





**Brighton & Hove
City Council**

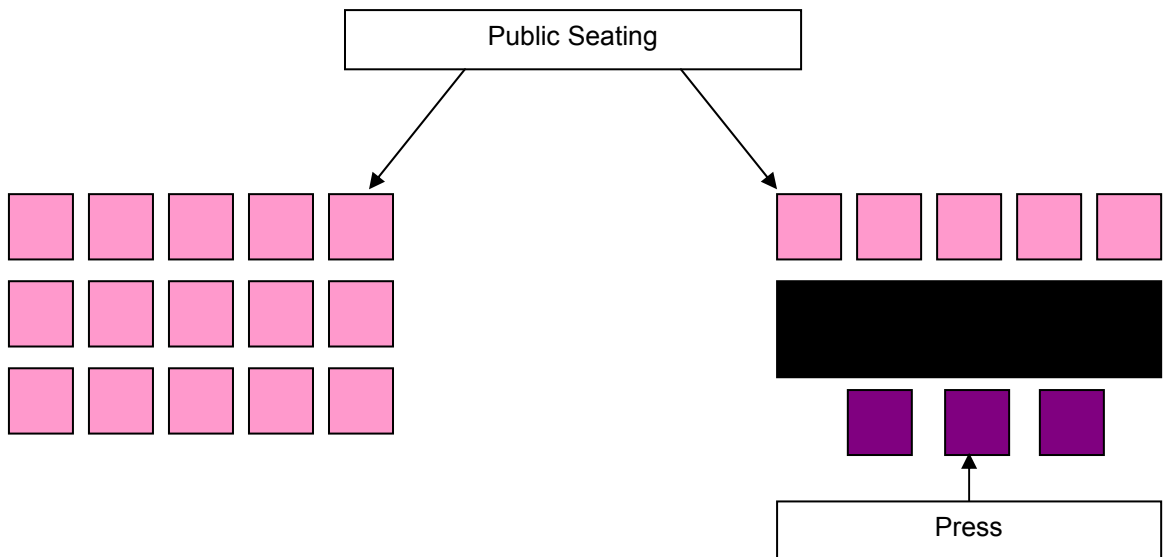
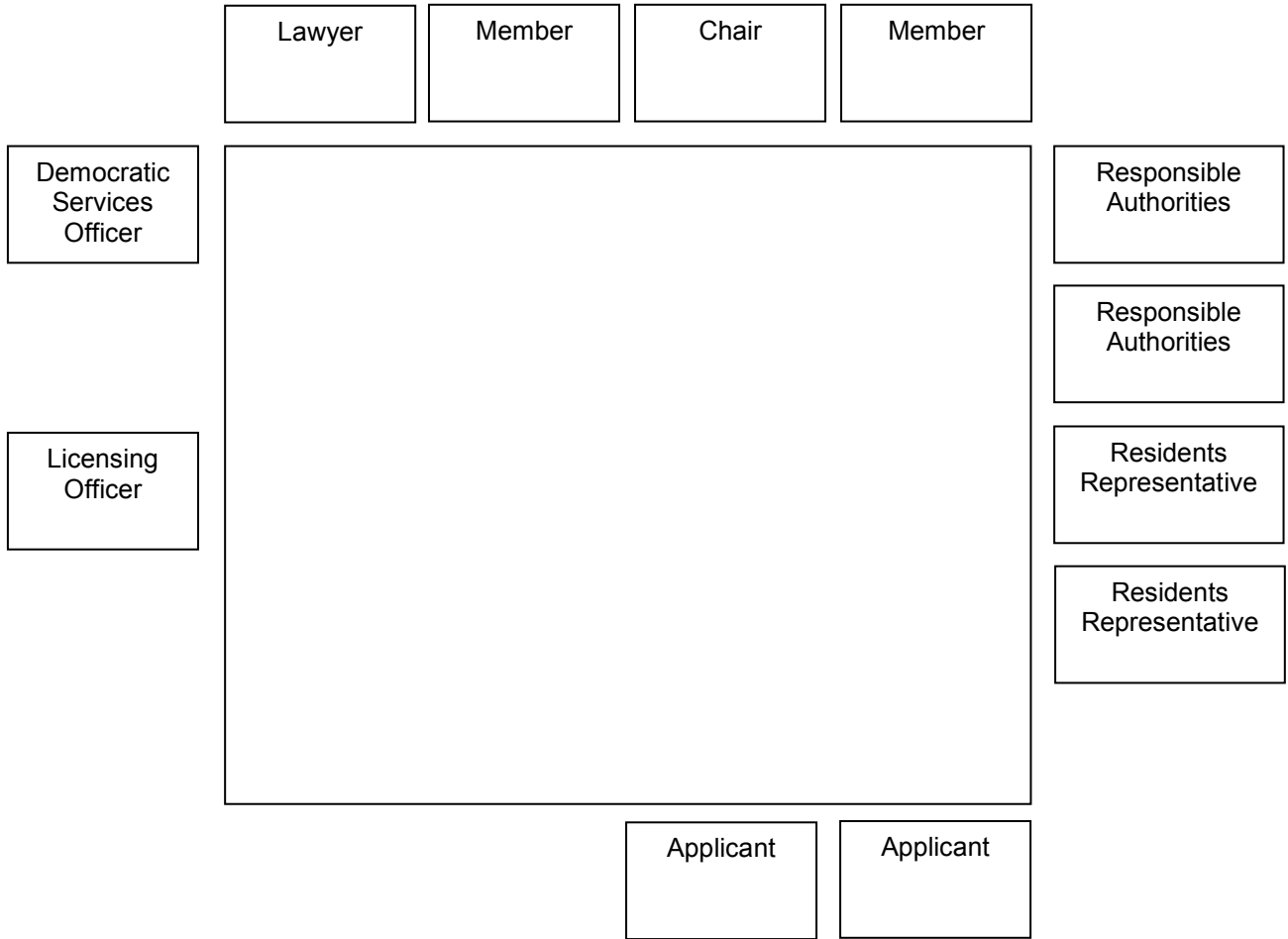
Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	7 December 2009
Time:	10.00am
Venue	Committee Rooms 2/3, Brighton Town Hall
Members:	Councillors: Hyde, Lepper and C Theobald
Contact:	Jane Clarke Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
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Democratic Services: Meeting Layout



