

APPENDIX F

Mr Said Pascal Madjoudj Representations in response to Sussex Police application to revoke premises licence – Pascal’s Bistro

Mr Said Pascal Madjoudj will say as follows: -

1. That he accepts inadvertent mistakes have been made since August 2020 but that he has made (and will continue to do so) significant improvements to the premises which will reassure the licensing authority that they can have ongoing confidence in the management of the premises. He will uphold the licensing objectives, namely the Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance.

2. Mr Madjoudj has taken on board the concerns of Sussex Police and the Licensing Officers raised in the application and as such he has decided to restructure his business. Pascal’s Bar was previously ‘Pascal’s Brasserie’. He accepts that the concerns of this application occurred with ‘Pascal’s Bar’. He has now taken the sensible decision to revert the premises back to Pascal’s Brasserie. Mr Madjoudj has owned and managed a number of restaurant/Brasseries in Brighton & Hove since 1999, without licensing issues. The licensing authority therefore can be reassured that there will be no further concerns moving forward.

3. In light of Mr Madjoudj’s significant decision to revert the premises back to a brasserie, he will submit that either *no action* need be taken by the authority or if deemed appropriate that *informal action* is sufficient to respond to the concerns of Sussex Police and the Licensing Officers, whilst allowing the premises to remain open to save Mr Madjoudj’s business and livelihood.

4. Mr Madjoudj seeks to respond to all the concerns raised in the Application to assist all parties.

The Application

The Application is made by Sussex Police with recommendations to revoke the premises licence raising the following concerns: -

- i. "No confidence in the management to operate the premises in a safe and responsible way and to maintain the licensing objectives";
- ii. Traces of drugs found in the premises;
- iii. Serving customers on the verge of intoxication;
- iv. A recent assault outside the premises;
- v. Failure to cooperate with recommendations made by officials.

Mr Madjoudj seeks to deal with each of the above concerns in his representations.

Concern (i) - "No confidence in the management to operate the premises in a safe and responsible way and to maintain the licensing objectives";

Mr Madjoudj

It will assist the licensing authority to acquire knowledge about Mr Madjoudj himself.

Mr Madjoudj is a family man. Married, with three children. He is fearful of the impact that a revocation will have on his livelihood and family.

Mr Madjoudj is primarily a chef/owner. His career, relevant to this application, commenced in 1999 when he opened a French Restaurant on Western Road in Brighton – 'La Fourchette'. In 2000, after many national press reviews, he opened 'La Petite Fourchette' in East Street Brighton as a small French bistro. After the success of both premises, he opened the larger 'La Fourchette' in Western Road.

It was in 2007 that he opened the premises relevant to this application as 'Pascal's Brasserie' (now 'Pascal's Bar'). Shortly followed by a further French patisserie 'La Fourchette Patisserie' on New Church Road, Hove.

In 2010 he took over the landmark cafe that is now the newly refurbished Birdcage on the beach – 'The Bandstand Café'

Mr Pascal has never had any licensing concerns after his many years of success of venues in Brighton & Hove (save for at most, occasional noise when guests have left).

The success of Mr Madjoudj's business has been his presence and culinary skills. Unfortunately, as his venues grew in number, size, and success, he spent less time in the kitchens and struggled to run all premises, alongside the recession and was 'let down' by what he will describe as 'well paid' chefs and managers. He made the difficult decision for the sake of his family to sell all his businesses save for Pascal's Brasserie.

In 2014 he returned as chef/owner to Pascal's Brasserie. He invested hard work and time into the premises to put the business back on track – reverting the name back to his original restaurant La Fourchette. This premises (30% bar, 70% restaurant) thrived for the past 5 years.

In the midst of the Covid Pandemic at the end of 2019/early 2020, he could see that the demand for high end food was no longer there, competition became harder, he had a lack of professional staff (chefs and waiters) impacted by Brexit and made the decision to change the premises to a Bar/Bistro where the cooking was easier to handle with less professional staff required. The change was successful and well received by guests, but he will accept that this is where the issues relevant to this application commenced.

Mr Madjoudj will say that he simply was not ready for the side effects of being so busy as a bar, but he has ample experience in the management of restaurants/brasseries.

Concern (ii) - Traces of Drugs found in the premises

Mr Madjoudj has never smoked or taken a drug throughout his entire life. He accepts that he was somewhat naïve to the excessive drinking and drug culture that can be present in such venues, particularly in the area of Hove where his premises are located. The drug testing results came as a huge shock and disappointment to Mr Madjoudj.

Mr Madjoudj will accept that the drugs issue has been difficult to handle. He invested significant funds to hire managers that reassured him that they were able to deal with such issues, having had previous experience in the city.

Issues commenced in July 2020 shortly after the first Covid lockdown. It seems that customers of the premises were particularly keen to celebrate the lifting of lockdown. He took the decision to hire a front of house manager who had vast experience in the bar industry but when it transpired that he was not appropriately responding to the issues relevant to the application, he acted promptly to terminate his contract.

