

APPENDIX D

From: REDACTED TEXT

Sent: 29 March 2021 13:34

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Fw: Ref the proposal to vary Licence - 1445/3/2021/00540/LAPREV

SC CON ENDS 01.04.21 VALID PCD, PPN, PS and PCH (A)

Sorry could we add to the bottom of this application that we feel that if approved this variation could impact on all four of the licensing directives namely:-

The prevention of crime and disorder; Public safety; The prevention of public nuisance; and The protection of children from harm
The venue has a huge capacity and operating such a large venue as a bar as proposed would impact adversely on all 4 licensing objectives,

Kind Regards,

REDACTED TEXT

From: REDACTED TEXT

Sent: 29 March 2021 12:27

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Ref the proposal to vary Licence - 1445/3/2021/00540/LAPREV

Dear sir,

REDACTED TEXT located close to the Shelter Hall would like to object to the submitted variation to vary the existing premises licence.

The objections are based on the fact that the following provisions within the variation namely:-

1) Changes to premises layout

2) Reduction in number of kitchens open in the last hour and the removal of the need for hot food provision

3) Removal of 20 'maintained' i.e. waiter service tables (note this is a significant amount of tables - 80 covers) and the request to allow standing at pre booked functions or events

are all designed to move the venue away from being a 'food led' establishment to a drink led establishment. Permitting vertical drinking at this establishment moves totally away from the premise that this is a 'food hall' i.e restaurant with alcohol accompanying food. The removal of tables and premitting standing is obviously to encourage vertical drinking. I understand that the premises plans to have 'pre booked events' nightly. A pre-booked event is not a private party, it could just be the advertisement of entertainment, therefore by

default this variation turns the venue into a bar. Obviously the premises is in a Cumulative Impact area and we would suggest that this application moves the premises into

the definition of a pub and as such according to the matrix approach in the Brighton and Hove licensing plan for licensing applications should be refused. This premises is meant to be a food hall / restaurant and as such:-

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.

This provision deals directly with what the food hall claim to be - that is a restaurant. This variation moves them totally away again from that style of operation.

We would be grateful if you could email a copy of the existing licensing plan and the proposed licensing plan before the 1st April in order that we can provide more detail to our objection if required,

Thanks,

Kind Regards,

REDACTED TEXT

Police Station

John Street

Brighton

BN2 0LA

REDACTED TEXT

Email: **REDACTED TEXT**

30th March 2021

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

SC CON ENDS 01.04.21 VALID PCD & CIZ (B)

Dear **REDACTED TEXT**,

RE: APPLICATION TO VARY PREMISES LICENCE FOR SESSIONS, SHELTER HALL, 152-154 KINGS ROAD ARCHES, BRIGHTON, EAST SUSSEX, BNI 1NB UNDER THE LICENSING ACT 2003. 1445/3/2021/00540/LAPREV.

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above variation application on the grounds that it will undermine the Licensing Objective of the prevention of crime and disorder. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy and Public Health Framework for Assessing Alcohol Licensing. .

The application seeks to amend a number of conditions of which Sussex Police agreed to in the spring of 2020 when the original premises licence was applied for. Although the original application was against policy, we did not raise a representation against it as we felt the conditions being offered went some way to ensure the premises was food led rather than being more alcohol driven which comes with risks.

Under the Public Health Framework for Assessing Alcohol Licensing, Regency ward of which this premises falls under is 2nd highest out of 21 wards for Police recorded alcohol related incidents. Top is the neighboring ward of St Peters and North Laine. We feel that should this application be granted, the premises is moving towards or could become more of a drinking venue. As the Public Health report shows, this is a concern due to the high number of alcohol related incidents occurring within the area.

The alterations under Annex 2 being applied for and our concerns are as follows:

Condition number 2:

- Remove the word “Hot” of which we have no objection to as they are not requesting to remove the word substantial. An expectation of what is substantial though should be discussed at a hearing.
- Reduce the number of kitchens being open from 3 to 2 until not more than 60 minutes before the projected time for cessation of alcohol sales.