AGENDA

101. TO APPOINT A CHAIRMAN FOR THE MEETING

102. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the main Licensing Committee may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

103. THE WHITE HORSE, CAMELFORD STREET, BRIGHTON

1 - 48

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Jim Whitelegg Tel: 29-2143
Ward Affected: Queen's Park;

NOTE: *There may be more than one item on this agenda, and as such the item you are interested in may not be heard until later in the day. However, the Chairman reserves the right to alter the running order of the agenda at the start of the meeting.*

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 27 November 2009

LICENSING PANEL
(Licensing Act 2003 Functions)

Agenda Item 103

Brighton & Hove City Council

Subject: *Review of a Premises Licence under the Licensing Act 2003*

Premises: **White Horse**
30-31 Camelford Street
Brighton
BN2 1TQ

Licence Holder: **Punch Tavern Plc**

Date of Meeting: **7 December 2009**

Report of: *Assistant Director Public Safety*

Contact Officer: Name: Jim Whitelegg Tel: 29-2438
E-mail: jim.whitelegg@brighton-hove.gov.uk

Wards Affected: Queens Park

FOR GENERAL RELEASE

1. PURPOSE OF THE REPORT:

- 1.1 To review a Premises Licence for White Horse under the Licensing Act 2003.

2. SUMMARY OF REVIEW PROCESS:

- 2.1 Existing licence attached at Appendix A.
- 2.2. Brighton & Hove City Council is both the relevant licensing authority and a responsible authority in respect of any premises, and may in its capacity apply under Section 51 of the Licensing Act 2003 for a review of any premises licence in respect of the premises.
- 2.3 An application was received by the Licensing Authority from Environmental Protection Team to review the licence granted to the premises known as White Horse, 30-31 Camelford Street, Brighton, BN2 1TQ.
- 2.4 The grounds for the review relates to the following Licensing objectives:
- Prevention of Public Nuisance

Full details of the grounds for the review and a copy of the supporting evidence are attached in Appendix B.

2.5 At this hearing the licensing authority must:

- Consider the application made in accordance with Section 51
- Consider any relevant representations
- Take such steps (if any) as are considered necessary for the promotion of the Licensing objectives. These steps are
 - to modify the conditions of the licence
 - to exclude a licensable activity
 - to remove the designated premises supervisor from the licence
 - to suspend the licence for a period not exceeding 3 months, or
 - to revoke the licence.

