

BRIGHTON & HOVE CITY COUNCIL

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

10.00am 28 JANUARY 2025

**Subject: Application for a New Premises Licence under the
Licensing Act 2003**

Premises: Longrain, 141 Church Road, Hove, BN3 2AE

MINUTES

Present: Councillors: Lyons, Sykes and Thomson

Officers: Liz Woodley (Senior Lawyer), Donna Lynsdale (Fair Trade Officer) and Shaun Hughes (Democratic Services Manager)

PART ONE

1 TO APPOINT A CHAIR FOR THE MEETING

1.1 Councillor Thomson was appointed Chair for the meeting.

2 PROCEDURAL BUSINESS

a) Declaration of Substitutes

There were none.

b) Declarations of Interest

There were none.

c) Exclusion of the Press and Public

In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Panel considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I of the Act).

2.1 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of the application.

3 LONGRAIN LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

- 3.1 Donna Lynsdale (Fair Trading Officer) introduced the report to the panel stating the following:

Answers to Questions to the Officer

- 3.2 Objecting resident, Carmen Appich, was informed that the usual closing time for a café/bar within Brighton and Hove would be 10pm. The resident noted this was a residential area and was considered to have a large number of venues already with a variety of opening hours. There are also a number of supermarkets and a convenience store offering alcohol, and this was considered sufficient. The resident considered that the Enforcement team were struggling in the area. The outdoor and off sales were a concern. The outside sales would be to 1am and that should not be considered as the conditions were not sufficient to control anti-social behaviour.
- 3.3 Ward Councillor Robinson was informed that the closing times requested were 1am on Thursday, Friday, Saturday, 10.30pm on Sundays and 12.30am on other days.
- 3.4 Panel member, Councillor Thomson, was informed by the Ward Councillor that there had been no issues at the location recently, however, there has been a general increase in noise levels.
- 3.5 The solicitor, Armin Solimani, representing the applicant addressed the panel and stated that there had been no recorded issues at the venue over the past 15 years. It was considered that the Enforcement officers being overstretched was not applicable to this venue as they could be considered to be overstretched everywhere. It was noted that this application was for a café/bar not a pub and the owner was long standing and very experienced. The opening time has been negotiated to 9am instead of 7am and there would be no vertical drinking, however there would be live and recorded music. Alcohol would be served by wait staff at tables only. The venue has been operating for 15 years and mostly run by the applicant, Robert Webb. Another operator leased the venue; however, they were not successful and surrendered the license. The applicant was not aware of this and now want to re-apply. It was noted that all statutory authorities were happy, and the Police had not objected. The Planning team have agreed the later opening time of 9am. It was noted that although the venue was in an area of special stress, it was considered there would be no harm to area. Under the licensing matrix a café/bar could be allowed, and this was a unique application.

Answers to Questions to the Solicitor

- 3.6 Panel member, Councillor Sykes, was informed that the licence was not surrendered by the applicant and they were now seeking to re-apply. The applicant had agreed conditions with the Police and wished to run a Italian style pizza and pasta venue. The applicant confirmed that take away sales would be for food not alcohol. The applicant confirmed they ran other venues in Brighton including Club Revenge, R Bar, American Dinner and Six in Hove.
- 3.7 Councillor Thomson was informed that alcohol off sales would be for the outside seating area only. The applicant confirmed that the venue would be food lead, and they wished the venue to be the same as before, a café/bar.

- 3.8 Panel member, Councillor Lyons, was informed that the applicant had he lease for the venue for the past 5 years.
- 3.9 Ward Councillor Robinson was informed that by the solicitor that the applicant wanted to have the same opening times as before the surrender.
- 3.10 Resident, Carmen Appich, considered the area had changed over the last 15 years and so had policy. The population density had increased, thereby increasing the potential for noise disturbance. The resident requested a reduction in the hours for the outside seating. The applicant agreed the old licence was not necessarily right and agreed to reduce the opening times by 1 hour. The applicant confirmed that the outside seating would be closed at 9am by condition of the pavement licence.

Summaries

- 3.11 Donna Lynsdale (Fair Trade Officer) summarised as follows:
- 3.12 Ward Councillor Robinson stated they were happy with the reduced closing times.
- 3.13 The applicant's solicitor stated that the applicant, Robert Webb was very capable and wanted to make a positive contribution to the community. It was noted the pavement hours have been reduced and historically there had been no issues.
- 3.14 Liz Woodley (Senior Lawyer) requested the finish time for music and dance be 9pm. The applicant agreed.
- 3.15 Donna Lynsdale reiterated the new opening times agreed in the meeting:
- Sunday to Wednesday: 10.30pm stop selling alcohol, close 11pm.
 - Thursday to Saturday: 11.30pm stop selling alcohol, close 12 midnight.
- 3.16 The Chair closed the meeting.

The meeting concluded at 11.03am

Signed

Chair

Dated this

day of