The more kitchens open the more choice there is for customers and the likelihood of them purchasing food. The premises agent has stated during the consultation period that this condition is placing a burden on some of the food traders. To us this shows that as the evening progresses the venue is becoming more of an alcohol led operation.

- Excluded from the kitchen condition above is when the first floor and its function rooms are being used for private events. They wish to remove the wording of “first floor and function rooms” which mean that the whole premises could be used for private functions.

This is a large venue and if granted, all areas could be used for functions with no requirement for any of the kitchens being open. The venue could become more of an event space and hold multiple events at once or one large one.

Condition number 4 (a) Internal Ground Floor:

- Remove the need to have seating for up to 200 persons when there is a pre booked private functions or event.

As mentioned above, with the removal of this condition we could see the venue becoming more of an event space with no need for kitchens being open and would also permit vertical drinking.

- Removal of poseur tables.

We agreed this condition to compromise as originally some vertical drinking was requested. It was pointed out that persons standing would find it hard to hold a drink in one hand and food in the other and be able to eat it. So to show they would be food led it was agreed to address this by placing poseur tables for at least 20 covers.

As there is not a “no vertical drinking” condition in this area, removing the tables would increase space and in turn capacity of people able to stand and drink. With no tables, the option to eat as well would be less attractive.

Condition number 4 (b) External Area

- We have no objection to this alteration as the tables will still be rendered unusable and secured when closed.

Condition number 20

- Permit glass within the outside area.

The outside area can accommodate around 100 persons as advised during the original application process in 2020. Any reasonable person would expect the need to reduce the use of glass in such a busy area of the sea front. We run the risk of broken glass going unnoticed and causing personal injury to persons including children and pets. Customers could leave the premises with unfinished drinks without staff noticing and take them on the beach again becoming an injury risk if broken. They can also be used as weapons if violence breaks out.

We appreciate there has been an impact on business due to COVID-19 and worked with many venues throughout Brighton & Hove to assist where we can and this includes here at Sessions. We agreed last summer to allow off sales of alcohol for a limited period which has now been superseded by the Business & Planning Bill. We also agreed a reduction in SIA requirements all the time social distancing is in place. These changes have been agreed as we acknowledge that reduced risk comes with the reduced capacity during these current times.

Sessions opened the ground floor and terrace after the first lockdown in 2020. They have yet to trade within “normal” times nor trade with the first floor in operation as well. As they have not traded under maximum capacity we do not feel it would be responsible to reduce conditions on the licence. Had these conditions been offered when the original licence was consulted on, we would have submitted a representation against them, just as we are now. We feel these changes would allow for the premises to be run more as a bar than a food led outlet. Although this might not be the intention of the current operators, the capacity and location means everything needs to be in place to ensure this does not occur by way of tight conditions.

The location of the premises is within the Cumulative Impact Area as set out within the Brighton & Hove Statement of Licensing Policy 2021. A new or variation applicant for a bar within this area is not supported. A café style is only supported until 22:00hrs.

Sussex Police believe that by granting this variation application it will add to negative impact within an area saturated with licensed premises and the challenges this brings for emergency services. Additionally we do not believe that the applicant has offered any reasoning why the application would be an exception to policy or why it should be departed from. Therefore, Sussex Police invite the Licensing Authority to seriously consider refusing this application.

Yours sincerely,

REDACTED TEXT

Licensing Lead

Local Policing Support Team

Sussex Police

From: REDACTED TEXT

Sent: 30 March 2021 10:54

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Ref the proposal to vary Licence - 1445/3/2021/00540/LAPREV

SC CON ENDS 01.04.21 VALID PCD, PPN, PS and PCH (C)

Dear sir,

REDACTED TEXT located close to the Shelter Hall would like to object to the submitted variation to vary the existing premises licence.

On application of my **REDACTED TEXT** my solicitor was advised by both the council and the police that a bar license would not be issued due to **REDACTED TEXT** being in the cumulative impact zone.

