



PREMISES LICENCE

Licensing Act 2003

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

Address:	Southsea Brunch Klub 119 Elm Grove Southsea PO5 1LH	Map Ref (E) : 464549 Map Ref (N): 99329 UPRN: 001775024716
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Telephone

Where the licence is time limited the dates

This licence is **NOT** time limited

Licensable activities authorised by the licence

- ▶ Sale by retail of alcohol
- ▶ Late night refreshment
- ▶ Performance of dance
- ▶ Exhibition of a film
- ▶ Performance of live music
- ▶ Playing of recorded music
- ▶ Other similar music or dance Entertainment
- ▶ Indoor sporting event

The times the licence authorises the carrying out of licensable activities

- | | |
|-----------------------------|-------------------|
| ▶ Sale by retail of alcohol | |
| Friday and Saturday | 10:00 until 02:00 |
| Sunday to Thursday | 10:00 until 01:00 |
| ▶ Performance of dance | |
| Friday and Saturday | 10:00 until 02:00 |
| Sunday to Thursday | 10:00 until 01:00 |
| ▶ Exhibition of a film | |
| Friday and Saturday | 10:00 until 02:00 |
| Sunday to Thursday | 10:00 until 01:00 |
| ▶ Performance of live music | |
| Monday to Sunday | 10:00 until 00:00 |

- ▶ **Playing of recorded music**
Friday and Saturday 10:00 until 02:00
Sunday to Thursday 10:00 until 01:00
- ▶ **Other similar music or dance Entertainment**
Monday to Sunday 10:00 until 00:00
- ▶ **Indoor sporting event**
Friday and Saturday 10:00 until 02:00
Sunday to Thursday 10:00 until 01:00
- ▶ **Late night refreshment**
Friday and Saturday 23:00 until 02:00
Sunday to Thursday 23:00 until 01:00

Non standard timing - Sale by retail of alcohol

On Friday and Saturday on Bank Holiday weekends, on Christmas Eve and Boxing Day from 08:00 until 02:00.

On Sunday and Monday on Bank Holiday weekends from 08:00 until 01:00

The opening hours of the premises

- ▶ Sunday to Thursday 08:00 until 01:30
- ▶ Friday and Saturday 08:00 until 02:30

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**

Name: Elm Grove Enterprises Ltd

Address: 74 Palmerston Road
Southsea
PO5 3PT

Telephone:

Email:

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

14162939

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

Name: Mr Fabio Mazzoni

Address:

Telephone:

Email:

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

Personal Licence No: 22/03378/LAPERS

Issuing Authority: Portsmouth City Council

Granted by Portsmouth City Council, as licensing authority pursuant to the Licensing Act 2003 as amended and regulations made thereunder

Date Licence granted: 29 September 2005

Date last amended: 9 October 2023

Type: Variation



Signed on behalf of the Head of Service
(Authorised Officer)

Portsmouth City Council will process your personal information in accordance with data protection law. The personal details provided by you will be used for licensing service purposes. Your details will be held on a database and where the law allows, may be shared with other departments within the council to update details they hold about you. The council may also be required to disclose personal information to third parties (such as Police, Department for Work and Pensions or for the National Fraud Initiative) for the purposes of preventing or detecting crime or apprehending or prosecuting offenders.

For further information about how the Council collects and uses personal information please visit our website: <https://www.portsmouth.gov.uk/ext/the-council/data-protection-privacy-notice>

Annex 1 – Mandatory Conditions

01 Where any condition of this licence requires 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 that Act.

For the purposes of this condition "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act).

This condition is subject to any exemptions in accordance with the provisions of the Private Security Industry Act 2001.

02 In accordance with section 20 of the Licensing Act 2003, no child shall be admitted to any film exhibition unless that exhibition has been granted a certificate by the British Board of Film Classification or the licensing authority itself.

03 Where a programme includes a film in the 12A, 15 or 18 category, no person appearing to be under the age of 12 (and unaccompanied by a person over the age of 18 years in that case), 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position a notice in the following terms:

PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME.

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age while on duty provided that the prior written consent of the person's parents or legal guardian has first been obtained.

04 Immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium, a reproduction of the certificate of the Board indicating the category of the film. For a film passed by the Licensing Authority, notices shall be displayed both inside and outside the premises so that persons entering can readily read them and be aware of the category attached to any film or trailer.

05 If the Licensing Authority does not agree with the category in which any film passed by the British Board of Film Classification is placed, they shall be at liberty to alter such category, and, on notice of such alteration being given by the Licensing Authority to the licence holder, the film thereafter shall be treated as having been placed in the altered category and the conditions applicable to the exhibition of films in such altered category shall be complied with.

If the Licensing Authority requests the licence holder to exhibit to them any film, he shall do so at such reasonable time as the licensing authority may, in writing, direct.

06 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 licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.

07 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

08 (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 alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

09 The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

10 (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.

11 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: 1/2 pint;
- (ii) gin, rum, vodka or whisky: 25ml 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.

12 (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 rate 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) "valued 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.