And for this purpose the conditions of a premises licence are modified if any of them is altered or omitted or any new condition is added. It may provide that the modification or exclusion have effect for a specified period not exceeding 3 months. The determination, if not completed at the hearing, shall be within 5 working days of the hearing. Such determinations do not have effect until after the appeal period or, if an appeal is lodged, until after the appeal is disposed of.

3. REPRESENTATIONS RECEIVED:

- 3.1 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:
- 3.2 Eight representations have been received from local residents on the grounds of the Prevention of Public Nuisance supporting the application submitted by Environmental Protection Team seeking the premises licence be revoked.
- 3.3 Full details of the representations are attached at Appendix C. A map detailing the addresses of the persons who have submitted the representations and their location in relation to the premises is attached at Appendix D.

4. COMMENTARY ON LICENSING POLICY:

- 4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

- 1.2 The licensing objectives are:-
- (a) Prevention of crime and disorder;
 - (b) Public safety;
 - (c) Prevention of public nuisance;
 - (d) Protection of children from harm.
- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focussed on matters which are in the control of individual licensees and others with relevant authorisations, i.e. the premises and its vicinity.
- 1.5 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act
- 1.15 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In respect of the prevention of public nuisance

- 4.1 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, or as a result of people entering or leaving the

premises or from individuals or groups of customers gathered outside (e.g. in order to smoke)

- 4.3 Applications for new licences or for the extension in size of licensed premises should not normally be granted if the premises will use amplified or live music and operate within or abutting premises containing residential accommodation except that occupied by staff of the licensed premises. A condition may be imposed on new licences that entertainment noise shall be inaudible in any residence.
- 4.4 Installation of sound limiting equipment and sound insulation may be required to minimise disturbance to the amenity of nearby residents by reason of noise from the licensed premises.
- 4.5 Staggered closing times will not be used to combat binge drinking disorder and antisocial behaviour. Zoning will be avoided. A general principle of later opening so that customers can leave for natural reasons, slowly over longer periods will be promoted, to prevent unnatural concentrations of people. The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 4.6 Generally permitted temporary activities in the open air including tents and marquees should have a maximum closure hour of 11.00pm. Earlier hours may be imposed in sensitive open spaces or near residential areas.
- 4.8 Regard will be had to any history or likelihood of nuisance. Generally, favourable consideration will be given to applications for later hours in the city centre and on busy main roads. Powers may be exercised to impose conditions as to hours of opening in order to avoid unreasonable disturbance to residents of the neighbourhood.

Strategic Integration

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening.
- 6.7 This policy avoids duplication with other regulatory regimes wherever possible.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the new regime

Finance Officer Consulted: Karen Brookshaw Date: 18.11.2009

5.2 Legal Implications:

The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell

Date: 18.11.2009

5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part A of Premises Licence
2. Appendix B – Review Application and Supporting Evidence
3. Appendix C – Representations
4. Appendix D – Premises Licence Holder Letters/Responses
5. Appendix E – Map of area

Documents in Members' Rooms

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council: Statement of Licensing Policy.

Background Documents

1. Environmental Health & Licensing Service, Brighton & Hove City Council (2008): The Licensing Act 2003 – Brighton & Hove City Council Statement on Licensing Policy.

APPENDIX A

**Schedule 12
Part A**

Regulation 33, 34

**Premises Licence
Brighton and Hove City Council**

Premises Licence Number

1445/3/2009/02034/LAREV

Part 1 – Premises Details

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

The White Horse
Camelford Street
Brighton
East Sussex
BN2 1TQ

Telephone number 01273 603726

Where the licence is time limited the dates

Licensable activities authorised by the licence

Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol

Monday - Thursday: 10.00 - 00.00, Friday - Saturday: 10.00 - 01.00, Sunday: 12.00 - 00.00 - PLUS

A further additional hour every Christmas Eve and/or every Boxing Day when falling on a Monday, Tuesday, Wednesday or Thursday. - PLUS

To reflect existing New Year's Eve/Day hours.

The opening hours of the premises

Monday - Thursday: 10.00 - 00.30, Friday & Saturday: 10.00 - 02.30, Sunday: 12.00 - 00.30.