He promoted an existing member of staff as assistant manager leaving himself to cook and manage the premises.

During the further month of lockdown, he lost all his staff who wanted to more Covid secure jobs (Deliveroo etc), one of his main waiters returned to France and the other sadly passed away following illness.

When the business reopened in November 2020, he was required to hire a new team. No one quite predicted the level of customers that followed. In hindsight he regrets opening between the 2nd and 3rd covid lockdown as he was not prepared for what was to follow, which has ultimately led to the concerns of the application.

During the 3rd lockdown Mr Madjoudj invested in a new manageress with a huge amount of experience in the Pub and Bar trade. She had previously managed the **REDACTED TEXT** on in the same area as Pascal's Bar. She was sure that she could resolve any issues, past or present. Her job was to work with Mr Madjoudj to put the appropriate systems in place, to be Covid safe and deal with all communications of the premises. Sadly, she did not deliver the above and the problems only got worse – she was subsequently dismissed as a result.

Since the dismissal of the manageress Mr Madjoudj has tried his utmost to comply with all requests from the Police and Licensing Officers. He accepts that he has made mistakes and is trying to promptly rectify these failings promptly.

Mr Madjoudj has undertaken the following changes to the premises to ensure that the licensing objective of the Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance can be achieved: -

a. Restructure of the business

From Monday 5th July 2021 Mr Madjoudj will revert the premises back to a brasserie from the bar. He will change the name of the premises from 'Pascal's Bar' back to 'Pascal's Brasserie'. This will be a clear step to show customers that the premises is no longer a bar, but a restaurant. His new manager **REDACTED TEXT** has ample experience in restaurants and brasseries to assist him with his ongoing aim to focus on 'what they do best'.

Immediate changes will include removing the high tables to dinner tables (save for tables 1 – 4 which are around the bar area).

There will be no tables or chairs obstructing the public highway.

Mr Madjoudj is keen and motivated to focus on returning the premises to the restaurant – he has found the bar difficult to manage, resulting in huge amounts of stress which has ultimately removed him from the kitchens and his passion.

b. New CCTV System-

The installation of a new CCTV system at a significant cost – this new system records for 31 days with night vision with the installation of new cameras – two on the terrace, a further to the side of the building, one on the lobby to the toilets with the three original in the main area of the bar.

c. Works to the Toilets

It is of course hoped that the restaurant will not attract drug misuse, however, to ensure that the licensing objectives can be achieved, for the prevention of drug use in/on the toilets the following works have been undertaken:-

I. Surfaces have now been made uneven and seats removed – photographs are enclosed for the authorities inspection.

II. The hand dryers have been raised to prevent the top being used as a base for drug use.

III. In addition, tandem toilet use is not permitted with a one person at a time rule with toilet checks on the hour (or more when busy).

d. New Manager

A new manager has now been employed. He is well known and respected in Hove **REDACTED TEXT** – he knows the area well. He is aware of the drug issues. He is sensible and experienced. He will work with Mr Madjoudj to ensure all the concerns raised in the application are addressed and will ensure that the licensing objectives are met.

e. Staff Training

All staff are now trained to ensure that they are more aware of suspicious customer behaviours and to report any suspicious activity to their manager or the Police. Training was administered in house using the commonly referred to British Beer & Pub Association guidance documentation.

f. Drug Policy

A new Drugs Policy is now in place and has been added to the existing Staff Handbook and is available for the authority's perusal.

Concern (iii) - Serving customers on the verge of intoxication

This has been addressed with the additional training of staff members however, Mr Madjoudj does not anticipate that the return to his restaurant will attract customers

seeking to drink to excess with customers visiting the venue to consume food as opposed to alcohol.

Concern (iv) - The Assault outside the premises

Again, this is addressed with the additional training and return to the restaurant however, Mr Madjoudj is of the opinion that their conduct on the night was appropriate with the door security (employed from REDACTED TEXT) removing the two males who argued in the premises, this was as far as the door security was concerned the end of the matter.

Concern (v) - Failure to cooperate with recommendations made by officials.

Mr Madjoudj has now followed the recommendations made by officials as detailed in these representations and will continue to do so as required.

Conclusion

It is clear that Pascal’s Bar attracted issues which were neither anticipated nor welcome by all parties concerned. It has however been a remarkably difficult year in the hospitality trade coping with the Covid pandemic (and to some extent Brexit). Whilst the application refers to issues occurring since August 2020 it must not be forgotten that the premises in question remained closed for a significant period of time since August 2020 as a result of lockdowns and restrictions, at a cost to Mr Madjoudj and his staff.

It must also be relevant that Mr Madjoudj is a renowned and experienced restaurateur (evidenced by his impressive licensing history since 1999 in Brighton and Hove) – with Pascals Bar being his first experience in the pub and bar field. The authority will appreciate that the usual interviewing process that would ordinarily occur in such situations has not been available due to the Covid limitations, the authority may consider that the interviewing process may have been an opportunity for the issues to be raised and responded to accordingly and thus not resulting in the present application.

