

APPENDIX C

Miss S Cornell
Licensing Team, BHCC
Bartholomew House
Bartholomew Square
Brighton BN1 1JP
SC CON ENDS 12.06.18 VALID PNN, PCD & CIZ (A)

Date: 8 June 2018
Our Ref: 2018/03856/LICREP/EH

Dear Miss Cornell,

Licensing Act 2003

RE: Representation in regard to the application for a new Premises Licence (Ref. 2018/02828/LAPREN) for Brighton E Casino, 9 Grand Junction Road, Brighton, BN1 1PP

I write to make a representation on behalf of the Council's Licensing Team, in their capacity as a Responsible Authority, in relation to the above application for a new Premises Licence to be issued for Brighton E Casino, submitted by Grosvenor Casinos Limited.

This representation is made as the Licensing Team have concerns that the application could have a negative impact on the licensing objectives of prevention of crime and disorder and public nuisance, due to the premises' location within the Cumulative Impact Area, which is covered by a Special Policy within the Council's Statement of Licensing Policy (SoLP).

This premises falls within the Licensing Authority's Cumulative Impact Area which is covered by a special policy in the SoLP and was adopted to give greater power to control the number of licensed premises within the city's centre. The Special Policy on Cumulative Impact was introduced because the Licensing Authority determined that the concentration of licensed premises and the subsequent numbers of people drawn into the city centre is causing exceptional problems of crime and disorder and public nuisance.

The effect of the Special Policy is that applications for new premises licences should normally be refused following relevant representations. This presumption of refusal can be rebutted by the applicant if they can show that their application will have no negative cumulative impact on licensing objectives including prevention of crime and disorder and public nuisance.

The Licensing Team make this representation to uphold our Statement of Licensing Policy, which we believe this application contradicts. The Licensing Authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in the light of the individual circumstances of the case.

Yours sincerely

Mark Savage-Brookes

Licensing Officer

Regulatory Services

From: Caroline Brennan

Sent: 11 June 2018 15:34

To: EHL Safety

Subject: Licensing application for Grosvenor Casino, Grand Junction Rd, Brighton

SC CON ENDS 12.06.18 VALID PCD & PNN (B)

Good afternoon,

I have been unable to access the Public Register to respond to a licensing application that I understand has been submitted by the Casino.

As a neighbouring property owner I have a strong interest in this application - I understand that the deadline for response is tomorrow 12 June.

There is a fault with the website of which you are aware. I'm not sure if you will extend the deadline for response. If that is the case then I would like this email to signal my objection to any alterations to the licence that would generate increased night time noise and anti-social behaviour for residents.

I can't currently provide you with the reference number, but trust that you are able to locate the application.

Many thanks in advance,

Caroline Brennan

Flat 6 Clarendon Mansions,
80 East St,
BN1 1NF

From: Debbie Leigh
Sent: 11 June 2018 16:31
To: EHL Safety
Cc: Tom Druitt; Alex Phillips
Subject: License number: 1445/3/2018/02828/LAPREN - OBJECTION

SC CON ENDS 12.06.18 VALID PS, PCD, PNN, PCH & CIZ (C)

Good afternoon,

I want to register an objection regarding this license application from the Grosvenor Casino, on behalf of the residents of Clarendon Mansions and Brighton Old Town LAT.

The objection relates to the following licence objectives:

Prevention of Crime and Disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from harm

Grosvenor Casino have offered very little information as to why it has submitted an application for a new license. The premises already has a 24 hour license, so LAT members are unsure why another license is needed. We understand that the Casino had applied for planning permission to expand into the premises currently occupied by THE HAUNT, in Pool Valley, and that subsequently planning permission for this has not been granted. LAT members and councillors have met with the new manager of THE HAUNT, who has advised us of his intention to move THE HAUNT into DIRTY BLONDE, on East Street. However, this application does not make any mention of this.

The activities applied for seem appropriate for that of a night club, with the license requesting the sale of alcohol from 10AM until 6AM on Monday to Saturday and from 12:00 until 6AM on a Sunday. If this is indeed the intention, to turn the

premises which is currently the HAUNT into a 24 hour drinking establishment, rather than a live music venue, with license restrictions, then nearby residents would want to strongly object.

The Casino lies within the cumulative impact zone and should be subject to the special Statement of Licensing Policy. This states that applications for new premises licences or club premises certificates within the Cumulative Impact Area, will be refused. The Casino needs to show that their application will have no negative Cumulative Impact and I cannot see evidence of this in their application. In addition, if applying the Statement of Licensing Policy Matrix approach, none of the requested licensable activities should be granted.