A further additional hour every Christmas Eve and/or every Boxing Day when falling on a Monday, Tuesday, Wednesday or Thursday. To reflect existing New Year's Eve/Day hours.

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

Punch Taverns plc
Jubilee House
Second Avenue
Burton upon Trent
Staffs
DE14 2WF

Tel: 01283 501600

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

Registered Business Number 03752645

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

Robert Oduba

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:

Licensing Authority: Brighton & Hove City Council

Annex 1 – Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

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

S 21; mandatory condition: door supervision :

- where a premises licence includes a condition relating to security activity, the licence must include a condition that each individual must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the Operating Schedule

For the prevention of crime and disorder:

- 1) Suitable illumination will be provided to the exterior areas of the building.
- 2) Toilets will be checked regularly.
- 3) There will be a managed exit policy, under which customers will be asked to leave quietly and in an orderly manner.

For public safety:

- 4) A licensed taxi service will be promoted for customers to facilitate their onward journeys.
- 5) Drinking vessels made of standard glass will be phased out to be replaced with toughened glass only.

For the prevention of public nuisance:

- ~~6) Amplified music performed by no more than two entertainers (see annex 4 below)~~
- 7) Regular noise surveys will be carried out by staff especially when entertainment is being provided.
- 8) Staff will organise taxis for customers when required to take them from the premises.

For the protection of children from harm:

- 9) Children will not be permitted on the premises

Annex 3 - Conditions Attached after a hearing of a Licensing Panel

- ~~10) Live music restricted to 12 occasions per year and not to be played between the hours of 23.00 and 10.00 in any event (see annex 4 below)~~

11) Recorded music to be background music only after 23.00 hours. (see annex 4 below)

12) Amplified music or other entertainment noise from within the premises not be audible in any residential premises between the hours of 23.00 and 10.00 hours.

13) Noise and vibration shall not be permitted to emanate from the premises as to be audible to nearby premises after 23.00 hours.

14) Windows and doors to be closed after 23.00 hours on any night of trading.

15) Prominent clear and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and area quietly.

Annex 4 - Licensing panel hearing held on 13th March 2009 in respect of the review of a premises licence.

16) No karaoke to take place in the premises at any time;

17) No microphones shall be used at any time;

18) The front door to be closed, except when used as access/egress, at all times;

19) The bar gate into St Margaret's Street to be used as a fire exit only, and not as an alternative access/egress to the pub;

20) Sale of alcohol to be allowed until 01.00 on Friday and Saturday;

