SECTION B PAGES 1-390

IVA Screen

Service Request [redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - other visit	Vis Date: 10.05.2016	Vis Officer: [redacted]

Vis Comments:
11/05/16 at 11:21 by [redacted]

Visited to [redacted] and to discuss comp. Spoke to DPS [redacted] who advised [redacted] is aware of the complaint and that [redacted] is completely diaries but have offered for [redacted] to come down and have a meal, no further complaints received. Advised music always goes off before licensed hours but has ensure all staff are aware. No further concerns, will reopen if noise diaries come back with any problems.

[redacted] carried out Score 45 (D) - No concerns about management, only issues were lack of signage re. refusal of service C&D(Annex 2, No1.), drivers shelf (Annex 2, No 7) Comfort and safety of customers with disabilities signage (Annex 2 PS No.1)PN - signage to leave quitly (Annex 2 PN No. 3) PCH - Signage re. protection of children from harm (Annex 2, No.3). No issues re. other conditions . Have CCTV. Re. noise Mon - Thurs Music goes off at last orders at 22.45. Fri - Sat 22.45 - outside seating stacked up. Windows always shut at 2100. Challenge 25 poster to be sent as only doing Think 21 currently.

Action Info:	Act Type: Completed inspection form left	Act Date: 10.05.2016	Act Officer: [redacted]

Act Notes:
None

Case notes:

Details Notepad:

IVA Notepad:

IVA Screen B4

Service Request	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 10.04.2017	Vis Officer:

Vis Comments:
10/04/17 at 10:27 by

last May after complaint received, scored 45 (low) so will send letter to new DPS saying need to be aware of licence and conditions and to contact me if have any queries.

Action Info:	Act Type: Letter - no action	Act Date: 10.04.2017	Act Officer:

Act Notes:

Date:
Our Ref:
Phone: 10th April
e-mail: brighton-hove.gcsx..gov.uk
Dear Sir/Madam,

Licensing Act 2003- Paris House, 21 Western Road, Hove, BN3 1AE

We have recently received and processed a Designated Premises Supervisor (DPS) variation for the above premises to name you as the new DPS.

It is standard practice following such an application that a member of the Licensing Team will usually visit your premises and carry out a routine licensing risk rating inspection. However, the Paris House was visited a year ago and is not due again until May 2018. As such I am writing you an advisory letter following the DPS change in to your name.

May I take this opportunity to remind you of your responsibilities under the Licensing Act 2003, including your responsibility to uphold and promote the four licensing objectives, which are;

- The Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

Please also ensure that you and your staff are fully aware and operate in line with your Premises Licence, particularly the licensable activities and conditions under Annex, 1, 2 and 3 on your premises licence.

It is a legal requirement to have both parts of the licence at the premises, Part B (the summary) on display and Part A to be kept in a safe place so it can be produced to an authorised officer on request.

If you have any queries regarding the contents of this letter or if you would like a licensing visit please do not hesitate to contact me to discuss.

IVA Screen

B4

Yours sincerely

[redacted]
Licensing Team
Regulatory Services

c.c. [redacted] (Premises Licence Holder), [redacted]
c.c. The Manager, Paris House, 21 Western Road, Hove, BN3 1AE

Case notes:

Details Notepad:

IVA Notepad:

Service Request	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - other visit	Vis Date: 04.06.2018	Vis Officer:
Vis Comments: 06/06/18 at 10:35 by Signage now displayed. Suggested moving it to more prominent position.			
Action Info:	Act Type: Advice	Act Date: 06.06.2018	Act Officer:
Act Notes: None			

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 12.03.2018	Vis Officer:
Vis Comments: 29/05/18 at 11:09 by Conversation with on 12 March re letter of 7 March. Noted on letter.			
Action Info:	Act Type: Letter - no action	Act Date: 12.03.2018	Act Officer:

Act Notes:

Date:
Your Ref:

Contact:

Tel:
Email:
7 March 2018

brighton-hove.gcsx .gov.uk
Conversation with 12 March

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

I am writing regarding a routine licensing inspection on 6 March 2018 at the Paris House, 21 Western Road, Hove, BN3 1AE. I met with . During the visit the following non-compliances with the licence conditions were noted:-

Part A and Part B of the licence were displayed next to the bar. You only need to display Part B. Part A should be kept on site for inspection by any authorised officer.

For the Prevention of Crime and Disorder:

1.Signage to be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder cased by drug use, intoxication, underage drinking and disorderly behaviour.
Will put in place

5. A record of refusals of service must be kept in the premises incident book.
Will put in place

6. The Licence holder must support a local crime prevention programme and pub watch scheme.
Member of BCRP and Concierge are back up security on Fri and Sat.
I draw your attention to condition 6 above and I understand from [redacted] that you have contracted the services of a mobile support unit. Please provide details of this and/or confirm you support a local crime prevention programme.