I was also advised in person by Brighton Council at a meeting held in Hove town hall that an objection would be made by Brighton council should I apply for anything more than a restaurant license for **REDACTED TEXT**

The objections are based on the fact that the following provisions within the variation namely:-

- 1) Changes to premises layout
- 2) Reduction in number of kitchens open in the last hour and the removal of the need for hot food provision
- 3) Removal of 20 'maintained' i.e. waiter service tables (note this is a significant amount of tables - 80 covers) and the request to allow standing at pre booked functions or events. All these measures are designed to move the venue away from being a 'food led' establishment to a drink led establishment. Permitting vertical drinking at this establishment moves totally away from the premise that this is a 'food hall' i.e restaurant with alcohol accompanying food. The removal of tables and permitting standing is obviously to encourage vertical drinking.

I understand that the premises plans to have 'pre booked events' nightly. A pre-booked event is not a private party, it could just be the advertisement of entertainment, therefore by default this variation turns the venue into a bar.

Obviously the premises is in a Cumulative Impact area and we would suggest that this application moves the premises into :-
the definition of a pub and as such according to the matrix approach in the Brighton and Hove licensing plan for licensing applications should be refused. This premises is meant to be a food hall / restaurant and as such:-

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.
-

This provision deals directly with what the food hall claim to be - that is a restaurant. This variation moves them totally away again from that style of operation.

Further bar provision in this area of the beach would impact adversely on all four licensing objectives:-

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

This area has suffered from a high level of anti social behaviour in the past both day and night times and another bar operation would exacerbate this.

Having a bar venue that closes at 11pm would create a wave of people at this time trying to access other venues and the associated tensions that would create.

The establishment of a vertical drinking bar operation at the Shelter Hall exposes children to further risk as it removes a family led, food led establishment from the seafront. Additionally, leaving only 2 kitchens open for the last hour and only having to serve cold food further moves emphasis of the premises to a bar operation and the clientele that it will attract. We also notice that the premises crammed their terrace with tables in the last year with no social distancing and they were full of drinkers, few were dining again indicating the direction of the business.

During the summer a van was parked on the terrace serving Prosecco, I have been told multiple times by the council that this would not be allowed at **REDACTED TEXT**

A DJ was playing in the front doors most summer nights and customers were seen dancing on the terrace, again not conducive to food hall, more a drinking led establishment. This site is huge and ran as a bar, as proposed, will hugely impact on the licensing objectives in the area,

It is clear that the idea of shelter hall and its initial business proposal was created to gain an restaurant alcohol license and once that had been acquired the venue would slowly turn into a bar in an area of Brighton where so many have been refused licenses or variations of their licenses.

Kind regards

REDACTED TEXT

From: REDACTED TEXT

Sent: 30 March 2021 12:08

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Ref the proposal to vary Licence - 1445/3/2021/00540/LAPREV Shelter Hall

SC CON ENDS 01.04.21 VALID PCD, PPN, PS and PCH (D)

REDACTED TEXT

Dear sir

I am the **REDACTED TEXT**, a venue in close proximity to Shelter Hall and I would like to object to the submitted variation to vary the existing premises licence. I have been involved in managing seafront venues for many years and have genuine concerns with regards to the proposed changes.

My objections are based on the fact that the following provisions within the variation namely:-

- 1) Changes to premises layout
- 2) Reduction in number of kitchens open in the last hour and the removal of the need for hot food provision
- 3) Removal of 20 'maintained' waiter poseur service tables. This is a huge amount of tables to be removed, this is double the amount of tables inside the whole of **REDACTED**

TEXT

Then comes the request to allow 'standing' at pre booked functions or events. This should read vertical drinking. All these measures are designed to move the venue away from being a 'food led' establishment to a drink led establishment. The premises have 'pre booked events' nightly in the form of 'entertainment'. They have DJ's playing in the entrance which is hardly befitting for a family, food led environment. Everything about this variation is contrary to the Brighton and Hove licensing plan. This is an extremely generous license already enabling alcohol to be purchased without food (which for a restaurant premises is very dubious anyway). The site is in a Cumulative Impact area and as such the variation should be automatically refused.