Of particular concern to residents is the application to serve alcohol off the premises and the application for performance of live music 24 hours a day. Residents in Clarendon Mansions already suffer noise nuisance from the Haunt, with the loading/unloading of stage equipment late in the evening in Brills Lane, the tendency for bands to practice late afternoons with the club's rear doors open so noise leaks out into Brills Lane, and the gathering of music fans outside the rear doors of the premises waiting for band members to emerge. This is tolerable currently, because the noise very seldom continues after 10pm. It would become intolerable if the premises was to have a 24 hour license.

Residents would also suffer noise from customers leaving the establishment late at night, from the disposal and collection of glass waste and the potential for increased anti-social behaviour and alcohol related crime and disorder.

Brighton and Hove's Public Health Framework for Assessing Alcohol Licensing 2017 clearly shows that Regency Ward in which the Casino is situated, is rated "worst" for alcohol related Crime and Disorder. The Casino is directly within the hotspot area of police recorded alcohol related incidents.

The casino has not provided sufficient evidence to prove that there are exceptional circumstances for granting a new license to this premises.

Regards,

Debbie Gibson-Leigh – Chair Brighton Old Town LAT
Flat 1 Clarendon Mansions
80 East Street
BN1 1NF

12th June 2018

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

SC CON ENDS 12.06.18 VALID PS, PCD & CIZ (D)

Dear Mark Savage-Brookes,

RE: APPLICATION FOR A NEW PREMISES LICENCE FOR BRIGHTON E CASINO, 9 GRAND JUNCTION ROAD, BRIGHTON, EAST SUSSEX, BN1 1PP UNDER THE LICENSING ACT 2003. 1445/3/2018/02828/LAPREN.

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, public nuisance and public safety. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy.

This is a proposed new licence 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 Cumulative Impact Zone (CIZ) (as defined in the BHCC Statement of Licensing Policy) and seeks the following hours and licensable activities:

Films (Indoors), Live Music (Indoors), Recorded Music (Indoors), Performances of dance (Indoors), Anything of a similar description (Indoors)

Everyday: 00:00 – 00:00 (24 hours)

Late Night Refreshment (Indoors)

Everyday: 23:00 – 05:00

Supply of Alcohol (On and Off the Premises)

Monday – Saturday: 10:00 – 06:00

Sunday: 12:00 – 06:00

Opening hours

Everyday: 00:00 – 00:00 (24 hours)

Paragraph 3.1.4 of the Brighton and Hove City Council 2016 Statement of Licensing Policy states:

“The special policy will only be overridden in exceptional circumstances. The effect of this special policy is that applications for new premises licenses or club premises certificates within the area, or variations which are likely to add to the existing Cumulative Impact, will be refused following relevant representations. This presumption can be rebutted by the applicant if they can show that their application will have no negative Cumulative Impact”.

The licensing decision matrix on page 16 of the Council Statement of Licensing Policy (SoLP) states that no new premises or premises licence variations asking for these licensable activities and hours will be granted in the CIZ, except in exceptional circumstances.

Paragraph 14.40 of the Secretary of State’s Guidance to the Licensing Act 2003 (April 2018) provides:

‘In publishing a CIA a licensing authority is setting down a strong statement of intent about its approach to considering applications for the grant or variation of premises licences or club premises certificates in the area described....Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.’

The applicant has not referred to the Cumulative Impact Zone or the BHCC Statement of Licensing Policy (SoLP) in their application. Although the applicant met with Sussex Police prior to making this application, there is no mention of any measures they will take to promote the licensing objectives or deal with potential cumulative impact within the application received. Therefore, Sussex Police do not believe that the applicant has offered any reasoning as to why this would be an exception to policy or why the SoLP should be departed from.

Further, although the applicant has offered a number of conditions Sussex Police do not believe these go far enough to help mitigate any potential risk in a busy and central area of the City. The conditions offered fall short of the current city

wide expected standard and there is no mention of any staff training around the Licensing Act or underage sales. Sussex Police contend that the carrying on of additional licensable activity and the hours applied for at these premises will add to the existing negative cumulative effect in an area already saturated with late opening licensed premises.

Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,

Insp Di Lewis
Licensing & Response Inspector
Local Policing Support Team
Sussex Police

Please address all future correspondence to Brighton & Hove Licensing Unit, Police Station, John Street, Brighton, BN2 0LA.

