



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 1 of 6

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I Colin Pollard, on behalf of the Chief Officer of Hampshire Constabulary,
(Insert name of applicant)

Apply for the review of a premises licence.

Apply for the review of a club premises certificate.

(Select as applicable)

Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

Postal address of premises:	Southsea Brunch Klub 119 Elm Grove Portsmouth
Postcode (if known):	PO5 1LH

Name of premises licence holder or club holding club premises certificate (if known) Elm Grove Enterprises Ltd [REDACTED]
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Number of premises licence or club premises certificate (if known) 23/02740/LAPREM

Details of responsible authority applicant

Mr	Mrs	Miss	Ms	Other title / Rank:
Surname: Pollard		First Names: Colin		
Current postal address :	Fareham Police Station Quay Street Fareham			
Postcode:	PO16 0NA			
Daytime telephone number:	[REDACTED]			
E-mail address: (optional)	[REDACTED]			

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003



**Application for the review of / Representation in respect of a
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Page 2 of 6

This application to review relates to the following licensing objective(s)

*Select one or more
boxes*

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

Hampshire & IOW Police are calling for a review of the Premises Licence for Southsea Brunch Klub, Elm Grove, Portsmouth. Police have significant concerns relating to Crime and Disorder, Public Safety and Public Nuisance linked to the premises.

Recent reports to police, CCTV and BWV footage highlight intoxication as a contributory factor to violent crime, disorder, anti-social behaviour and nuisance caused by the clientele at SBK. This is impacting the safety of staff, customers and other members of the public.

The Bottomless Brunch, Drinks Packages, 241 Cocktails, Happy Hours and discounted drinks available at SBK are irresponsible. These promotions, along with a failure from the DPS and staff at the venue to prevent drunkenness, are fuelling these issues.

The volume of incidents and level of injury to members of the public is likely to increase if significant action is not taken.

The Bottomless Brunch, in particular, provides an unlimited or unspecified quantity of alcohol for a fixed or discounted fee, in a manner which is undermining the licensing objectives of prevention of crime and disorder, public nuisance and public safety. This is a breach of the Mandatory Conditions as shown on the licence at 08.2.b.

Conducting licensable activity whilst in breach of this licence condition is an offence under Section 136 of the Licensing Act 2003.

I will include several screen shots and Copies of some of the concerning drink promotions advertised on the SBK website. Appendix 1. To follow.

A Variation application was submitted on 16th August 2023 and following representation from local residents, a Sub Committee Hearing took place on the 09th October 2023. Following the Hearing, in the Sub-Committees reasons for decision, I note the following statement:

'The Sub Committee has noted the strength of assertions regarding the nature of the business to be conducted and would stress that there is a process of review if the premises changes or is not run genuinely as a restaurant with ancillary alcohol provision. A review



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can be brought by residents or responsible authorities in due course.'

I attended SBK on the evening of 15th December 2023 and observed approx. 8 customers hanging around to the front of the premises. There were SIA security staff on the door, the music was very loud in the Street and emanating from inside the venue.

Inside was like a nightclub or late night bar. There were approx. 30-40 customers. Most of them were vertical drinking and the main area of the venue was also being used as a dance floor. There were no diners in the venue and no sign of any food provision that I could see.

Whilst there is a food menu advertised online and the bottomless brunch promotion includes some food, the main trade at this premises appears to be built around the bottomless brunch and other alcoholic drink promotions. At the weekends and on new years eve the operation resembles a small nightclub and is definitely not trading as a restaurant with alcohol sales ancillary to food. I haven't visited the venue mid week.

Reports received relating to SBK:

- 44230168541 29/04/2023 22:43 - 29/04/2023 22:44 Assault – Intoxication
- 44230178713 06/05/2023 23:10 - 06/05/2023 23:11 Public Order
- 44230294865 22/07/2023 01:00 - 22/07/2023 01:40 Spiking – Intoxication
- 44230366636 08/09/2023 23:46 - 09/09/2023 00:01 Public Order

CCTV relating to this incident shows a very drunk male ejected from the premises. Later another male becomes very aggressive and fights with security, staff and members of the public. He is pushed and wrestled in and out of the road, in front of moving traffic, as staff struggle to control him. Staff did not wish to provide statements to police and without this support the matter was filed.

I will include CCTV of these two males. Appendix 2 & 3. To follow.

- 44230380201 16/09/2023 23:00 - 16/09/2023 23:00 ASB/Nuisance

- 44230388192 23/09/2023 00:16 - 23/09/2023 00:31 Assault – Intoxication

CCTV relating to this incident shows a very drunk male ejected from the venue who throws punches at the security staff. 10 minutes later he assaults a member of staff and a protracted incident with security staff ensues. The male is taken to ground, in the road, in front of moving traffic where they keep him restrained for 8 minutes until police arrive. Cars have to be directed around them in both directions.