7. Signage must be clearly positioned on the premises informing customers of a driver's shelf for customers driving and public transport arrangements for customers onward journey. Will put in place

For Public Safety:

1. Signage must be clearly positioned on the premises to communicate to customers the services available to maintain the comfort and safety of customers with disabilities.
No disabled provisions.
2. Standard glassware will be phased out and replaced with toughened and/or shatterproof glassware.
They have this

For the Prevention of Public Nuisance:

3.The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
Will put in place

For the Protection of Children from Harm:

3. Signage must be clearly displayed informing customers of the premises policy on protection of children from harm and what action will be taken if the policy is breached.
Think 21 posters

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

3.All external doors and windows shall be kept shut after 23.00 hours, except for access and egress They do this

4.The sound attenuator shall be set at a level approved by the licensing authority. Been Set

5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and

B5

the area quietly.
Will put in place

Please ensure all these conditions are complied with.

I also noted that there are 2 conditions which give conflicting information. These are Condition 2 under the licensing objective for the Prevention of Public Nuisance:

2. Service to customers occupying the external seating area must cease at midnight

And condition 1 under Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

You should comply with the condition attached at the licensing panel hearing as this is the more restrictive of these conditions. [redacted] advised me that the external seating area is usually cleared by 10:30pm. I will arrange for condition 2 under the licensing objective for the Prevention of Public Nuisance to be removed

I would appreciate the opportunity to meet with the DPS, [redacted] to discuss this letter. Please contact me at the above office to arrange a convenient time. I am usually available between 9:30am and 2:30pm Monday to Wednesday.

Yours Sincerely

[redacted]

[redacted]

Paris House
21 Western Road
Hove
BN3 1AE

Visit Info:	Vis Type: EH Licensing - other visit	Vis Date: 06.03.2018	Vis Officer:

Vis Comments:
07/03/18 at 10:47 by

06/03/18 at 13:12 by

Lots of non conformities. Letter to be sent.
Letter sent. 7.3.18

Action Info:	Act Type: Completed inspection form left	Act Date: 07.03.2018	Act Officer:

Act Notes:
None

Action Info:	Act Type: Letter - no action	Act Date: 07.03.2018	Act Officer:

Act Notes:

Date:
Your Ref:

Contact:

Tel:
Email:
7 March 2018

brighton-hove.gcsx .gov.uk

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

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Part A and Part B of the licence were displayed next to the bar. You only need to display Part B. Part A should be kept on site for inspection by any authorised officer.

For the Prevention of Crime and Disorder:

1.Signage to be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder cased by drug use, intoxication, underage drinking and disorderly behaviour.

5. A record of refusals of service must be kept in the premises incident book.

6. The Licence holder must support a local crime prevention programme and pub watch scheme.

I draw your attention to condition 6 above and I understand from [redacted] that you have contracted the services of a mobile support unit. Please provide details of this and/or confirm you support a local crime prevention programme.

7. Signage must be clearly positioned on the premises informing customers of a driver's shelf for customers driving and public transport arrangements for customers onward journey.

For Public Safety:

1. Signage must be clearly positioned on the premises to communicate to customers the services available to maintain the comfort and safety of customers with disabilities.

2. Standard glassware will be phased out and replaced with toughened and/or shatterproof glassware.

For the Prevention of Public Nuisance:

3.The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

For the Protection of Children from Harm:

3. Signage must be clearly displayed informing customers of the premises policy on protection of children from harm and what action will be taken if the policy is breached.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

3.All external doors and windows shall be kept shut after 23.00 hours, except for access and egress

4.The sound attenuator shall be set at a level approved by the licensing authority.

5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Please ensure all these conditions are complied with.

I also noted that there are 2 conditions which give conflicting information. These are Condition 2 under the licensing objective for the Prevention of Public Nuisance:

2. Service to customers occupying the external seating area must cease at midnight

And condition 1 under Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

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cleared by 10:30pm. I will arrange for condition 2 under the licensing objective for the Prevention of Public Nuisance to be removed

I would appreciate the opportunity to meet with the DPS, [redacted] to discuss this letter. Please contact me at the above office to arrange a convenient time. I am usually available between 9:30am and 2:30pm Monday to Wednesday.

Yours Sincerely

[redacted]

[redacted]
Paris House
21 Western Road
Hove
BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 05.03.2018	Vis Officer: [redacted]

Vis Comments:
05/03/18 at 14:12 by [redacted]

05/03/18 at 14:11 by [redacted]

No current noise comp open. Call to [redacted] 28.07.2017. NFA taken. Spoke to [redacted] Previous history

Action Info:	Act Type:	Act Date:	Act Officer:

Act Notes:
None

Case notes:

Details Notepad:

IVA Notepad:

Service Request [redacted]	Street Record Western Road Hove

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 27.07.2018	Vis Officer: [redacted]

Vis Comments:
30/07/18 at 15:09 by [redacted]

See email sent to Cllr after checking it was ok to send by [redacted] follow up email sent too (see below)

Action Info:	Act Type: E-mail sent	Act Date: 30.07.2018	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 30 July 2018 14:46
To: Phelim MacCafferty
Cc: [redacted]
Subject: Permitted opening hours for public houses along Western Road unclassified

Dear Councillor [redacted],

If you would like us to contact each premises and remind them of their conditions we can do that and then let us know of any breaches you witness in the future we can investigate accordingly?