I have witnessed an increase in anti social behaviour in this area over recent years. As a venue, **REDACTED TEXT** have spent a great deal of time (through liason with police licensing and the council), money and resource to counter these issues with great success, but I feel a bar operation of such magnitude would have negative ramifications, not only for us, but every small business in close proximity to Shelter Hall. Promoting a safe, family friendly environment is paramount to our operation and every other business along the beach front. Having a bar venue of that size close [at 23:00](#) directly onto Brighton seafront would mean many people spilling out into surrounding businesses potentially causing tension and stressful scenarios and impacting on licensing directives. I also believe that it would have a negative environmental impact on the beach itself with regards to litter etc.

Shelter hall asking for only 2 kitchens to remain open for the final hour of trading suggests with only cold food suggests a direct move to a bar style operation. Last Summer the majority of the kitchens were closed by [8pm](#). Last summer I witnessed an entire outside terrace drinking with only one table enjoying a meal. With the DJs playing dance music onto the terrace, it was painfully obvious how they were seeking to operate. This was not a one

off occurrence. It was the normal operating practice. The tables were packed tightly together and looked almost impossible to serve food to due to the limited gaps between them. It appears this year they are seeking to get even more tables on there as they have been building very small benches, enabling them to cram in more groups of drinkers. The cold food suggestion isn't credible and is obviously a mask to allow them to retail alcohol.

This style of operation, the operators lack of beach front experience and the proposed licence changes will directly impact adversely on all four licensing objectives:-

1)The prevention of crime and disorder;

2) Public safety

3)The prevention of public nuisance;

4)The protection of children from harm

If you need more information please do not hesitate to contact me,

REDACTED TEXT

REDACTED TEXT

Licensing Authority
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Date: 29 March 2021
Our Ref: **REDACTED TEXT**
Phone: **REDACTED TEXT**
e-mail: **REDACTED TEXT**

Dear **REDACTED TEXT**

Licensing Act 2003
Shelter Hall, 152 - 154 Kings Road Arches, Brighton

SC CON ENDS 01.04.21 VALID PCD, PPN and CIZ (E)

I wish to make a representation against the variation application for The Shelter Hall, 152 - 154 Kings Road Arches, Brighton. The application is to make changes to the premises layout and amend existing licence conditions in accordance with the operating schedule. The applicant has summarized the proposals as follows:

- Condition 2 – amend to allow either hot or cold food to be available during the last hour of trade, reduce the minimum number of kitchens open in the last hour from 3 to 2 and remove references to areas not labelled on the proposed layout plans.
- Condition 4 (a) applicable to ground floor – remove the requirement for 20 maintained covers on high poseur tables and allow standing at private pre-booked functions or events.
- Condition 4 (b) applicable to terrace – vary the requirement for external furniture to be fixed to the ground so that tables and chairs can be secured and rendered unusable when not in use.
- Condition 20 – replace the restriction on the use of glassware on the ground floor terrace with a requirement that the premises licence holder risk assesses and supervises the use of glassware on the ground floor terrace.

This representation is made on the grounds of the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance and having regard for the Councils Statement of Licensing Policy (SoLP). My concerns mainly relate to the amendments to conditions 2 and 4 regarding the reduction in kitchens and allow standing at private pre-booked functions or events and the applicant is also looking to increase this area for private events/functions. To me this is moving away from the original concept of a food led, seated venue.

This premises falls within the Licensing Authority's Cumulative Impact area which was adopted to give greater power to control the number of licensed premises within the city centre. The special policy was set up 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 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 SoLP includes a Matrix approach for licensing decisions with provisions for a terminal hour for all classes of licensed premises in a particular area. The Matrix Model recognises the diverse operation and different risks presented by different classes of licensed premises. It provides a vision of what the Licensing Authority would like to see within its area and gives an indication of likelihood of success or otherwise to investors and local businesses making applications.

When considering whether representations should be submitted, the Licensing Team have regard to the 'Public Health Framework for assessing Alcohol Licensing' – January 2019 document. The premises sits within the Regency electoral ward.

The document states that the Regency ward is recorded as the worst ward out of 21 for All violence against the person and All injury violence, The 2nd worse out of 21 wards for Police recorded alcohol related incidents, Alcohol suspected ambulance call outs and A&E attendances with a record of alcohol.