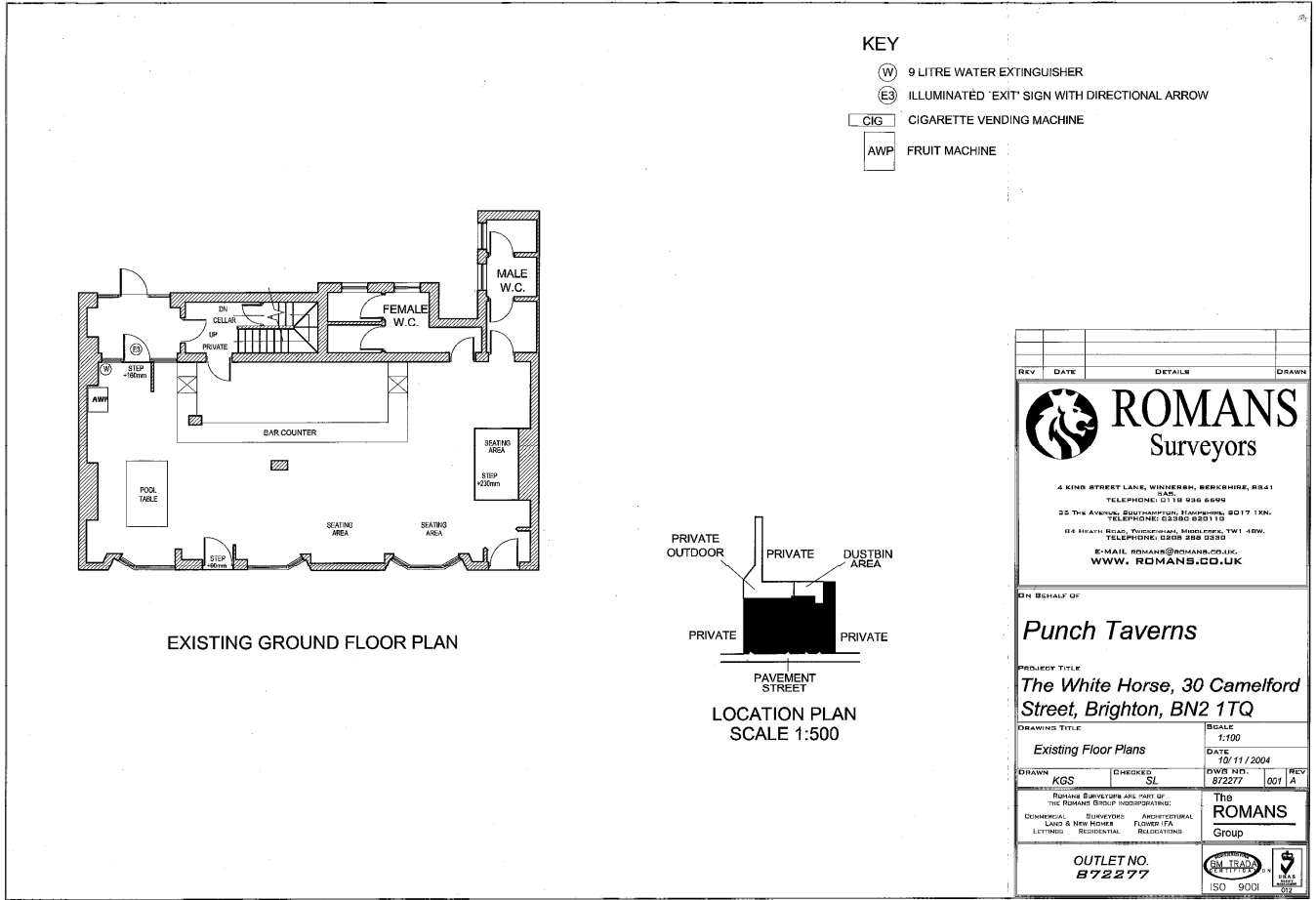
21) No tables or chairs to be placed in the rear yard;

22) No heaters to be placed in the rear yard;

23) A maximum of five people to be allowed to smoke in the rear yard at any one time;

24) No drinks to be taken into the rear yard area;

Annex 5 – Plans



APPENDIX B

REC: 14/10/09
 CON: 12/11/09

2009/02034/LAREV.
 LO - JW

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Annie Sparks
 (Insert name of applicant)

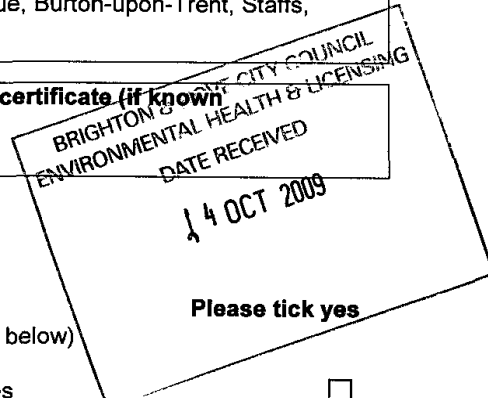
apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The White Horse 30-31 Camelford Street	
Post town Brighton	Post code (if known) BN2 1TQ

Name of premises licence holder or club holding club premises certificate (if known) Punch Taverns plc, Jubilee House, Second Avenue, Burton-upon-Trent, Staffs, DE14 2WF

Number of premises licence or club premises certificate (if known) 1445/3/2008/02285/LAREV
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Part 2 - Applicant details

I am

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Annie Sparks Environmental Health Manager Environmental Protection Environmental Health & Licensing Brighton & Hove City Council 2 nd Floor, Bartholomew House Bartholomew Square Brighton, BN1 1JP
Telephone number (if any) (01273) 292436
E-mail address (optional) Annie.sparks@brighton-hove.gov.uk

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

Please tick 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 ground(s) for review (please read guidance note 1)

The premises licence relating to this premises was last reviewed at the Licensing Panel held on 13th March 2009. Prior to that licence review complaints were received by the Environmental Health Team relating to noise from amplified music and noise from amplified voices. A noise abatement notice was subsequently served under the provisions of the Environmental Protection Act 1990 on Simon Thompson and Roger Aiano, joint lessees and occupiers of The White Horse, on 6th November 2008. The complaints continued after service of this notice, and on 24th November 2008 a breach of the notice was witnessed by two officers. On the same night, a statutory nuisance was witnessed in respect of noise from customers occupying the rear yard area of the pub, and a further noise abatement notice was served. This had also been the subject of many complaints over the preceding months.