For future complaints, please email ehl.safety@brighton-hove.gov.uk - this is our generic email address that is looked at regularly throughout the day in case [redacted] or I are on annual leave or off unexpectantly.

Kind regards

[redacted]
Licensing Team
Tel: [redacted]

From: Phelim MacCafferty
Sent: 27 July 2018 16:56
To: [redacted]
Cc: [redacted]
Subject: RE: Permitted pening hours for public houses along Western Road unclassified

Dear [redacted]

Thank you very much for this information it is very helpful.

It is interesting because I have already spotted several conditions that have been flouted. I have definitely seen drinks taken outside the Freemasons after 11PM, there is no liaison between the Bee's Mouth and nearby residents and each of the world cup matches were noisily broadcast out of the Back Beat Bar which had all its windows and doors open.

I realise there's little I can do about these incidents now but in future I will keep much tighter records now that I have public nuisance conditions.

Yours sincerely

Councillor Phélim Mac Cafferty

12
B6

Green Party Councillor for Brunswick and Adelaide
Convenor of the Green Group of Councillors, Brighton and Hove City Council
Green Group Spokesperson on the Policy and Resources Committee and Planning Committee
p: 01273 291357
e: phelim.maccafferty@brighton-hove.gov.uk
a: Hove Town Hall, Norton Road, Hove BN3 3BQ
t: @phelimmac
w: http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

Action Info:	Act Type: E-mail sent	Act Date: 27.07.2018	Act Officer:

Act Notes:
From:
Sent: 27 July 2018 3:11 PM
To: Phelim MacCafferty
Cc:
Subject: Permitted pening hours for public houses along Western Road unclassified

Dear Cllr Mac Cafferty,

I have been passed your email from to respond to. Please see a table below showing the conditions of the premises you have requested. I have only included the ones relevant to the Prevention of Public Nuisance as your concerns relate to windows being left open and noise from loud music. If you would like any further information please do not hesitate to contact me.

Name of premises Relevant conditions
Freemasons For the Prevention of Public Nuisance:
5. When required, staff organise taxis to transport customers home.
6. The Licensee must ensure that people on or leaving the premises conduct themselves in an orderly manner at all times and do not in any way cause annoyance to residents and people passing by the premises.
7. External seating areas will be cleared at 23.00 hours.
8. Licensees and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
9. The licensee shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Annex 3 - Conditions attached after a hearing of a Licensing Panel on 29th March 2007
(1) All doors and windows at first floor level and windows at ground floor (except on the northern elevation exiting onto the main road) should be kept closed from 22.00 except for entrance and exit.

Conditions attached after a hearing of a Licensing Panel held on 5th January 2012
1. After 22.00 hours the side door is to be kept closed and only to be used as an emergency exit.
2. No drinks to be taken outside the premises after 23.00 hours.
3. All external tables to be out of use by 23.00 hours.
4. No new admittance to the premises after 01.30 hours.

Paris House For the Prevention of Public Nuisance:

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:
1. The outside area shall be closed and cleared by 23.00 hours.
2. On any day, the provision of live music shall be limited to 10.00 - 23.00 hours.
3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress
4. The sound attenuator shall be set at a level approved by the licensing authority.
5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Bees Mouth For the Prevention of Public nuisance:
4) There will be monitoring of noise levels and liaison with neighbours to ensure no problems exist.
5) The use of the green room at the rear of the premises will be restricted after 23.00 with no recorded music being played and the skylight closed to prevent noise escape.

Back Beat Bar The Prevention of Public Nuisance:
1. The front doors and windows on the ground floor must be kept shut when any regulated entertainment is being performed except for entry and exit.
2. No drinks are to be taken outside between 23:00 and 10:00.
3. All Live and Recorded music to be controlled via noise limiting devices and these are to be set at levels agreed by the Licensing Authority.

Revelator For the Prevention of Public Nuisance:
11. Licensees and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
12. Service to customers occupying the external seating area must cease at midnight.
13. The licensee shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
14. The Licensee must ensure that people on or leaving the premises conduct themselves in an orderly manner at all times and do not in any way cause annoyance to residents and people passing by the premises.

Kind regards,

[redacted]
Licensing Team
Tel: [redacted]

Case notes:

Details Notepad:

IVA Notepad:

15

B7

Service Request [redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 31.01.2019	Vis Officer: [redacted]

Vis Comments:
31/01/19 at 11:24 by [redacted]

Response rec from [redacted] thanking me for my email.

