

APPENDIX C1

Sarah Cornell

Licensing Authority
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Date: 23rd June 2023
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Dear Sarah Cornell

Licensing Act 2003

Representation in support of an application by Sussex Police seeking a review of the Premises License - 2023/02122/LAREV

The Copper Rooms - 12a Regency Square & 76-78 Preston Street, Brighton, BN1 2FG

I write to make a representation on behalf of the Council's Licensing Team, in their capacity as a responsible authority, in relation to the above application made by Sussex Police seeking to review the Premises Licence for The Copper Rooms - 12a Regency Square & 76-78 Preston Street, Brighton, BN1 2FG.

This representation is made as the Licensing Team have concerns that the licensing objectives of the Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety are not being upheld.

The reason for the review itself is explained in more detail in the application of Sussex Police.

Below is a history of the Licensing Authority's involvement with the Premises.

On 15.9.2022 myself and Licensing Officer Corinne Hardcastle carried out a routine licensing inspection following two complaints that the Premises was open beyond the opening hours of 02:00 and that there was loud music and people still drinking outside the premises after 02:00 a copy of which can be found in **Appendix 1**. When we inspected we were told by the Premises Licence Holder (PLH) who is also the Designated Premises Supervisor (DPS) Rachit Mehrotra that only the smaller side of the premises was open (77 Preston Street) separated by a curtain from 76 Preston Street which was at the time a building site. We were informed by the PLH/DPS that 78 Preston Street was the flat upstairs where they lived and that they had no involvement with 12a Regency Square. They also informed us that premises was generally only open Thursday to Sunday. After this inspection a follow up email was sent 29.9.22 detailing the visit and matters discussed and actions to be taken this can be found in **Appendix 2**. It should be noted that I received no response to this email from the PLH/DPS.

When I revisited the Premises on the 6.10.22 to check the CCTV it was still not working. I informed Sussex Police Licensing and sent a warning letter dated on the 11.10.22 detailing the breach and requesting a response to my previous email 29.9.22 regarding actions to be taken see **Appendix 3**. I received no response from the PLH/DPS to this letter.

A further complaint regarding licence conditions and noise was received via a Field Officer on 18.12.22 in **Appendix 4** and a further complaint direct to Licensing was received 3.1.23 again in relation to noise and licence conditions in **Appendix 5**. As a result of these complaints and lack of response from the PLH/DPS the premises was revisited on 7.1.23. The CCTV was still not working and it was clear that none of the advice given previously such as keeping noise logs, toilet checks etc was being completed. A final warning letter was issued on 11.1.23.

Appendix 6. It should be noted that at this visit a considerable amount of work had now been done in 76 Preston Street, new flooring, new bar and new furniture, I was informed that it was a work in progress and still not being used for customers. An inadequate response to the final warning letter was received from the PLH/DPS on the 23.1.23 with photos of the front cover of toilet checks with one page completed on 22.1.23 and 23.1.23, the front cover of a refusal book and no noise records, this can be seen in **Appendix 7**. Following this visit an engineer that the CCTV was working. An email from PLH/DPS regarding this and the Minor Variation in **Appendix 8**.

A further complaint was received by Licensing and the Field Officers on 5.2.23 regarding noise and licence conditions see **Appendix 9**.

Following this further complaint and the need to visit the premises at a time when we could witness it in operation with customers present the premises was put on the list for Licensing Officers to visit out of hours. On the 9.3.23 a Thursday accompanied by three other Licensing Officers we arrived at 22.30 the door was open three people were inside the DPS/PLH and two males who appeared to be working one was mopping the floor. We were told by the PLH/DPS that the premises was closed and they were just doing some maintenance work. A full inspection was not completed CCTV was checked and appeared to be working, there was discussion around the minor variation to remove 12a Regency Square as well as checking the refusal and toilet check logs which were still not being completed. My notes from that visit are in **Appendix 10**. There appeared to still be a lot of work to do to make 76 Preston Street useable for customers and due to concerns around safety I referred the premises via our Joint Intelligence Meetings to East Sussex Fire and Rescue Service as well as 12a Regency Square which we had not been able to gain access to since the investigation began in September 2022.

As part of our joint working with Sussex Police Licensing we worked together on Friday evening 5.5.23 as we were due to be working late I asked if we could visit the Copper Rooms later in the evening because of the above complaints and concerns and to see if we could witness customers present. We arrived at the Premises at 23.55 customers were present at the premises what took place that evening is detailed in the review of Sussex Police. The formal warning letter that I sent on 17.5.23 following that visit serves also as my account of that evening this can be found at **Appendix 11**. Furthermore on 9.5.23 I made an urgent referral to East Sussex Fire and Rescue Service ESFRS as I had concerns for public safety, as they had customers in a premises that was in some parts still a building site and when we tried to leave the main door would not open from the inside. **Appendix 12**.

As detailed above I have little confidence in Mr Mehrotra as the Designated Premises Supervisor in running the premises. Despite substantial officer interaction with this premises, including visits, advice and warnings, it is my opinion that the premises is poorly run, and the licensing objectives are not being upheld. What occurred on the 5.5.23 only serves to demonstrate Mr Mehrotra's lack of control of the premises and its customers. I believe that if significant changes are not made, there will be further problems occurring at the venue. This venue is situated in CIZ area of the city, where there are already high levels of crime and disorder.

In the circumstances I fully support the review application of Sussex Police and the changes to the licence proposed and consider these necessary to ensure the licensing objectives of the prevention of crime and disorder, public safety and the prevention of public nuisance are met.

Yours sincerely

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Emily Fountain
Licensing Officer
Licensing Team

