

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

10.00am 8 SEPTEMBER 2025

VIRTUAL

MINUTES

Present: Councillor; Lyons, Sykes and McGregor

Officers: Rebecca Siddell (Legal), Corinne Hardcastle (Licensing) and Shaun Hughes (Democratic Services)

PART ONE

1 TO APPOINT A CHAIR FOR THE MEETING

1.1 Councillor McGregor was appointed Chair for the meeting.

2 PROCEDURAL BUSINESS

a) Declaration of Substitutes

Councillor McGregor substituted for Councillor Helliwell.

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).

RESOLVED: That the press and public will not be excluded from the meeting during consideration of the application.

3 HOVE MUSEUM LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

3.1 The Licensing officer introduced the application to the panel.

3.2 The applicant addressed the panel explaining the reasons for the application. It was noted that the applicant had communicated to residents that the application was not for seven days per week, like a pub. No incidents have been reported since the license was granted in 2013. The alcohol on sale is beer and white wine. The application is to extend the sale of alcohol into the garden area during events. Last year there were 15 events consisting of private viewings for sponsors etc, and 'Lates', which were open to the public. Currently these events require a Temporary Events Notice (TEN). All events are ticketed with capacity for 60 seated and 180 standing. The venue already holds a licence for music; however, dancing is not permitted.

Answers to the Questions for the Applicant

3.3 Councillor Lyons was informed by the applicant that residents had asked if marques or gazebos would be erected, they stated that this had occurred in the past, however, there were only three events this summer and none used a covering. The applicant stated the museum was not a wedding venue. Currently community events finish around 3pm. The garden events are held at the front of the plot and are not large scale as there are only two toilets. The applicant confirmed they were happy to limit the number of outside events.

3.4 Councillor McGregor was informed that there had been no noise complaints.

3.5 Councillor Sykes was informed that the garden was fenced on the roadside of the plot. It was also noted that the gardens were open to the public. The applicant stated that there no plans for music and plays outside at this moment. Red wine was not being sold due to possible damage to the exhibits and venue resulting from spillage.

3.6 Resident Adam Davis was informed that the current licence was granted in 2013, and blue notifications posters had been posted along with the required newspaper advertisements. No representations were received at that time. The legal officer requested the meeting focus on the current application. The applicant confirmed that Rust Café were not the applicant, and the application was requested so visitors could spread outside with a glass of wine or beer. The applicant stated the application was for 6pm and music was needed outside. It was also noted that the applicant had no control over young people gathering on a public bench near the museum.

3.7 Resident Julia Hamblin addressed the panel stating that they had made no complaints as most of the seating was inside; however, the application was for all day drinking and music outside, which would not be policed. This would feel like living opposite a bar. The café could be run by anybody in the future and the application will allow loud music and chatting opposite bedroom. New occupiers or owners could do anything. It was noted that Rust Café stated they have weddings and will operate a bar. The gardens currently attract mums with young children, therefore would there be a demarcation between drinkers and young families.

3.8 The applicant stated they did not have bad intentions, and they considered their meeting with the resident to have been a positive one. There are seven key holders, most of whom do not want to work late. The application is for seven days a week to offer a choice, not to stay open every day of the week. The applicant was not looking to upset the residents.

Questions for Julia Hamblin

- 3.8 Councillor Sykes was informed that the resident had no issues with inside events, which was different from seating outside all day chatting and making noise, which will be enhanced if drinking is allowed.
- 3.9 Councillor McGregor was informed that the resident considered all day every day was different. The application was unnecessary, as TENs could be continued to be used for events as they arose.
- 3.10 Resident Martin Davis addressed the panel and stated that they felt the application had a bad start as the notification was for 2 July, however the notice was only placed on 19 July, leaving only a few days to respond. The application is for music and noise everyday 10am to 11pm, and there was no control over the future. Café Rust stated on the website that have weddings and events where guest could 'dance the night away'. It was noted that the site was at the end of the special impact zone, however, Hove Museum gardens will attract people, including young drinkers who will disturb the resident's sleep. Needles and empty cans will be left by drinkers. The garden is a green space for peaceful recreation which needs to be preserved. The resident noted that the at BeerBelly licensing panel the applicant was requested to ask smokers to leave drinks inside when going outside to smoke.

The applicant stated that the notices went up at the beginning of July. They noted the BeerBelly application and considered that today's application bought more restrictions than the TENs.

Questions for Martin Davis

- 3.11 Resident Julia Hamblin was informed that it appeared under the application the gardens would be open to allow anyone in, and this was a big factor.
- 3.12 The applicant stated they had no control over public open space, which was a community asset.
- 3.13 The legal officer noted that licences are monitored, and enforcement action can be taken should a venue not keep to the licence agreement.
- 3.14 Resident Sonia Davis considered that young people would attract by music and current staff were qualified to deal with drunk customers/drinkers.
- 3.15 Resident Martin Davis considered that under the Human Rights Act they had a right to respect for private and family life, and the peaceful enjoyment of possessions.

Summaries

- 3.16 Resident Julia Hamblin summed up, stating they were happy with the current situation and the applicant should continue to apply for TENs.
- 3.17 Resident Adam Davis stated that Julia spoke for all.

- 3.18 The applicant stated there was no change of brand, they wanted customers to have wine at lunch during the day.
- 3.19 The legal officer noted that the application was for events and to give flexibility.
- 3.20 Councillor Lyons noted that the café had the same opening hours as the museum.
- 3.21 The chair closed the meeting and the panel retired to consider the application.

The meeting concluded at 11.25am

Signed Chair

Dated this _____ day of _____