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Annex 2 – Conditions consistent with the operating schedule

01 The licence holder may provide Event Days subject to the following conditions:

- 1) a limit of 12 extensions per premises per year;
- 2) an operating plan to be prepared by the licence holder for each extension covering the additional measures to be taken to manage crime and disorder;
- 3) seven days notice to be given in writing to the Police at the Licensing Department and the Licensing Authority;
- 4) an absolute veto for the police in respect of any of the occasions.

02 A recording CCTV system will be installed and fully operational at all times. The system will be maintained and serviced within at least 12 monthly intervals. The system clock will be checked regularly for accuracy taking account of GMT and BST. The CCTV system will have sufficient storage capacity for 31 days and all recorded footage must be securely retained for a minimum of 31 days. Police and authorised Officers of Portsmouth City Council shall have access to data from the system quickly and easily and therefore provision will be made for someone to be present at all times the premises are open who has access, is able to operate the equipment and to supply footage in a format which can be easily viewed by police for the purpose of the prevention and detection of crime, as long as the request is lawful and complies with the Data Protection Act.

03 All staff shall receive comprehensive training in relation to the sale of alcohol. No member of staff shall be permitted to sell alcohol until such times as they have successfully completed this training. Training shall cover:

Sale of alcohol to persons under 18
Challenge 25 and acceptable forms of identification
Signs of Drunkenness
Refusal register and when/how to use
The Licensing Objectives

This training shall be documented and records kept on the premises. Police and Licensing Authority shall have access to an individual's training records upon request. Training shall be refreshed at least every six months.

04 Any person appearing to those engaged in selling or supplying alcohol to be under the age of 25 and who is attempting to buy alcohol will be required to produce satisfactory photographic identification in accordance with the mandatory as proof of age.

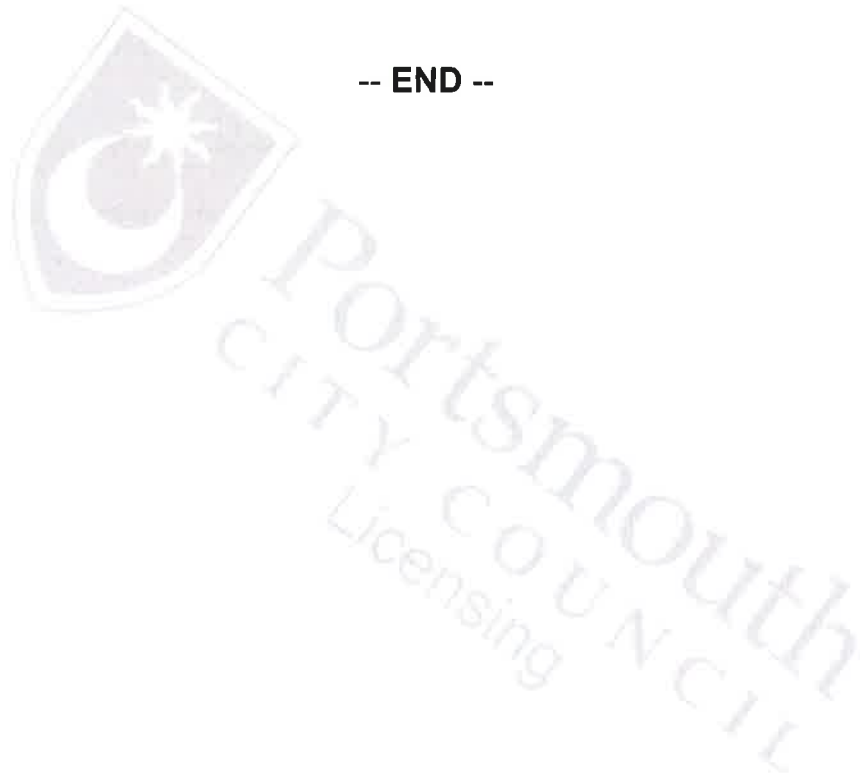
05 An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder

- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

06 In accordance with paragraphs 6(8) and 18 (5) of Schedule 8 of the Licensing Act 2003, the licence holder shall have regard to the statutory provisions contained within the Children and Young Persons Act 1933 (as amended).

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Annex 3 – Conditions attached after a hearing by the licensing authority

01 Substantial food (substantial food being defined as: food items prepared or cooked on the licensed premises and that are typically served as a main course or entrée) will be available to order until at least 90 minutes before the premises close.

02 The licence holder shall ensure that rubbish bags shall not be placed outside the premises between 10:30 and 21:00.

03 The licence holder shall ensure that customers requiring taxis are required to wait inside the premises.

04 The licence holder shall ensure that live music will cease at 00:00 hours.

05 The licence holder shall ensure that all external doors and windows shall remain closed whilst the premises are open for business save for access and egress.

06 There will be a minimum of 85 restaurant covers available at all times the premises are open.

07 The premises licence holder shall ensure that staff (and when so employed, SIA accredited doorstaff) supervise the orderly departure of patrons from the premises to minimise noise nuisance.

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Annex 4 – Premises and location plan

Premises Plan(s)

These will either be shown below or attached as a separate part of the premises licence authorisation.

Location Plan: 119 Elm Grove Southsea



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