We make this representation to uphold our Statement of Licensing policy. The Policy is predicated on too much alcohol being available and applications for new premises licences will be refused unless the applicant can demonstrate exceptional circumstances. It is up to the applicant to demonstrate this and satisfy a Licensing Panel that they will not impact negatively on the CIZ.

We wholly support that each application should be considered on its own merits, and also recognise that this premises is relatively new and has not had the chance to operate for long due to Covid. The applicant did pre-consult with us but we are still of the opinion that this variation application should be considered and determined by a Licensing Sub-Committee Panel.

Yours sincerely,

REDACTED TEXT

Licensing Officer

From: REDACTED TEXT
Sent: 01 April 2021 13:00
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Shelter Hall - Representation

SC CON ENDS 01.04.21 VALID CIZ (F)

Dear Sirs,

We are instructed to act on behalf of **REDACTED TEXT** who wish to object to the application to vary the existing premises licence for Shelter Hall. Although **REDACTED TEXT** is a **REDACTED TEXT** with other premises in the city of Brighton & Hove this representation does not arise on the basis of need. This representation relates solely to the Cumulative Impact Zone (CIZ) a policy to be overridden only in exceptional circumstances. This is a policy which both existing operators and applicants are required to adhere to and so we ask the Licensing Authority to apply consistency to the applicability of both the CIZ and the Matrix approach when considering the application and the promotion of the licensing objectives.

REDACTED TEXT has a unique insight into the creation of the Shelter Hall as **REDACTED TEXT** by Brighton & Hove City Council to take the **REDACTED TEXT**. Following the presentation of initial proposals to the Council, the feedback was that the preferred operation would be a food hall as opposed to a bias towards entertainment and evening trade which was not desirable given the licensing profile of the seafront. As a result, **REDACTED TEXT** withdrew from the running, and the contract was awarded to a non-locally based operator with experience of food retail at scale, something we suspect they are executing very well. However, it would be disappointing if the proposition **REDACTED TEXT** originally pitched becomes a reality when it was clear this was not part of the criteria used in the selection process.

This is a large scale venue and this application is likely to add to the cumulative impact given the significant number of licensed premises already concentrated in the area and the change in style and characteristic that vertical drinking as sought will permit.

Should you require any further information in relation to this representation, please do not hesitate to contact me.

Kind regards

REDACTED TEXT

From: REDACTED TEXT

Sent: 01 April 2021 13:03

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Licence - 1445/3/2021/00540/LAPREV

SC CON ENDS 01.04.21 VALID PCD, PPN, PS & PCH (G)

Applicant details:

Licence - 1445/3/2021/00540/LAPREV

Premises: The Shelter Hall

Applicant name: Sessions Market Limited

Address:

Shelter Hall

152 - 154 Kings Road Arches

Brighton

BNI INB

Date submitted: 4th March 2021

28 day consultation period

Closes 1st April 2021

Details of the variation:

To vary the existing premises licence so as to Part A Regularise changes to the premises layout as shown on the plans appended to the application. Part B Amend existing licence conditions in accordance with the operating schedule of amended conditions appended to the application and summarised as follows Condition 2 amend to allow either hot or cold food to be available during the last hour of trade, reduce the minimum number of kitchens open in the last hour from 3 to 2 and remove references to areas not labelled on the proposed layout plans. Condition 4a applicable to ground floor remove the requirement for 20 maintained covers on high poseur tables and allow standing at private pre-booked functions or events. Condition 4b applicable to terrace to vary the requirement for external furniture to be fixed to the ground so that tables and chairs can be secured and rendered unusable when not in use. Condition 20 replace the restriction on the use of glassware on the ground floor terrace with a requirement that the premises licence holder risk assesses and supervises

Authority details:

Email: ehl.safety@brighton-hove.gov.uk<<mailto:ehl.safety@brighton-hove.gov.uk>>

Telephone: (01273) 294429

Fax: (01273) 292196

Environmental Health and Licensing

Bartholomew Square

Brighton BNI IPF

Representation from:

REDACTED TEXT

Representation:

Dear Sir/Madam

On behalf of **REDACTED TEXT**, I wish to object to the submitted variation to vary the existing premises licence for Shelter Hall. My **REDACTED TEXT** is located very close to Shelter Hall and I am concerned about additional vertical drinking being added to the nearby area.

