

APPENDIX F

Rec: 30/09/09
CON: 28/10/09

2009/01867/LAPREV

LO-EB.



Emma Bricknell
Licensing Team
Bartholomew House
Bartholomew Square
Brighton

PN-V-EB
Rep A

Public Safety
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

Date: 16th October 2009
Our Ref: 2009/10175/EPLIC/EH
Phone: (01273) 292373
Fax: (01273) 292196
e-mail: audrey.sharma@brighton-hove.gov.uk

Dear Emma

**Licensing Act 2003
The Red Rooms, 8 Queens Road Brighton**

I am writing with regard to the application for a premises licence variation at The Red Rooms, 8 Queens Road Brighton. I am concerned about the potential for public nuisance, and I am therefore making a representation.

The application includes the licensing activities of extending the hours of recorded music and using the ground floor bar (which is nearer to the residential units and windows/doors). I have concerns over noise break out from these activities.

This premises is in the Cumulative Impact Area for Brighton City Centre. Where premises come within the Cumulative Impact Area applications for variations to premises licences shall normally be refused unless the applicant can demonstrate that there will be no adverse impact on Cumulative Impact. The applicant has not demonstrated this.

The operating schedule included within the application does not provide sufficient information regarding the prevention of public nuisance. The applicant needs to ensure that the residential properties in the vicinity of the proposed licensed premises are protected from noise nuisance. There are flats above the business, the building is at least 100 years old and of traditional construction.

The applicant proposes that 'Background music will be played in the upstairs part of the bar, either from a laptop or a stereo system [until 2.30am, except Friday and Saturday when the time limit will be 3.30am]'. Under prevention of public nuisance the applicant states: 'We will ... turn our music down to background level at 12am.'

There is a lack of clarity around what 'background level' is. As a guide, where incidental/background music is played it should be possible to have a conversation with a companion without having to raise your voice. Due to lack of clarity about the level of recorded music required and previous complaints about nuisance (particularly during weekdays), I would suggest that recorded music in the ground floor bar is subject to a noise limiter, in the same way that the basement bar is controlled (there is no proposal to alter the license in relation to live music, or any music from the basement).

I am concerned that where the applicant writes: 'We will always close our windows and doors at 10pm'. There have been a number of substantiated complaints that doors and windows have been left open. Consider the use of signage and self-closers.



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

I would also require information relating to smoking areas and control of customer noise when entering and leaving.

I am happy to attend any site meeting with the applicant to discuss their application and prevention of nuisance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AS', written over a faint circular stamp or watermark.

Audrey Sharma
Environmental Protection Officer

REC: 30/09/09
CON: 28/10/09

PCD ✓ } EJB
PCH ✓ }



2009/01867/LAAREV
LO - EJB.

Rep B

HOVE POLICE STATION

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENTAL HEALTH & LICENSING
DATE RECEIVED
28 OCT 2009

Brighton & Hove Licensing Unit
Police Station
Holland Road
HOVE
BN3 1JY

Tel: 01273 66 59 43
Fax: 01273 66 55 24

Email: david.bateup@sussex.pnn.police.uk

21st October 2009

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

Dear Sirs,

Application for variation of the premises licence under the Licensing Act 2003 for The Red Rooms, 8 Queens Road, Brighton, BN1 3WA

Sussex Police wish to make representations in respect of this variation application on the grounds of the prevention of crime and disorder and the protection of children from harm.

Police Licensing have had a meeting with the new management of the premises in September 2009 to discuss issues with the premises. There have been issues with the existing CCTV system not working. There have been two assaults during September 2009 at the venue, one on the owner and the second involving a member of bar staff being assaulted and sustaining cuts and bruising to their face.

Accordingly and in response to the variation application Sussex Police request the following new and revised conditions are added to the new licence:

The prevention of crime and disorder

A minimum of two SIA registered door supervisors will operate from the premises on Friday and Saturday nights and on Christmas Eve, New Year's Eve and Bank Holidays from 20:00 hrs until close. Door supervisors will not dual role as bar staff etc.