When the Premises Licence was reviewed in March 2009 effective conditions and measures were put in place to prevent public nuisance. Since that date further noise problems have continued and from the evidence collected it is clear that the premises is not being effectively managed and the licence objective relating to prevention of public nuisance is not being adhered to. I therefore see that there is no alternative but to remove Simon Thompson as the Designated Premises Supervisor in order to comply with the licensing objective of Preventing Public Nuisance.

Licensable activities namely Sale by Retail of Alcohol are permitted till 01.00 hours on Friday and Saturday. The opening hours on the licence are 02.30 hours on Friday and Saturday. I ask that the opening hours on the licence be reduced to 01.30 hours on Friday and Saturdays in line with licensable activities

Please provide as much information as possible to support the application
(please read guidance note 2)

At the review of the Premises Licence on 13th March 2009 a number of conditions were added to the licence to prevent public nuisance. In addition performance of live music and recorded music were removed as licensable activities. Despite this review complaints about noise continued, and this included complaints about noise from amplified music and noise from customers using the rear yard. On 31 July 2009 our Noise Patrol Team witnessed loud music coming from the premises and the front door propped open. Customers were in the street drinking and talking. We have continued to receive complaints about noise from the premises. On 13th October 2009 at 21.39 I visited a local resident opposite the White Horse in response to a further complaint. I was in the first floor front bedroom of a resident opposite the White Horse and I could clearly hear the Kylie Minogue songs 'I Can't Get You Out Of My Head' and 'I Should Be So Lucky'. The bedroom windows were closed and the doors and windows to the White Horse were all closed but I could make out the words to the songs being played. As I sat on the bed I could also hear the words to the song 'Simply The Best' being sung by Tina Turner. When I left the house and stood on the pavement the vocals to the songs being played were clearly audible, yet the doors and windows were still closed. The vocals were also clearly audible when stood 20 metres down the road outside 35 Camelford Street. Recorded music was clearly being played and it was not 'background' or 'incidental' music. The music was very intrusive and would prevent enjoyment of the complainant's home.

Please tick yes

Have you made an application for review relating to this premises before Yes

If yes please state the date of that application

Day Month Year

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

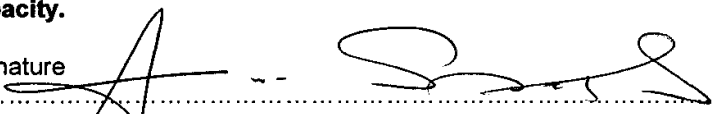
Please tick yes

- 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 understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature 
Date 14 October 2009

Capacity Environmental Health Manager

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

R- 14.10.09
C- 12.11.09

2009/02034/H/REV
JW



1 / NOV 2009

Public Safety
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

Punch Taverns-plc
Jubilee House
Second Avenue
Burton-upon-Trent
Staffs
DE14 2WF

Hearings and Licensing

Date: 17 November 2009
Our Ref: AS
Your Ref:
Phone: (01273) 292436
Fax: (01273) 292196
e-mail: Annie.sparks@brighton-hove.gov.uk

Dear Sir/Madam

**The White Horse
30-31 Camelford Street
Licensing Act 2003**

I am writing with reference to my application for the review of the premises licence at the White Horse 30-31 Camelford Street. Since submitting the review on the 14th October 2009, I have met with Simon Thompson, former Designated Premises Supervisor of the White Horse, Robert Oduba, current Designated Premises Supervisor of the White Horse, and Stuart Brown of Punch Taverns. At this meeting on the 9th November Simon Thompson confirmed that he was no longer Designated Premises Supervisor for the White Horse and Robert Oduba had taken over this role.

During the meeting Simon Thompson made it clear that he was to remain as leaseholder for the business at 30-31 Camelford Street, and would therefore still be involved with elements of the administration of the business. In addition, Simon confirmed that Roger Aiano (joint lessee with Simon Thompson) would remain employed at the White Horse and his duties would include chef. Roger Aiano has been on the premises when noise complaints have been made to the local authority, and on the 9th January 2008 Roger Aiano accepted a simple caution concerning the breach of the noise abatement notice served on him on the 28th November 2008.