Shelter Hall lies within the Cumulative Impact Zone and the variations sought to the licence are an attempt to erode the food led requirement and the spirit of the licence that was granted to, what I understand, is a restaurant operation. The variations sought will allow vertical drinking at the premises and remove restrictions in relation to the provision of food which were agreed when the original licence was granted. The conditions currently in place are reasonable and proportionate for a genuine restaurant operation, giving operational flexibility where appropriate for private functions. It appears that the owners of the Shelter Hall are seeking to move away from the assurances given when the licence was granted, towards a bar operation.

I object to the variations sought which would, in my view, change the style of operation and effectively create a standing bar area. The impact of vertical drinking is widely acknowledged in licensing terms and the proposed changes could undermine the four licensing objectives, most particularly the prevention of crime and disorder, public nuisance and public safety. The existing licenced premises near Shelter Hall effectively manage the vertical drinking on their premises, but there is a risk that drinkers leaving Shelter Hall at its terminal hour may seek to gain entry to other premises and impact the maintenance of the licensing objectives. It is difficult to imagine that there can be no negative impact on the nearby area if additional vertical drinking is permitted.

This application, if granted, would avoid the imposition of not only the Licensing Policy but also the Matrix approach. My particular objections are:

- * Changes to premises layout
- * Reduction in number of kitchens open in the last hour and the removal of the need for hot food provision (which negates the need for late night refreshment as a licensable activity).
- * Removal of 20 'maintained' i.e. waiter service tables and the request to allow standing at pre booked functions or events. All these measures are designed to move the venue away from being a 'food led' establishment to a drink led establishment. Permitting vertical drinking at this establishment moves away from the premise that this is a 'food hall' i.e restaurant with alcohol accompanying food. The removal of tables and permitting standing is obviously to encourage vertical drinking and effectively create a standing bar area.

Any area being used for private events should be subject to the same conditions as those relating to the Private Function Room:

Excluded from this is when an exclusive pre booked invitation only party or event is taking place within the Private Dining or Function room shaded orange on the submitted plans or within the first floor area. This exclusion will only apply to the area (room/s) that have been reserved for the particular party/event. The Licensee will provide not less than 10 days written notice of their intention to hold such an event to the Licensing Authority and to Sussex Police - such notice to specify the area to be used for such private party or event, the date, timings and the nature of such party or event, alcohol sales being limited to within such specified area only.

I would suggest that a more suitable condition to be imposed on the licence as per Licensing Policy could be:

* Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.

This condition avoids any ambiguity as to the operation of Shelter Hall and future commitment to a food hall dining experience.

Kind regards

REDACTED TEXT

From: REDACTED TEXT

Sent: 01 April 2021 13:08

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: Representation regarding application to vary licence 1445/3/2021/00540/LAPREV

SC CON ENDS 01.04.21 VALID PCD, PPN, PS & PCH (H)

Dear sir/madam,

Please see my representation as below.

Representation from:

REDACTED TEXT

Representation:

Dear Sir/Madam

On behalf of **REDACTED TEXT**, I wish to object to the submitted variation to vary the existing premises licence for Shelter Hall. **REDACTED TEXT** is located very close to Shelter Hall and I am concerned about additional vertical drinking being added to the nearby area.

Shelter Hall lies within the Cumulative Impact Zone and the variations sought to the licence are an attempt to erode the food led requirement and the spirit of the licence that was granted to, what I understand, is a restaurant operation. The variations sought will allow vertical drinking at the premises and remove restrictions in relation to the provision of food which were agreed when the original licence was granted. The conditions currently in place are reasonable and proportionate for a genuine restaurant operation, giving operational flexibility where appropriate for private functions. It appears that the owners of the Shelter Hall are seeking to move away from the assurances given when the licence was granted, towards a bar operation.