Action Info:	Act Type: E-mail received	Act Date: 31.01.2019	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 31 January 2019 10:55
To: [redacted] brighton-hove.gov.uk>
Cc: [redacted] brighton-hove.gcsx.gov.uk>
Subject: RE: The Paris House, Hove: Response to Letter

Hi [redacted] thanks for the response - appreciated. Best. [redacted]

From: [redacted] brighton-hove.gov.uk]
Sent: 31 January, 2019 10:53 AM
To: [redacted]
Cc: [redacted]
Subject: RE: The Paris House, Hove: Response to Letter

Dear [redacted]

Thank you for your email, the contents of which have been noted and placed on file.

The Licensing Team do not intend to take any further action with regard to this matter.

B10

I note that you have copied in [redacted] from the Environmental Protection Team.

Regards

[redacted]
[redacted]
Safer Communities
Licensing Team
Direct line: [redacted]
[redacted]

From: [redacted]
Sent: 25 January 2019 11:39
To: [redacted] brighton-hove.gov.uk>
Cc: [redacted] brighton-hove.gcsx.gov.uk>; [redacted]
[redacted] brighton-hove.gcsx.gov.uk>
Subject: The Paris House, Hove: Response to Letter

Dear [redacted]

Thank you for your letter dated 7 January 2019 re a Noise Complaint on New Year's Eve / 1 Jan 2019 at The Paris House in Hove, which is one of our pubs (as you know).

I completely understand you're duty bound to notify us of this (or any) complaint, nevertheless I'm sure you'll appreciate my need to reply on this occasion.

I feel I must respond for two main reasons - namely:

i. to formally acknowledge that we are very well aware of all the Licensing Objectives - and always do our utmost to comply with (and exceed) their obligations, as you would expect and

ii. most importantly, to correct the verifiable and factual inaccuracy in the claims made by the (complaining) resident, that resulted in you writing to us

As such complaints can always be referred back to at any stage in the future, for whatever reason, it's important for us to place formally 'on record' our position re this matter.

I was there at the time:

I was at The Paris House from about 21.45 on New Year's Eve until we closed in the early hours of 1 Jan (see below).

I therefore personally observed that evening at first hand for ALL of the period being complained about by the resident. .

As a matter of record, The Paris House rang 'time' at approx. 04.15am on 1 January 2019. This is inconsistent with the complaint.

I know this because: a) I was there myself and b) it was me who asked for it to be rung by a member of our bar staff at that time.

The venue was then cleared, pretty rapidly, of those customers who were left at the very end (after 'time' had been called) - and the 'clean up' by staff begun.

Our staff were also very keen to get away home that night, after such a long shift - so straggling (by customers) was definitely not encouraged - and didn't happen.

So there is absolutely no way The Paris House could have been causing ANY noise disturbance after (say) 4.15 / 4.30am - and certainly NOT as late as the 6am claimed by the resident in your letter.

The Paris House was completely closed, empty and SILENT from that time onwards - AND for the majority of the period being complained about.

CCTV will also confirm this.

Background:

FYI - as planned, our live (jazz) band finished MUCH earlier that night (at approx 11.30pm and well before the bells) - a period I notice they are NOT complaining about.

This was also 'not late' for a New Year's Eve (although later than we would normally ever go with live music - which is always stopped at around 10pm).

Thereafter (and until close) we played background music only, no lounder than we normally would on any night of the year.

This was assisted by one of our regular weekly DJs, who plays for us every Friday night - so [redacted] is used to our venue, its neighbourhood position and its customer profile.

It is worth stressing that our clientele profile at The Paris House is much older than most places in Central Brighton / Hove. They do enjoy themselves, but are definitely NOT into loud 'clubbing' music or anything like it. They wouldn't like that sort of music (and wouldn't come to us if we played it). So we don't.

To reiterate - our DJ played at a background level only that night (as always does) - from start to finish throughout all his set (to venue close) - because that's what our clientele want (and are used to).

Noise Monitoring:

We also carefully monitored noise throughout that evening, via numerous 'neighbourhood walk arounds' (as we always do).

These were performed by our DPS/Manager and myself that night - and included going up Cambridge Road, down Brunswick Street East, round by The Old Market and up Upper Market Street.

No noise problems were perceived by either of us.

So, as you would expect of any professional multiple venue operator (and especially one where the boss (me) was present that night) - we were well aware of our Licensing Requirements, Conditions and the general Licensing Objectives then - as we are every night.

This included vigilant door closure monitoring.

This task was performed very effectively by our DPS/Manager standing right by the door for most of that evening.

We chose not to have external door security that night, so instead our DPS/Manager placed himself by the door, monitoring what was happening outside, who was coming in, what state they were in and that the door was shut quickly after entry or egress. Again, CCTV will show this.

We therefore believe we complied 100% with all requirements of our Premises License, Conditions and the Licensing Objectives.