This is the second review requested under the provisions of the Licensing Act 2003, and the second review relating to the licensing objective, prevention of public nuisance. During my meeting with Simon Thompson on the 9th November I was extremely concerned that even though he is no longer the Designated Premises Supervisor he still has involvement with the operation of the business, and those employed.



Director of Environment: Jenny Rowlands

Web: www.brighton-hove.gov.uk
Telephone: (01273) 290000
Printed on recycled, chlorine-free paper

I do not have confidence that removing Simon Thompson as Designated Premises Supervisor will ensure that public nuisance is prevented. At the licensing review on the 7th December I will therefore request that the premises licence is revoked.

Yours Sincerely

Annie Sparks
Environmental Health Manager

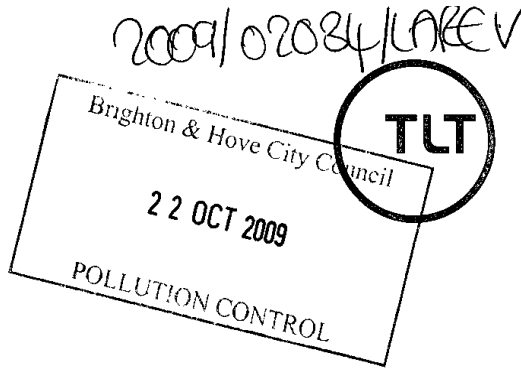
Cc Mathew Phipps TLT Solicitors One Redcliff Street, Bristol, BS1 6TP
Stuart Brown Punch

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APPENDIX D

TLT LLP

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Bristol BS1 6TP
Tel: +44 (0)117 917 7777
DX 7815 BRISTOL
www.TLTsolicitors.com



Annie Sparks
Environmental Health Manager
Brighton & Hove Council
Bartholomew Square
BRIGHTON
BN1 1JP

Our ref REG30/MP2/077345/004515

Your ref

Direct tel 0117 917 8020

Date 19 October 2009

Direct fax 0117 917 7566

Email matthew.phipps@tltsolicitors.com

Dear Ms Spark

Our Client – Punch Taverns Plc
White Horse 30-31 Camelford Street Brighton BN2 1TQ
Application for Review of Premises Licence

We act on behalf of Punch Taverns Plc, the Premises Licence Holder for the above premises.

We have been provided with a copy of the Application that you have made for a Review of the Premises Licence for the White Horse.

Please could you let us know what you are seeking or if there are any conditions that you would like to see attached to the Premises Licence which would alleviate your concerns.

Additionally, the Business Relationship Manager for Punch Taverns Plc would be more than pleased to meet with you to discuss, whether openly or on a Without Prejudice basis, all of your issues or concerns relating to the operation of the premises. We would also be willing to attend a meeting if you would consider it helpful.

We look forward to hearing from you.

Yours sincerely
for TLT LLP

Matthew Phipps
Partner

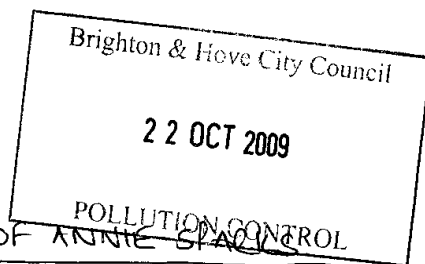
Offices in Bristol, London and Piraeus.

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A list of members (all of whom are solicitors or registered foreign lawyers) is available for inspection at that address.

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Constant & Constant is a division of TLT LLP



White Horse
30-31 Camelford Street
Brighton
BN2 1TQ
19th October 2009

FOR THE ATTENTION OF ANNIE STAPLES

I am writing to you to inform you of the circumstances that led up to the incident on October 13th.

Since October 11th I was at home in Saltdean with the flu and Mr Roger Aiano was acting DPS in my absence. He was not only doing his own shifts, but mine as well.

On the day in question he started working behind the bar at 12 noon, finishing his shift at 9pm. He then went upstairs for something to eat. At approximately 9:30pm, he left the premises and on leaving instructed the barman on duty to keep noise levels down and to contact him immediately if there were any problems. As acting DPS, Mr Roger Aiano always gave these instructions to members of staff whenever he left the premises, this being his managerial responsibility.