I object to the variations sought which would, in my view, change the style of operation and effectively create a standing bar area. The impact of vertical drinking is widely acknowledged in licensing terms and the proposed changes could undermine the four licensing objectives, most particularly the prevention of crime and disorder, public nuisance and public safety. The existing licenced premises near Shelter Hall effectively manage the vertical drinking on their premises, but there is a risk that drinkers leaving Shelter Hall at its terminal hour may seek to gain entry to other premises and impact the maintenance of the licensing objectives. It is difficult to imagine that there can be no negative impact on the nearby area if additional vertical drinking is permitted.

This application, if granted, would avoid the imposition of not only the Licensing Policy but also the Matrix approach. My particular objections are:

- Changes to premises layout
- Reduction in number of kitchens open in the last hour and the removal of the need for hot food provision (which negates the need for late night refreshment as a licensable activity).
- Removal of 20 'maintained' i.e. waiter service tables and the request to allow standing at pre booked functions or events. All these measures are designed to move the venue away from being a 'food led' establishment to a drink led establishment. Permitting vertical drinking at this establishment moves away from the premise that this is a 'food hall' i.e restaurant with alcohol accompanying food. The removal of tables and permitting standing is obviously to encourage vertical drinking and effectively create a standing bar area.

Any area being used for private events should be subject to the same conditions as those relating to the Private Function Room:

Excluded from this is when an exclusive pre booked invitation only party or event is taking place within the Private Dining or Function room shaded orange on the submitted plans or within the first floor area. This exclusion will only apply to the area (room/s) that have been reserved for the particular party/event. The Licensee will provide not less than 10 days written notice of their intention to hold such an event to the Licensing Authority and to Sussex Police - such notice to specify the area to be used for such private party or event, the date, timings and the nature of such party or event, alcohol sales being limited to within such specified area only.

I would suggest that a more suitable condition to be imposed on the licence as per Licensing Policy could be:

- Intoxicating liquor shall not be supplied or sold on the premises otherwise than to persons taking table meals there and for the consumption by such a person as an ancillary to their meal. There will be no vertical drinking.

This condition avoids any ambiguity as to the operation of Shelter Hall and future commitment to a food hall dining experience.

Kind regards

REDACTED TEXT

From: **REDACTED TEXT**
Sent: 31 March 2021 07:49
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Fwd: Shelter Hall Premises Licence Variation

SC CON ENDS 01.04.21 VALID PCD & PPN (SI)

Hi

I fully support the request to the licence variation.

The Shelter Hall is a great addition to the sea front - a place to grab a coffee/late breakfast or lunch after life saving on a Saturday and an alternative place to meet friends for food and drink, either on a day off or weekend. The different choices of food make it easy when out with fussy eaters or children.

Obviously it has been affected by CoVID - building works delayed and decor different from first planned. Also having to shut with imposed lockdowns must of been hard when a business has just opened.

I do not see an issue with the use of glassware on the terrace, it will make no difference to anyone, apart from the people using it. It's so much nicer to drink from glasses.

The area is sectioned off and can not see why it will increase crime in the area. People will not be able to wander off with the glasses or with their drinks - it will be no different from someone drinking inside other premises nearby. Noise levels will remain the same.

I do hope you agree to the change they have requested.

Kind regards

REDACTED TEXT

From: REDACTED TEXT
Sent: 31 March 2021 08:37
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Shelter Hall Premises Licence Variation

SC CON ENDS 01.04.21 VALID PCH (S2)

I've been to the Shelter Hall several times since it opened in 2020. It's a great space with an original concept for our great city Brighton and Hove. Every time I have been I've found the staff and environment to be well managed and friendly. It's a great asset to our community and a space that all ages can enjoy. We've been there as a family during the day for lunch or coffee and then in the evening with friends.

It's location and it's laid back offering is a great attraction.

REDACTED TEXT

From: REDACTED TEXT
Sent: 31 March 2021 08:21
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Shelter Hall Licence variation

SC CON ENDS 01.04.21 VALID PCD (S3)

To Whom it may concern

As one of the owners at **REDACTED TEXT** I have no objection to the license variation at the Shelter hall.

