

## 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)

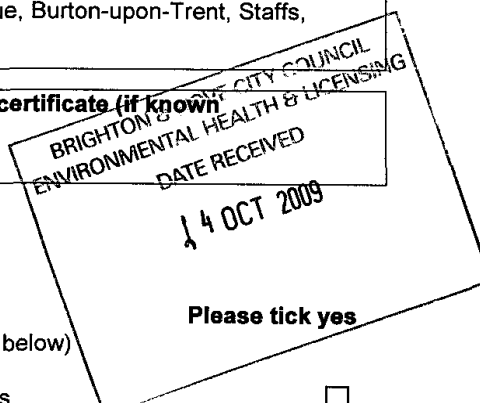
**apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below**

#### Part 1 – Premises or club premises details

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

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Punch Taverns plc, Jubilee House, Second Avenue, Burton-upon-Trent, Staffs, DE14 2WF
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<b>Number of premises licence or club premises certificate (if known)</b> 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 <sup>nd</sup> 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 | <input type="checkbox"/>            |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/>            |

#### 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 13<sup>th</sup> 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 6<sup>th</sup> November 2008. The complaints continued after service of this notice, and on 24<sup>th</sup> 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 13<sup>th</sup> 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 13<sup>th</sup> 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	
2	2	0	1	0	9

**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



1 / NOV 2009

2009/02034/H/REV  
JW

**Public Safety**  
Bartholomew House  
Bartholomew Square  
Brighton BN1 1JP

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

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 14<sup>th</sup> 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 9<sup>th</sup> 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 9<sup>th</sup> January 2008 Roger Aiano accepted a simple caution concerning the breach of the noise abatement notice served on him on the 28<sup>th</sup> 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 9<sup>th</sup> 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](http://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 7<sup>th</sup> 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