

BRIGHTON & HOVE CITY COUNCIL
LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

10.00am 4 AUGUST 2025

VIRTUAL

DECISION LIST

Part One

LORO'S CAFE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

Contact Officer: *Corinne Hardcastle* *Tel: 0127329*
Ward Affected: *Round Hill*

RE: Licensing Act 2003 – Licensing Panel Hearing Notification of the Determination of Panel.

Licensing panel hearing held virtually via Teams on Monday 4th August 2025 in respect of the application for a new premises licence for premises known as Loro's Cafe, 66 Lewes Road, Brighton, BN2 3HZ

The Panel has read all the papers and has listened to the submissions made at the hearing. It has had regard to the statutory guidance and the Statement of Licensing Policy.

This is an application for a new premises licence for a cafe to sell alcohol on and off the premises every day from 11:00 to 23:00.

The premises falls within the Special Stress Area (SSA) which, as detailed in the statement of licensing policy, is deemed an area of special concern in terms of the relatively high levels of crime and disorder and public nuisance experienced within it.

The Matrix policy approach in the policy indicates cafes to 22:00 hours and a 'no' for off-licences within the SSA.

2 representations were received from a local resident and the Licensing Authority with concerns relating to Prevention of Public Nuisance and Prevention of Crime and Disorder. The applicants have agreed a set of conditions with Sussex Police who withdrew their representation as a result. These are detailed in the papers and include cafe conditions, no vertical drinking and that off sales are only permitted with a substantial food order over the telephone or online.

The panel heard from the applicant's representative about the measures he intended to take, the experience of the applicant and the nature of their business. There would be a full food offer and this was a small food led premises. They required to 23:00 hours to make the business viable. It was a low-risk premises and with all the measures and conditions in place they could operate safely until 23:00 hours. The outside terrace was part of their demise and so did not require a pavement licence. They would only use toughened glass in that area. They had suggested a full range of conditions in their operating schedule but where these were worded differently, the police conditions would take precedence. They had included a detailed dispersal policy which was in the papers. Substantial weight should be attached to the police representation withdrawal. Environmental Protection were happy so long as all the public nuisance conditions were attached.

They had reached out to the local resident, but he had not replied. A visit was made to assess the noise complaint regarding the flue and it was inaudible and there was no smell. It was a new system with relevant planning permission. The panel was able to question the applicant about all aspects of the proposed operation and intentions. He would be willing to close the outside terrace area by 22:00 hours.

The local resident attended the panel later during the hearing and expressed his concerns regarding the noise from the extractor fan unit which he could hear clearly in his house. It was explained to him that he should address these concerns to the planning enforcement officers, details of which were on the Council's website. This panel was largely concerned with the sale of alcohol application.

The panel has considered this application on its individual merits and in terms of the policy and the concerns raised by those making representations. It is a relatively modest application with comprehensive conditions and measures proposed which have met the requirements of Sussex Police. As such the panel does not consider that it will add to problems in the area and considers that it is appropriate to accept a minor departure from the Matrix approach in relation to cafes and off sales. There are tailored conditions attached which limit off-sales and the requirements of the police have been met. There are also detailed conditions relating to the prevention of public nuisance and dispersal which the panel consider will promote the licensing objective of the prevention of public nuisance.

The panel therefore grant the application with all the police conditions and those from the operating schedule including the dispersal policy.

The panel considers it is appropriate for the prevention of public nuisance to attach a further condition which was agreed by the applicant regarding the terrace area as follows: *The outside terrace area will be cleared of customers and closed by 22:00 hours every day.*