I believe that it will bring a different type of customer to the area rather than the usual crowd who want to drink excess amounts of beer on a hot sunny day. There are too many venues who are allowed to sell beer in plastic cups, offsite which is not sustainable. The bad behaviour from excess drinking puts customers and locals off from visiting this section of the beach during sunny days and the summer months. I believe use of glass within the boundary of the Hall will allow the businesses to police the behaviour of their customers in a much more responsible manner, in accordance to their license. Also during Covid I have seen the use of plastics increase and I believe we need to get back to the use of non plastic and non recyclable takeaway products as soon as possible.

The shelter hall will hopefully be more food led and a big draw to this area of the beach for customers who would like to enjoy eating alfresco on the beach with family and friends.

I have met the management team from the Shelter Hall. I believe they will act responsibly and be a force for good in the area. They have consistently kept us as one of their neighbours in the loop with plans and it is a breeze of fresh air on the seafront as to be honest.

Yours faithfully
REDACTED TEXT

31 March 2021

By email ehl.safety@brighton-hove.gov.uk

SC CON ENDS 01.04.21 VALID PCD, PPN, PS and PCH (S4)

Dear Sirs,

Shelter Hall Premises Licence Variation

We write in support of the above application.

REDACTED TEXT has been trading in Brighton and Hove for over 11 years. We have **REDACTED TEXT** sites, a **REDACTED TEXT** on the front in Hove and a **REDACTED TEXT** in The Lanes. We are delighted to be opening **REDACTED TEXT**

We became interested in becoming involved after speaking to the Food Director, Ms Olivia Reid. We knew Ms Reid's reputation through the local Restaurant Association and informally in the industry. Ms Reid has an excellent professional reputation and we were impressed with the team that Sessions Market Limited has put together to set up and run Shelter Hall.

Shelter Hall is an innovative concept for Brighton and will enhance the thriving independent food scene. The operators have the long term and importantly a year round interest in the beach side operation. The management team is tasked to provide a quality food concept that operates for locals as well as visitors year round rather than just for the busy months of the year. It is this focus that convinced us to become involved.

Shelter Hall operated last summer with pop up spaces due to the pandemic. There was no negative impact on the beach front. The new permanent site will be a significant improvement and will provide a year round quality independent food offering. The Shelter Hall experience supports the licencing objectives. The quality operation, staffing and food focused set up promotes the prevention of crime and disorder, the prevention of public nuisance, promotes public safety and the protection of children from harm. Furthermore, allowing glass to be used in external seating areas enhances the quality and food focused nature of the operation.

Please do not hesitate to contact us if you wish to discuss anything further.

Regards

REDACTED TEXT

From: REDACTED TEXT
Sent: 01 April 2021 20:37
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: "Shelter Hall Premises Licence Variation"

SC CON ENDS 01.04.21 VALID PCD (S5)

I noticed the premises licence variation for Shelter Hall this week when enjoying a seafront walk. I think the developments and announcements about what the team behind Shelter Hall are doing is remarkable and i fully support the licence alteration requests, Shelter Hall is a great addition to the sea front - **REDACTED TEXT** does lifesaving on a Saturday near it and this offer a great safe place to meet for coffee and food. Most importantly is offers an alternative place to meet friends for food and drink, either on a day off or weekend and is a stark contrast to the uncontrollable mess that is the **REDACTED TEXT** nearby and many of the pubs that serve cheap beer in plastic cups without any care or consideration to the area.

The eclectic mix of food and drink offer (actually i notice they are mainly promoting their food on social media as its the key concept) is going to be a huge attraction for a diverse demographic of residents and visitors. I notice they are also doing a recovery strategy for new developing concept chefs - a full kitchen for them to access and be paid to deliver - that's amazing!. Very little on the seafront attracts me or any of my friends and family currently. To be honest much of what's on offer encourages us all to bring our own food and drink to the seafront. I would much rather see them use glassware on the terrace, not plastic!!It's so much nicer to drink from glassware especially if it's a higher value product.

The area is controlled by them and security (i noticed that on their licence) . I think allowing a venue to offer a quality experience is key to improving the seafront and much of what has happened historically on it. Please approve and support this application on behalf of the residents and parents of Brighton who want to see a better calibre of offer.

Kind Regards,

REDACTED TEXT