We certainly have NO lack of interest in / lack of understanding of the needs of our neighbours, as claimed by the resident who complained to you.

Quite the contrary.

Street Noise NOT from The Paris House:

We do, however, think it is only fair that our complaining neighbours should not over-state or exaggerate their noise claims about The Paris House - and instead (and for once) be truthful.

If we're closed, we're closed - therefore we simply could NOT have been the source of their disturbance (if any) that night. And certainly NOT at the times they claim.

Nor could our customers be the reason for their complaint (as stated) - as they had all left and gone home.

Generally, most of our customers (and certainly the ones present that night) live very locally - so they wouldn't be hanging around outside our (closed) venue in the cold making noise - and certainly not almost two hours after we had shut.

They had absolutely no logical reason to do so. Instead they'd be tucked up in their nearby homes - why wouldn't they be.....?

It was also New Year's Eve that night, in the centre of a very vibrant city. It was therefore never going to be silent (as it never will be on ANY night of the year).....

Throughout that night (predictably) there were thousands of revellers on the street, going to and from many places at all hours, including the early morning.

Like 'Pride Weekend' - New Year's Eve means a lot of people are around late - however, it is simply not possible (and totally inaccurate) to ascribe noise from the length of Western Road to The Paris House - especially when it was closed long before the time being complained about.....

Any noise problem (if it existed at all) was NOT caused by us or our customers - as they had left and we had closed, hours before.

I've copied you in (at your two email addresses), as had done in letter to us (and also because we've been in contact over The Paris House previously) - so you've got the picture.

Kind Regards

Notice to recipient:
The information contained in this electronic mail message is intended only for the use of the individual to whom it is addressed
and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.
If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this
communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.
Thank you in anticipation of your co-operation.
You can visit our website at http://www.brighton-hove.gov.uk
Please consider the environment, only print out this email if absolutely necessary.
Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 28.01.2019	Vis Officer:
Vis Comments: 28/01/19 at 08:52 by Response rec from premises refuting complaint, see action tab below, sent 25.01.19.			
Action Info:	Act Type: E-mail received	Act Date: 25.01.2019	Act Officer:
Act Notes: From: Sent: 25 January 2019 11:39 To: <brighton-hove.gov.uk> Cc: <brighton-hove.gcsx.gov.uk>; <brighton-hove.gcsx.gov.uk>			

Subject: The Paris House, Hove: Response to Letter

Dear [redacted]

Thank you for your letter dated 7 January 2019 re a Noise Complaint on New Year's Eve / 1 Jan 2019 at The Paris House in Hove, which is one of our pubs (as you know).

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I feel I must respond for two main reasons - namely:

i. to formally acknowledge that we are very well aware of all the Licensing Objectives - and always do our utmost to comply with (and exceed) their obligations, as you would expect and

ii. most importantly, to correct the verifiable and factual inaccuracy in the claims made by the (complaining) resident, that resulted in you writing to us

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So there is absolutely no way The Paris House could have been causing ANY noise disturbance after (say) 4.15 / 4.30am - and certainly NOT as late as the 6am claimed by the resident in your letter.

The Paris House was completely closed, empty and SILENT from that time onwards - AND for the majority of the period being complained about.

CCTV will also confirm this.

Background:

FYI - as planned, our live (jazz) band finished MUCH earlier that night (at approx 11.30pm and well before the bells) - a period I notice they are NOT complaining about.

This was also 'not late' for a New Year's Eve (although later than we would normally ever go with

live music - which is always stopped at around 10pm).

Thereafter (and until close) we played background music only, no lounder than we normally would on any night of the year.

This was assisted by one of our regular weekly DJs, who plays for us every Friday night - so is used to our venue, its neighbourhood position and its customer profile.

It is worth stressing that our clientele profile at The Paris House is much older than most places in Central Brighton / Hove. They do enjoy themselves, but are definitely NOT into loud 'clubbing' music or anything like it. They wouldn't like that sort of music (and wouldn't come to us if we played it). So we don't.

To reiterate - our DJ played at a background level only that night (as always does) - from start to finish throughout all his set (to venue close) - because that's what our clientele want (and are used to).

Noise Monitoring:

We also carefully monitored noise throughout that evening, via numerous 'neighbourhood walk arounds' (as we always do).

These were performed by our DPS/Manager and myself that night - and included going up Cambridge Road, down Brunswick Street East, round by The Old Market and up Upper Market Street.

No noise problems were perceived by either of us.

So, as you would expect of any professional multiple venue operator (and especially one where the boss (me) was present that night) - we were well aware of our Licensing Requirements, Conditions and the general Licensing Objectives then - as we are every night.

This included vigilant door closure monitoring.

This task was performed very effectively by our DPS/Manager standing right by the door for most of that evening.

We chose not to have external door security that night, so instead our DPS/Manager placed himself by the door, monitoring what was happening outside, who was coming in, what state they were in and that the door was shut quickly after entry or egress. Again, CCTV will show this.

