

**BRIGHTON & HOVE CITY COUNCIL**  
**LICENSING PANEL**  
**2003 (Licensing Act 2003 Functions)**

**2.00PM – 9 SEPTEMBER 2005**

**BRIGHTON TOWN HALL**

**MINUTES**

Present: Councillors Cobb, Tonks and Pennington

**PART ONE**

**139. ELECTION OF CHAIR**

139.1 **RESOLVED** – That Councillor Pennington be elected Chair for this meeting.

**140. PROCEDURAL BUSINESS**

**140A. Declarations of Substitutes**

140.1 Councillor Tonks was substituting for Cllr Hyde.

**140B. Declarations of Interest**

140.2 There were no declarations of interest.

**140C. Exclusion of Press and Public**

140.3 The Panel considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

140.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of the following items.

**141. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – THE ROYAL OAK**

141.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under “grandfather rights” at The Royal Oak, 46 St James’s Street, Brighton (see Minute Book).

141.2 The applicant’s representative Mr. Thomas attended the Panel as did the Licensee, Andrew Frame. A residential objector, Mr. David Smith also attended.

141.3 The Licensing Manager summarised the application as set out in the report. There were three objections to the application. There were no representations from the responsible authorities.

141.4 Mr. Smith set out his objections, which centred around the proliferation of licensed premises in the last decade and the rise in public disorder that he associated with this.

141.5 The applicant presented their case.

141.6 **RESOLVED** - That the application for a variation for the premises licence already granted under “grandfather rights” be granted with the following conditions:-

- (1) That clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- (2) Doors and windows shall be shut at 23.30 hours
- (3) That CCTV (a condition offered by the Licensee) is installed within 6 months of the granting of the licence.

**Reasons for granting licence:** It was considered that the above conditions would address the concerns expressed by local residents.

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of written notification of the decision given at the hearing.

**142. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – THE TIN DRUM**

142.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under “grandfather rights” at The Tin Drum, 43 St James’s Street, Brighton (see Minute Book).

142.2 The Licensee, David Radkey attended the meeting. A residential objector, Mr. David Smith also attended.

142.3 The Licensing Manager summarised the application as set out in the report. There were three objections to the application. There were no representations from the responsible authorities. One complaint in respect of noise had been registered and resolved in 2003, a further complaint had been judged to have been incorrectly made.

142.4 Mr. Smith set out his objections, which centred around the proliferation of licensed premises in the last decade and the rise in public disorder that he associated with this.

142.5 The applicant presented their case.

142.6 **RESOLVED** - That the application for a variation for the premises licence already granted under "grandfather rights" be granted with the following conditions:-

- (1) That the sliding doors and windows opening onto the street are closed at 23.30.
- (2) That clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

**Reasons for granting licence:** It was considered that the above conditions would address the concerns expressed by local residents

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of written notification of the decision given at the hearing.

### **143. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – BRIGHTON ROCKS**

143.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at Brighton Rocks, Rock Place, Brighton (see Minute Book).

143.2 The applicant's representative Mr. Thomas attended the Panel as did the Licensee, Bianca Heard and the Managing Director Mark Wanking. There were no objectors present.

143.3 The Licensing Manager summarised the application as set

out in the report. There were two objections to the application. There were no representations from the responsible authorities. It was noted that a noise abatement notice had been served in April 2005, this was currently being complied with.

143.4 The Panel noted the letters of objection.

143.5 The applicant presented their case.

143.6 **RESOLVED** – That the application for a variation for the premises licence already granted under “grandfather rights” be granted.

There were no conditions set, though the Panel noted and accepted the Licensees offer to bring all patrons inside at 23.00 and to clear the outside area by 23.30.

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of written notification of the decision given at the hearing.

The meeting concluded at 3.40 pm

Signed

Chair

Dated this

day of

2005