

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM

10.00AM, FRIDAY, 19 JUNE 2020

VIRTUAL MEETING - SKYPE

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.

Electronic agendas can also be accessed through our meetings app available through [ModernGov: iOS/Windows/Android](#)

This agenda and all accompanying reports are printed on recycled paper

ADDENDUM

ITEM		Page
6	APPLICATION FOR VARIATION OF A PREMISES LICENCE, THE GARDEN BAR, 324 PORTLAND ROAD, HOVE	5 - 8

Additional representations received.

Regarding Licence application 1445/3/2020/01549/LAPREV

The Garden Bar, 324 Portland Road, Hove, BN3 5LF

June 9, 2020

To licencing panel members and interested parties,

After consulting our closest neighbours, the police and the council's licencing and environmental officers the operators of the Garden Bar remain confident that the limited licence improvements we are seeking will not have a negative impact on the objectives of the council's licencing regime.

While some of the conditions that we are seeking go beyond the latest "grid" matrix that the council applies on the conditions of new licences in our area we note that the extended hours we seek would still be less than or equal to those enjoyed by almost all other pubs in our area, including all of our most important competitors.

A crucial point is that like all licenced premises we ALREADY have the right to play music (including recorded music and both amplified and unamplified live music) outdoors until 11 pm but we choose not to play music that late because we do not want to disturb our neighbours. We have no intention of becoming the night club that some objectors have claimed we already are, nor of playing outdoor music late at night or any sort of music seven days a week. This application process has brought us into closer communication with several neighbours, including some who initially lodged objections after receiving an anonymous and unfair set of claims about our application, only to later withdraw those objections in favour of working with us to help us minimise any disruption to residents while trying to ensure we can survive as a viable neighbourhood pub.

One extraordinary circumstance that is obviously relevant to our application is the pandemic lockdown of pubs and the fact that the restrictions that will follow the lockdown will almost certainly render thousands of British pubs unviable. Many pubs in the Brighton-Hove area have confirmed that they will be forced out of business and our own future post-lockdown is uncertain. Any pubs that do reopen will be forced to limit their number of customers and there will be no large weddings or other events for the foreseeable future. At the moment we have no plans to reopen at all any time soon, even if the Government lifts the lockdown immediately and if we do reopen we will clearly have very limited trade.

The extensions we are seeking are simply aimed at making our business model viable. If we do not gain some of the conditions already enjoyed by our competitors and we are forced to close the business we have no doubt that the large pub company that owns the site will replace us with a lower-cost, downmarket chain-style model akin to a Wetherspoons operation taking advantage of a model we have rejected with lower overheads and higher volumes of customers and sales at lower prices. It is partly in the hope of avoiding that outcome that some neighbours are keen to work with us because they realise that we are keen to address their concerns.

Having already listened to our neighbours and the advice of our Wish ward councillors we would work to alleviate any genuine concerns raised by the granting of our licence extensions by distributing the number for a new complaints "hot line" mobile phone that would be carried at all time by the general manager or her deputy so that any concerns could be dealt with immediately.

In other efforts to mitigate the impact on neighbours we would also...

- extend our CCTV coverage.
- improve our sound-proofing.
- more carefully limit the number of people we serve in our rear beer garden.
- greatly strengthen our protocols for clearing debris from the street each night and morning.
- tighten our control of the behaviour and noise of guests on our premises.
- strengthen our protocols for ensuring that guests leave the premises more quietly.
- and we would be perfectly happy to have a noise limiter set on our sound system at the guidance of council officers, which those officers have not previously felt was necessary.

I note that the relevant police officers have no objections to the licence extensions we seek, and that we have an excellent police record despite some of the more lurid claims that have been circulated portraying us as a source of neighbourhood crime. Claims that the Garden Bar has caused a rise in theft and fighting are apparently as mystifying to the local police as they are to us and we trust that the panel will act on the basis of evidence rather than spurious allegations that are easy to make but simply do not align with the facts.

We hope that we are allowed to work together with any concerned parties so that we can continue serving our community.

Finally, below is a representation by a nearby neighbour that is one of the submissions that have not been registered as supporting statements after being submitted too late or failing to use the correct references and grounds for submissions, but which we believe bring more balance to the discussion. I have not met [REDACTED] but believe [REDACTED] argument sums up the true situation remarkably well.

With thanks,

Peter Wilson

(Chairman of Abiru Ltd, the single-venue business that has operated the Garden Bar since 2012).

From: [REDACTED]
Date: Mon, 1 Jun 2020, 20:23
Subject: Application ref: 1445/3/2020/01549/LAPREV. Application Address: Garden Bar, 324 Portland Rd, Hove BN3 5LF
To: EHL.Safety@brighton-hove.gov.uk <EHL.Safety@brighton-hove.gov.uk>
Cc: thegardenbarhove@gmail.com <thegardenbarhove@gmail.com>

Application ref: 1445/3/2020/01549/LAPREV. Application Address: Garden Bar, 324 Portland Rd, Hove BN3 5LF

Dear Sir/Madam,

I am writing to offer my firm support to this application.

My family and I live towards the top of Jesmond Road, and our garden is close to the pub's garden. Although we can hear a little noise from there on summer days and early evenings, it's never a problem - and we like hearing it! The noise always stops when it should, and the staff do everything they can to prevent any disruption to neighbours.

We have never had a single complaint about the Garden Bar or its customers. It's had a very positive impact on the area, and it's great to have a friendly and responsible business like this in our community.

We strongly support the owners' current application, and hope that it helps them stay in business and to be successful once the lockdown is over.

Yours faithfully,

[REDACTED]