We therefore believe we complied 100% with all requirements of our Premises License, Conditions and the Licensing Objectives.

We certainly have NO lack of interest in / lack of understanding of the needs of our neighbours, as claimed by the resident who complained to you.

Quite the contrary.

Street Noise NOT from The Paris House:

We do, however, think it is only fair that our complaining neighbours should not over-state or exaggerate their noise claims about The Paris House - and instead (and for once) be truthful.

If we're closed, we're closed - therefore we simply could NOT have been the source of their disturbance (if any) that night. And certainly NOT at the times they claim.

Nor could our customers be the reason for their complaint (as stated) - as they had all left and gone home.

Generally, most of our customers (and certainly the ones present that night) live very locally - so they wouldn't be hanging around outside our (closed) venue in the cold making noise - and certainly not almost two hours after we had shut.

They had absolutely no logical reason to do so. Instead they'd be tucked up in their nearby homes - why wouldn't they be.....?

It was also New Year's Eve that night, in the centre of a very vibrant city. It was therefore never going to be silent (as it never will be on ANY night of the year).....

Throughout that night (predictably) there were thousands of revellers on the street, going to and from many places at all hours, including the early morning.

Like 'Pride Weekend' - New Year's Eve means a lot of people are around late - however, it is simply not possible (and totally inaccurate) to ascribe noise from the length of Western Road to The Paris House - especially when it was closed long before the time being complained about.....

Any noise problem (if it existed at all) was NOT caused by us or our customers - as they had left and we had closed, hours before.

[redacted] I've copied you in (at your two email addresses), as [redacted] had done in [redacted] letter to us (and also because we've been in contact over The Paris House previously) - so you've got the picture.

Kind Regards

[redacted]

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 07.01.2019	Vis Officer: [redacted]

Vis Comments:
08/01/19 at 13:43 by [redacted]

07/01/19 at 11:13 by [redacted]

Email sent to comp. Letter sent first class.

Action Info:	Act Type: E-mail sent	Act Date: 07.01.2019	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 07 January 2019 13:46
To: [redacted] <[redacted]brighton-hove.gcsx.gov.uk>
Subject: Paris House [redacted]

Hi [redacted]

Please see your copy of my letter, I have put in to the post first class today.

Kind regards

Safer Communities Team
Bartholomew House, Bartholomew Square,
Brighton, BN1 1JP.
Direct line:

Action Info:	Act Type: Letter - action	Act Date: 07.01.2019	Act Officer:

Act Notes:
Premises Licence Holder

Date:

Our Ref:

Phone:

7th January

Email: brighton-hove.gov.uk

Dear Sir or Madam,

Licensing Act 2003
License number:
Paris House, 21 Western Road, Hove, BN3 1AE.

This Authority has received a complaint from a resident regarding noise nuisance. The complainant alleges that;

- On 1st January 2019 from 3am-6am Paris House was causing a noise nuisance. 'Presumably in total breach of their liquor licence (believed to allow drinking until 2am on Bank Holidays)'.
- The Noise was 'from music and customers on the street outside the premises'.
- They claim that previous complaints indicate lack of interest in/ understanding of the disturbance caused to residents or the potential impact on the Paris House licence.

I appreciate that at this stage, these are allegations that have not been witnessed by Officers, however we have a duty to investigate complaints received.

B8

I have responded to the complainant to advise that the Paris House Premises Licence for New Year's Eve, permits licensable activities from the start time on New Year's Eve until the finish time on the morning following New Year's Day. Therefore being open at 6am would not constitute a breach of the Premises Licence.

However, irrespective of the permission's and restrictions attached to any premises licence all licensed premises are required to operate with regard to the 4 licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety

- Prevention of Public Nuisance
- Protection of Children from Harm

At any stage following the grant of a premises licence, a responsible authority, such as the Licensing Authority, Environmental Health, Police or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

The complainant has been advised of their right to call a Review of the Premises licence for Paris House, however it has been stressed that this is always considered a last resort.

Section 182 Guidance issued by the Home Office states that the licence holder and their staff may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave.

Please note the following conditions on the Premises Licence for Paris House, licence reference [redacted]

Annex 2, For the Prevention of Public Nuisance;

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.

2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

Annex 3 - Conditions attached after a hearing of a Licensing Panel on 19th September 2005

1. The outside area shall be closed and cleared by 23.00 hours.

2. On any day, the provision of live music shall be limited to 10.00 - 23.00 hours.

3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress

4. The sound attenuator shall be set at a level approved by the licensing authority.

5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if -
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Please ensure that the above and all conditions on the premises licence are strictly adhered to. As stated earlier, I appreciate that this complaint is an allegation at this stage. Please do not hesitate to contact me via email or my direct line should you wish to discuss the contents of this letter.