Mr Madjoudj very much hopes that the authority and all parties concerned will be satisfied with the significant and costly steps that have been taken in response to this application to uphold the licensing objectives.

Mr Said Pascal Madjoudj

Signed.....

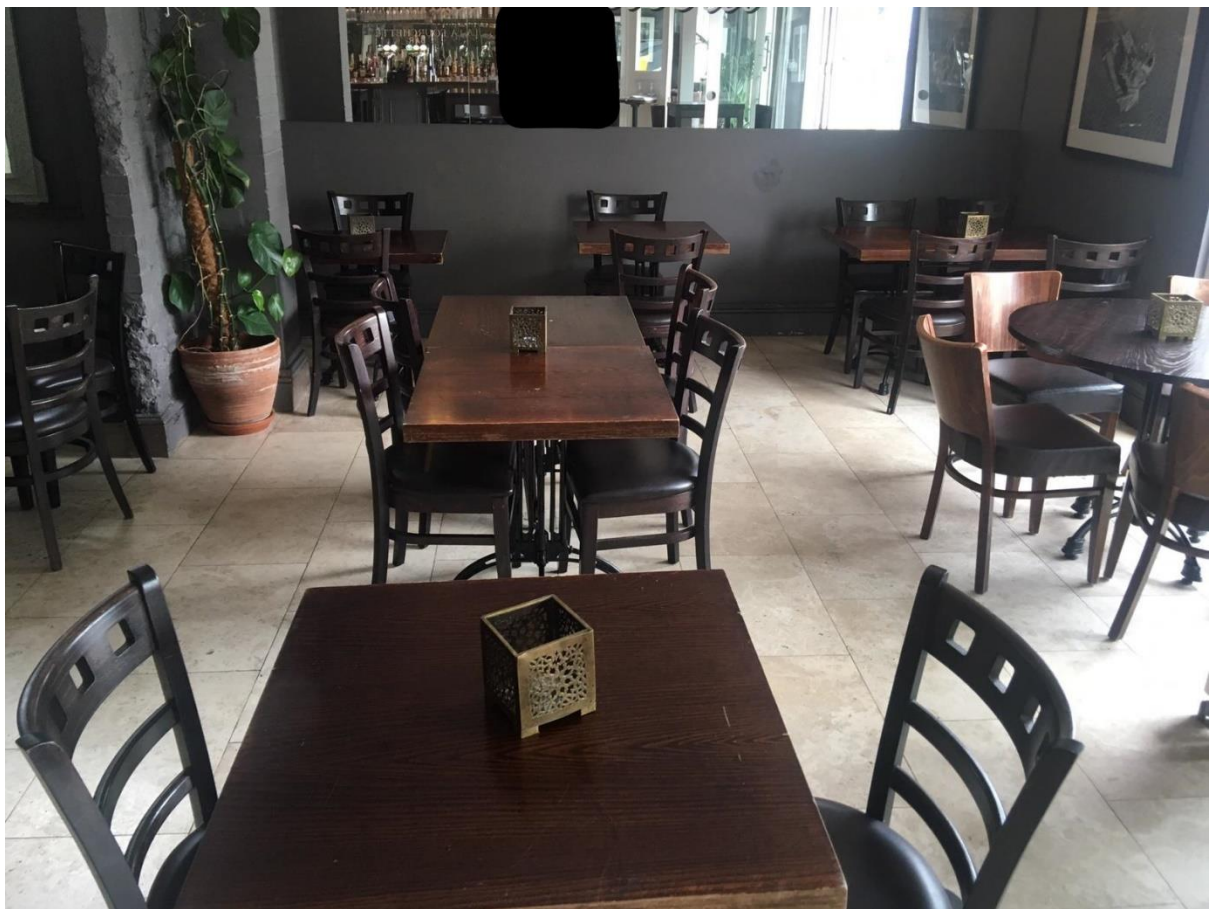
08-Jul-2021

Dated.....











Licensing Team
Brighton & Hove City Council
2nd Floor Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

20 July 2021

Dear team

6 Queens Place, Second Avenue, Hove, East Sussex, BN3 2LT
Tenant : Pascal Madjoudj
Landlord: REDACTED TEXT

I am writing with reference to the above-named tenant and his occupation of our premises noted above.

I can confirm that Mr Madjoudi has been our tenant since 18 January 2007 under the terms of a 20 year lease.

Mr Madjoudi has ensured he has met the terms of his lease since the period of his occupation and has been a model tenant. He has made significant improvements to the premises ensuring that we, as landlords, have been fully aware of the changes he wished to make prior to making the appropriate planning application.

I understand that Mr Madjoudi had altered his business model slightly to open as a bar and this has not worked favourably however he feels that reverting to the dining experience he previously offered is the way forward and requires the licence for this purpose and as his landlord we support this application.

I hope you will consider his licence review favourably as it will impact the income stream to the pension fund should this not be possible.

Yours faithfully

REDACTED TEXT

On Behalf of the **REDACTED TEXT**