I will include CCTV of this male. Appendix 4. To follow.

- 44230440876 27/10/2023 22:00 - 27/10/2023 22:00 ASB/Nuisance

- 44240000046 01/01/2024 00:46 - 01/01/2024 00:46 Assault - Intoxication

Police initially received two reports on NYE relating to a large scale fight. The first stating 30 people fighting and one male unconscious. The second stating 50 people fighting.



**Application for the review of / Representation in respect of a
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Page 4 of 6

Officer BWV, showing the aftermath, includes a male stating he was knocked unconscious and comments a big fight had occurred in the venue and spilled onto the street.

Security Staff from Vespasian cover most doors in the vicinity and due to only 2 on duty at SBK, Security from One Eyed Dog and Deco had to attend to assist their colleagues. This poor planning at SBK resulted in greater risk to neighbouring premises who had paid for an appropriate number of security to keep their customers safe, only to lose them to SBK during this protracted incident.

CCTV was requested from the venue, in writing, on 03/01/2024 in relation to this incident and police concerns. As I write this review on the 11/01/2024, no footage has been provided or made available. This breaches the CCTV condition on the licence.

I will include my email to the licence holder and DPS requesting CCTV along with the acknowledgement from the licence holder. Appendix 5. To follow.

I will include Mobile Phone Footage from a member of the Public. Appendix 6. To follow.

I will include BWV from Vespasian Security showing the continuation of the incident in the Street. Appendix 7. To follow.

Failing to provide CCTV is the second condition to be breached by the licence holder and all licensable activity carried out at the premises during this breach is an offence under section 136 of the Licensing Act 2003.

Following the incident on NYE, the venue remained open. At this time there is no complaint from staff, security, or members of the public to support a police investigation.

This incident required significant security resources, significant police resources and ambulance, placing a burden on these services on a night of high demand, increasing the risk to members of the public elsewhere in the City.

The business seems to be entirely based around discounted alcohol, multi purchase discounts and the provision of an unspecified amount of alcohol for a fixed fee with 90 minutes to drink your moneys worth.

The name and branding of 'Southsea Brunch Club' is promoting the bottomless booze aspect of the business with the term 'brunch'. The front page of their website states that 'Southsea Brunch Klub is the home of the bottomless brunch'. This business has been built around this irresponsible drinks promotion.

The changes required to promote the licensing objectives are significant and vast.

For example:

Removal of irresponsible drinks promotions. Specifically no bottomless drinks or multi buy promotions. No Happy hours etc.



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

Removal of DPS.

Reduction in permitted hours to 23:00.

Addition of conditions:

To prohibit regulated entertainment and dancing.

If permitted to trade beyond 23:00, a provision for a minimum of 2 SIA security staff to be employed at the premises for the first 50 customers and a further one SIA security staff per 50 or part thereof, until 30 minutes after the premises closes to assist dispersal.

BWV cameras will be worn by all SIA security staff and the duty manager. BWV to be activated when dealing with all incidents and ejections. Footage must be kept for a minimum of 31 days and made available to Police and Local Authority immediately on request.

Sale of alcohol to be authorised as ancillary to a table meal only.

An amendment to the CCTV condition to change the wording of 'capacity' to ensure there is 31 days of rolling footage available and that this will be provided to police and LA officers immediately on request.

Given the significant changes required to remove the risk, currently presented by this venues operation, poor decision making and management, Hampshire and IOW Police recommend the Sub-Committee consider revocation of the premises licence.

Whilst making your decision, please consider whether the Sub-Committee were deliberately misled during the hearing in October 2023.

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that application:

/ /

Day Month Year

If you have made representations before relating to this premises please state what they were

N/A

Please tick

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate

I have sent a copy of this representation to the principal licensing officer of Portsmouth



**Application for the review of / Representation in respect of a
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City Council

**It is an offence, liable on conviction to a fine up to level 5 on the standard scale,
under Section 158 of the Licensing Act 2003 to make a false statement in or in
connection with this application**

Signature of Officer Completing

Name	<u>Colin Pollard</u>	Collar Number:	<u>16866</u>
Signature:	<u>Colin Pollard</u>	Date:	<u>11/01/2024</u>

Signature of Authorising Officer (Inspector or above)

Name	<u>INSPECTOR C MACDONALD</u>	Collar Number:	<u>3664</u>
Signature:	<u>C Macdonald</u>	Date:	<u>11/01/2024</u>