Roof Terrace will be closed and cleared of customers not less than 30 minutes before the Premises projected closure time.
14. Only poly-carbonate or other shatterproof drinking ware shall be used on the Roof Terrace after 6.00pm each day except for private pre-booked invitation only functions.
15. The Roof Terrace will be enclosed with roof netting comprised of synthetic braid formed into 50mm square format.
16. At no time shall the number of persons in the premises including staff exceed 586 and the licence holder will adopt appropriate measures to ensure that such number is not exceeded at any time.

For the Prevention of Public Nuisance:

17. Patrols will take place by members of staff, internally and externally, to limit any noise pollution when entertainment is being offered on the premises.
18. All doors and windows on the first floor to be shut other than for access and egress after 23:00.
19. The plant and machinery upon the roof area shall be re-sited and/or enclosed to minimise the noise emanating.
20. The single glazed windows currently around the periphery of the Terrace area shall be blocked up with suitable masonry with a noise absorptive lining applied to the inner face.



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21. An acoustic limiter will be fitted to control any loudspeakers on the Terrace area – the same capable of controlling the 63Hz and 125Hz sound output so that music is inaudible after 23:00hrs at the closest residential premises.
22. The licence holder in discussion with BHCC will develop a Noise Management Strategy – the same to include details of managing the use of the Terrace, use and maintenance of the acoustic limiter, complaint procedure and record keeping associated with the steps taken to proactively manage noise from the premises. This document will be in agreement and to the satisfaction of Environmental Health.

For the Protection of Children from Harm:

23. Children will be required to be supervised by an accompanying adult at all times.
24. A recognised Proof of Age policy will be enforced.
25. At times when children are allowed on the premises, any entertainment offered within the premises will be suitable for young persons.

Annex 3 – Conditions attached after a hearing by the Licensing Authority - N/A



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Annex 4 – Plans:





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