

## **Updates and late representations**

### **The Tivoli Club, 1 Western Road, Hove BH2003/01356/FP**

Since drafting the report several key consultees have produced additional responses and have been responded to by further evidence and information from the applicants. These documents and later representations are summarised as follows:

#### **3<sup>rd</sup> June - Wentworth Security Report by Chris Chubb**

Report commissioned by the applicant from an expert in the field of licensing, providing under cover surveys of licensed premises to assess problems of drugs, under age drinking etc. The consultancy have conducted over 900 visits to such establishments and 61 Mystery Shopping visits to table dancing and similar clubs in London, Bournemouth, Southampton, Uxbridge and Reading. The purpose of visits was to assess quality issues within the clubs, compliance with conditions and club policies and the impact on the local community. In liaising with other Police and Local Authority Licensing Officers no complaints relating to drunkenness or disorder have been logged. On the basis of some considerable research Chris Chubb concludes:

“The impact made by a table dancing and similar clubs on their neighbourhood is minimal. In many respects it is positive. Where a club has changed form being a discotheque to table dancing residents and businesses have experienced reductions in noise, litter and damage. The lighting, cameras and visible human security staff around such premises is a powerful inhibitor to bad behaviour. In his professional view “Table dancing and similar clubs do not cause or exacerbate problems of noise, nuisance or public order in the areas in which they are situated.”

#### **23<sup>rd</sup> June - Letter from Sussex Police Community Safety Department Crime Prevention Design Advisor.**

In response to the Wentworth Security Report a further letter was submitted which:

- Questioned the impartiality of the Chubb Report and the credibility of the evidence it contains.
- Insists the author has little experience of crime prevention
- Concerned that the report was not based on a visit to Brighton or any recognition of the uniqueness of the crime problems of Brighton & Hove.
- Brighton & Hove is one of the few cities in the country to acknowledge it has reached saturation point so far as A3 and D2 uses are concerned which is why polices SR15 and 16 is aimed at limiting such uses.
- Produced statistics that show that the majority of offenders and victims of alcohol related crime are male and aged between 18 and 24.
- In Brighton such a venue will attract the 18 to 24 year old market.

- Suggests taxi availability in Brighton is poor and customers leaving the premises will not quickly disperse from the area through this means.
- Sussex Police believe the problems we anticipate from a venue such as this should be tackled at the earliest opportunity and not addressed after the problem has occurred.

### **24<sup>th</sup> June – Report by Doug Simmonds ABII Consultant to the Licensed & Leisure Trade.**

This is a further report rebutting comments from Mr Hardy of the Sussex Police, commenting on issues raised by the licensing officer and making independent observations on the merits of the proposal based on experience in the field. The report agrees about the correlation between alcohol and crime but queries the assertion that this is a high crime area as beat 3 contains the most densely populated licensed area in the city. The site appears to be in beat 2 area (statistics show some 88 offences for late 2002 whereas beat two has only 4). Therefore the vast majority of crime will be away from site and unrelated to it.

Concludes that the concerns expressed by the Sussex Police are too general and do not relate to the specific circumstances of the locality. The report does not agree that the operation of such a use at this site will add to the burden of policing the City in General. Conclusions are made from experience in licensing in the City and lack of problems and the apparent satisfactory running of like clubs elsewhere in the City

### **26<sup>th</sup> June 2003 – Assessment of Entertainment and Building Services Noise from the proposed Tivoli Club, 1 Western Road, Hove – A Report by Peter Attwood MSc MCIQB MIOA of Sound Solutions**

The report:

- Demonstrates that noise from the building will be attenuated to a point where it satisfies the criterion set by the Local Authority Officers.
- No residential neighbour will be adversely affected by music breakout from the Club.
- Issues of noise from patrons leaving is dealt with by others (Wentworth Security 3<sup>rd</sup> June).
- Additionally a shuttle bus will run to and from the site to the NCP in Norfolk Square thus motor vehicle noise is limited.
- There is no reason on grounds to noise to refuse this planning application.

### **30<sup>th</sup> June – Wentworth Security Report II**

This report is a supplementary response to criticism from the Sussex Police. It takes exception to the Crime Prevention Design Advisor from Sussex Police when he suggests the report commissioned by the applicants is impartial. Chris Chubb responds by explaining that his commissions have been both for and against such uses. He states that his evidence is impartial and honest and built upon considerable experience in the field of conduct of late night licensed

entertainment establishments and the impact on the neighbourhoods on which they operate. Asserts that his evidence is based on national experience and impact on similar schemes. Common ground is that alcohol fuels violence, disorder and crime and also agrees that the majority is in the 18 to 24 age bracket. However, in his experience in dealing with 63 similar establishments across the country the age range is between 21 to 70 but the vast majority are between 28 and 50 – outside of the age range statistics put forward by Sussex Police. It is not a night-club and the Sussex Police have based their views on the false assumption that it is. The applicant proposes a different kind of establishment. Evidence from Mr Chubb suggests that high volumes of alcohol and drunkenness are uncommon with such establishments in their experience. Also, unlike a night club its occupants will not disperse en mass instead will leave at varying times of the evening often by taxi or shuttlebus.

**30<sup>th</sup> June**

**Environmental Health & Licensing Pollution Control Team** – Having viewed the further assessment of noise from Sound Solutions conforms it deals with the acoustics aspects of the proposal very well. The question of the sound transmission level between the subject premises and number 12 Little Western Street remains due to the ventilation but has confidence that the applicant has the source of advice necessary to achieve the level of acoustic isolation required.

### **Local Residents**

**6 Farman Street** – Email referring to the potential impact of the use on the quality of life for local people. Requests a site visit to view the location and fully understand the implications of the development. Object to street nuisance, traffic problems and congested roads.

**4 Little Western Street** – Email requesting a Committee Site Visit so that members can appreciate the proximity to residential properties, layout and narrowness of adjacent streets, noise, parking, unsociable behaviour and the adequacy of the suggested conditions. Also suggest that the conditions do not go far enough in protecting amenity, refers to the potential increase in noise and disturbance the club will create. Question the ability of the applicant to deliver a well-run establishment. Controversial planning applications such as this should receive wider consultation and debate before a decision is made.

**32 Norfolk Square** – Objects to the terminology, “this is a lap-dancing club not a nightclub”. Concerned about the impact on the safety of women and the impact on the image of the City. Also objects on grounds of noise, parking and the site being in the 2wrong type of area”. Drinking establishments are already damaging the quality of the area.

**David Lepper MP** – Has forwarded copies of correspondence from residents at 4 Little Western Street and asked that they be drawn to the attention of the

Planning Committee. The letter duplicates objections made from residents of this property already referred to in the report.