My colleague [redacted] from our Environmental Protection Team is also investigating this matter from a noise nuisance perspective. [redacted] can be contacted by emailing [redacted] brighton-hove.gcsx.gov.uk or his direct line is [redacted]

Yours sincerely

[redacted]
Safer Communities Team
[redacted]

c.c. [redacted]
c.c. Designated Premises Supervisor, [redacted]
c.c. The Manager, Paris House, 21 Western Road, Hove, BN3 1AE.
c.c. [redacted] Environmental Protection Team via email to [redacted] brighton-hove.gcsx.gov.uk

Action Info:	Act Type: E-mail sent	Act Date: 07.01.2019	Act Officer: LRP

Act Notes:
From: [redacted]
Sent: 07 January 2019 11:13
To: [redacted]
Cc: [redacted] <[redacted] brighton-hove.gcsx.gov.uk>
Subject: Licensing Act 2003- Paris House complaint

Dear [redacted]

Re: Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE
Licence Number: [redacted]

Your complaint regrading the above premises has been referred to the Licensing Team by colleagues in our Environmental Protection Team.

It is my undertanding that my colleague [redacted] from our Envrionmental Protection Team is investigating the noise nuisance aspect of your complaint. [redacted] can be contacted by emailing [redacted] brighton-hove.gcsx.gov.uk or his direct line is [redacted] I have also copied [redacted] in to this email.

From a Licensing perspective I have checked the Premises Licence granted under the Licensing Act 2003 for Paris House. There have been no permanent changes to the hours or conditions on the licence since a variation application was granted in 2005 at the same time the Licence was converted from the Licensing Act 1964 from the Magistrates Court to the Licensing Act 2003. At that time there was a representation against the application received from a resident and the application went to a hearing on 19th September 2005, where a panel of 3 Councillors decided the outcome of the application.

For New Year's Eve, the Premises licence for Paris House permits licensable activities 'from the start time on New Year's Eve until the finish time on the morning following New Year's Day'. This extension was originally granted by the Magistrates Court and was converted with the licence in 2005. This embedded right is common to many licensed premises in the city who also converted this right. Therefore being open at 6am on New Years Day would be permitted within this extension.

Irrespective of the permission's and restrictions attached to any premises licence under the

Licensing Act 2003, all licensed premises are required to operate with regard to the 4 licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

At any stage following the grant of a premises licence, a responsible authority, such as the Environmental Health, Police, Licensing team or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. However, there must be strong irrefutable evidence that the Premises Licence Holder has not promoted the Licensing Objectives and or has beached specific licence conditions. A formal Review of the Premises Licence, is the avenue that would have to be taken if you wished the licence to be revoked or the licence amended.

B9

We always consider calling a review of a premises licence as a last resort and responsible authorities, such as the Police, Environmental Protection and Licensing Authority would only submit a supporting representation to a Review application where there is a history of complaints, the evidence is clear or the severity of the incident deems revocation of the licence appropriate.

When a Review of the premises licence is called, evidence must be presented by the person calling the Review to a panel of licensing councillors who would decide what action, if any, should be taken. The Premises Licence Holder also has the opportunity to give evidence at the hearing. Please follow the link below for information regarding calling a Review of a Premises Licence under the Licensing Act 2003.
More information regarding calling a Review can be found by following the link below. You then need to scroll down to the bottom of the page to the section 'Asking us to review a licence';
Review information
Our system shows that a full Licensing inspection was carried out at the venue last year and is not due again until later this year. I have spoken to [redacted] who is investigating the noise nuisance aspect and I have written to Paris House to advise them we have received a complaint and to remind them of their responsibility to uphold all 4 Licensing Objectives at all times.

I hope this information is of use.

Regards

[redacted]
Safer Communities
Licensing Team
Direct line: [redacted]
[redacted]

From: Brighton & Hove City Council [mailto:noreply@brighton-hove.gov.uk]
Sent: 01 January 2019 9:16 AM
To: EHL Environmental Protection
Subject: New form submission - Reference [redacted]

Hello
An online form has been sent to you through the Brighton & Hove City Council website.
You've received it as you're the named contact for this form.
A copy of the form and uploads (if applicable) are attached.
Environmental Health - enquiries and complaints - [redacted]

Unhidden summary
personal_details_subform:
Title First name Last name

address_details_subform:
Postcode or building and street Choose your address

contact_details_subform:
Email address Mobile phone number Home phone number Preferred contact method
Home phone

What is your comment about?: Pollution Control (including commercial noise)

Location of problem: Paris House Pub ,Junction of Western Road/Brunswick Street East

Description of the problem: Licensed premises causing noise nuisance from 3am until 6am 1st January 2019 .Noise from music and customers on the street outside the premises .Presumably in total breach of their liquor licence (believed to allow drinking until 2am on Bank Holidays) .Video evidence available . Previous complaints by ourselves and a neighbour indicate lack of interest in/ understanding of the disturbance caused to their neighbours or bathe potential impact on their own licence .