The premises will contract for the provision of a recognised mobile support unit which will provide SIA qualified door supervisor back up 24 hours a day.

[NB: inclusion of the above conditions will render existing condition Annex 3 (4) redundant].

Door supervisors, ancillary provisions:

1. Records shall be maintained at the premises containing the full name, date of birth, and home address of every door supervisor employed.
2. On initial employment of the door supervisor, authentic proof of identity shall be obtained in the form of a passport, driver's licence or a birth certificate.
3. The record shall include all dates and times when a door supervisor is employed.
4. If staff are employed through an agency, the name and address of the agency must be included in the entry referring to the person employed by the agency.
5. Any such record must be in a form approved by the Licensing Authority. [In the event that no form is either issued or approved by the Licensing Authority, the management may draft their own form but this must contain all the information stipulated in this section].
6. The DPS (or in the absence of the DPS the person with delegated authority) will ensure door supervisors display their SIA badges at all times they are on duty.

CCTV

Digital CCTV and appropriate recording equipment to be installed, operated and maintained throughout the premises externally and internally (including the basement) to cover all public areas with sufficient numbers of cameras as agreed with Sussex Police. CCTV footage will be stored for a minimum of 28 days, and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is requested for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy and will be changed when British Summer Time starts and ends.

Protection of children from harm

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be

accepted are passports, driving licences with a photograph or Portman Group, Citizen Card or Validate proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

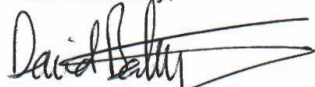
All staff members engaged, or to be engaged, in selling alcohol on the premises shall received the following training in age-restricted sales:

- Induction training which must be completed, and fully documented, prior to the sale of alcohol by the staff member; and refresher training thereafter at intervals of no less than 8 weeks.
- All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

Sussex Police have no objection to the existing condition 'Persons under 18 will not be permitted on the premises', and note that a number of venues in the City centre already provide food menus to families including younger children during the day. We request the following condition in its place:

No children under 18 who are not accompanied by a responsible adult will be allowed on the premises after 21:00 hrs.

Yours faithfully,



David Bateup
Licensing Officer
Licensing Unit
Hove Police Station

REC: 30/09/09.
CON: 28/10/09.

Rep C.

2009/01867/LAPRE

LO-EB:

PPN V-EB

Maisonette
7 Queens Road
Brighton
BN1 3WA

26 OCT 2009

25/10/09

Environmental Health and Licensing,

We would like to make a representation against the variation application put forward by the Red Rooms bar on Queens Road. We have been sent a copy of their current licensing agreement and are aware that they are regularly in violation of it's terms.

We have been continually disturbed by loud music and noisy customers/employees late at night since the bar opened earlier this year. The levels of noise are such that we cannot sleep at any point while the bar is open, and as the music often continues until past 1am this impacts on our day to day lives. We have completed and submitted noise diary sheets to Audrey Sharma at the Environmental Health and Licensing department. On Thursday 22nd October Ms Sharma came and completed sound level tests at the Red Rooms. Every evening since then they have disturbed us with music even louder than before, on occasion even disturbing us in the middle of the day.

Yours sincerely,

Michael Cavanagh and Emma Neath



Page 1 of 3

Sarah Mcnaught

From: Emma Neath [emma.neath@googlemail.com]
Sent: 27 October 2009 16:26
To: Sarah Mcnaught
Subject: Re: FW: Representation Against Variation Application: Red Rooms

PPN

Thank you, a signed copy of our representation was delivered in person to Brighton and Hove City Council yesterday.

* We'd also like to add that last night the Red Rooms played loud music up until 1.15am, at which point a loud argument broke out in the bar and we could hear shouting and furniture being thrown around. The fight spilled out into the street and the police were called. Can this be added to the disturbances we reported previously in our representation?

Yours sincerely
Michael Cavanagh and Emma Neath *

2009/10/27 Sarah Mcnaught <Sarah.McNaught@brighton-hove.gov.uk>