On the night in question a new member of staff had been employed three weeks prior and, being a licencee himself, was fully briefed on the problems we had with noise levels. He came with good references, but unfortunately within an hour volume levels were turned up as soon as Mr Roger Aiano left the building. He freely admits this and was dismissed immediately.

Although I was not present, as DPS for the White Horse, I take full responsibility for his actions and today telephoned Mr Stuart Brown of Punch Taverns, resigning forthwith. I will no longer take any active role in the running of the White Horse, and have duly appointed a new manager to run the pub.

His name is Mr Robert Odeba. He is a licencee and his name and licence number is going to be forwarded to Mr Stuart Brown at Punch Taverns. He will then be nominated as the new DPS.

2

I am currently in the process of installing a noise inhibitor so that volume levels can no longer be turned up by any member of staff. This was actioned immediately.

I hope the steps I have taken will give you more confidence in the running of the pub and that no further incidents like the one in question will arise again.

I look forward to your response.

Yours faithfully
Simon Thompson.

COPIED TO COST/UP/REV

Brighton & Hove City Council
27 OCT 2009
POLLUTION CONTROL

The White Horse
30-31 Camelford Street
Brighton
BN2 1TQ
20th October 2009

FOR THE ATTENTION OF ANNIE SPARKS

With reference to your email of 20th October, please find below details of the three points raised thereof:-

1) Designated Premises Variation

I have today, faxed all information regarding the new DPS, as requested, over to Punch Taverns' solicitors "TLT Solicitors" - please find enclosed a copy of this information for your own records. If necessary, Mr Stuart Brown of Punch Taverns will confirm receipt of this information.

2) My involvement I propose having in the business

I will be doing a few morning shifts to start with. The reason for this is to help Robert Oduba (the new manager and DPS) out as money is very tight and especially on Monday as the banking requires to be done in order to pay the brewery and ensure delivery of weekly beer.

I will be resuming my previous career of Riding Instructor/Horse Dealer and will therefore have no further involvement in the running of the pub.

3) Variation in hours that you yourself proposed

Since the licensing review of the White Horse in March 2009, our license to sell alcohol was reduced on Friday and Saturday from 2AM to 1AM. Having looked at the license today, I noticed that our opening hours were still until 2-30AM, should this now be 1-30AM? Is this an oversight as since March 2009 we have not served any drinks after 1AM and all customers have vacated the premises by 1-30AM.

Going forward, we will continue to sell alcohol to customers on a Friday and Saturday until 1AM, and make sure that they have vacated the premises by 1-30AM, as from our interpretation of the licensing review, we are adhering to these conditions

I hope this letter covers all three points you raised in your email.

I do hope, however, that if you require any further information you will not hesitate in contacting me.

I look forward to your response.

Yours faithfully

Simon Thompson

And any premises licence to be granted or varied in respect of this application made by

.....
[name of applicant]

concerning the supply of alcohol at

The White Horse
Camelford Street
Brighton
East Sussex
BN2 1TQ

.....
[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence Number

2008/006SS/LAPER.
.....
[insert personal licence number, if any]

Personal licence issuing authority

Brighton and Hove Council.
.....
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed R. Oduba.
.....

Name (please print) Robert Oduba.
.....

Date 20/10/09.
.....

Reason to change an individual to being specified as premises supervisor – please tick the appropriate box

- Manager Change TAW Change
- Please tick if applicable Emergency Change

Please forward all correspondence associated with this application to:

Licensing – DPS Change
TLT Solicitors
One Redcliff Street
Bristol, BS1 6TP
Fax No: 0117 917 7566

TLT DPS CONSENT FORM

Consent of individual to being specified as premises supervisor

.....
[full name of prospective premises supervisor]

of

Robert Oduba.

.....
[home address of prospective premises supervisor]

herby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

To vary a premises license to specify an individual as the DPS

.....
[type of application]

by

Punch Taverns

.....
[name of applicant]

Relating to a premises licence

1445/312006/02233/CAR/777

.....
[number of existing licence, if any]

for

The White Horse
Camelford Street
Brighton
East Sussex
BN2 1TQ

.....
[name and address of premises to which the application relates]

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APPENDIX E

White Horse, 30-31 Camelford Street, Brighton BN2 1TQ



Date: 18/11/2009 12:38:46 Scale 1:802



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