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 03.01.2019	Vis Officer:

Vis Comments:
03/01/19 at 12:38 by

Checked hours on licence and extension on licence entitles premsies to open continuously from NYE/NYD and opening hours the following day too (2nd Jan). EMailed

Action Info:	Act Type: E-mail sent	Act Date: 03.01.2019	Act Officer:

Act Notes:
From:
Sent: 03 January 2019 12:37
To: < brighton-hove.gcsx.gov.uk>
Subject: Paris House comp 01.01.19 (RESTRICTED)

Hi

Can we have a chat about this new Paris House noise comp please?
The additional hours their licence entitles them over NYE/NYD means that they can be open and selling alcohol at 6am on NYD.
Before I reply, I just wanted to know if you have already responded to this new comp
said you are investigating the noise side but I couldn't see a new js with this comps details on it on uniform.

Kind regards

Safer Communities
Licensing Team

Direct line:

From:
Sent: 02 January 2019 12:08
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: FW: New form submission - Reference

Please see email below re possible breach of licensing hours. is investigating the noise complaint.

Regards,

Regulatory Services
Brighton & Hove City Council
Telephone: (Mon - Wed)
(Thurs - Fri)
Email: @brighton-hove.gcsx.gov.uk
www.brighton-hove.gov.uk

Weekend out-of-hours noise
From Friday 7 December, residents can report noise complaints throughout the weekend, and we will get back to them the following morning with the offer of a visit that day. Residents can call 01273 293541 or email outofhoursnoise@brighton-hove.gov.uk from 5pm on a Friday through to 9am on Monday morning.
The weekend noise service is now being delivered by our new team.

From: Brighton & Hove City Council [mailto:noreply@brighton-hove.gov.uk]
Sent: 01 January 2019 9:16 AM
To: EHL Environmental Protection
Subject: New form submission - Reference

Hello
An online form has been sent to you through the Brighton & Hove City Council website.
You've received it as you're the named contact for this form.
A copy of the form and uploads (if applicable) are attached.
Environmental Health - enquiries and complaints -
Unhidden summary
personal_details_subform:

Title	First name	Last name

address_details_subform:
Postcode or building and street Choose your address

contact_details_subform:
Email address Mobile phone number Home phone number Preferred contact method
Home phone

What is your comment about?: Pollution Control (including commercial noise)

Location of problem: Paris House Pub ,Junction of Western Road/Brunswick Street East

Description of the problem: Licensed premises causing noise nuisance from 3am until 6am 1st January 2019 .Noise from music and customers on the street outside the premises .Presumably in total breach of their liquor licence (believed to allow drinking until 2am on Bank Holidays) .Video evidence available . Previous complaints by ourselves and a neighbour indicate lack of interest in/ understanding of the disturbance caused to their neighbours or bathe potential impact on their own licence .

Case notes:

Details Notepad:

IVA Notepad:

Service Request	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 13.05.2019	Vis Officer:

Vis Comments:
13/05/19 at 14:29 by

13/05/19 at 13:58 by

Email to comp
Letter to pub

Action Info:	Act Type: Letter - no action	Act Date: 13.05.2019	Act Officer:

Act Notes:

Date:
Your Ref:

Contact:

Tel:
Email:
13 May 2019

brighton-hove.gcsx .gov.uk

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

I am writing as I have been advised by the Environmental Protection (EP) Team that they have received a complaint of noise after 11:00pm which they have referred to the Licensing Team. in the EP Team is investigating the noise complaint. My colleague wrote to you in January 2019 to remind you of you responsibilities under the Licensing Act 2003.

May I remind you that all licensed premises are required to operate with regard to the conditions on their licence as well as the four licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance

o Protection of Children from Harm

Non-compliance with the licensing objectives, the permitted hours and the conditions on your licence constitutes a breach of the premises licence issued under the above legislation. Please ensure that all conditions and hours on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if -
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

At any stage following the grant of a premises licence, a responsible authority, such as the Environmental Health, Police or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

Please ensure that all staff are aware of and understand the conditions, and operate the premises licence having regard to all four of the licensing objectives and the conditions attached to it.

Yours Sincerely

Paris House
21 Western Road
Hove
BN3 1AE

Action Info:	Act Type: E-mail sent	Act Date: 13.05.2019	Act Officer:

Act Notes:
From:
Sent: 13 May 2019 13:58
To:
Subject: Paris House

Dear

Re: Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE
Licence Number:

Your complaint regarding the above premises has been referred to the Licensing Team by colleagues in the Environmental Protection Team. from the Envrionmental Protection Team is investigating the noise nuisance aspect of your complaint. I believe contacted you on 10 May.

Under the Licensing Act 2003, all licensed premises are required to operate with regard to the 4

licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

At any stage following the grant of a premises licence, a responsible authority, such as Environmental Health, the Police, the Licensing team or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. However, there must be strong irrefutable evidence that the Premises Licence Holder has not promoted the Licensing Objectives and or has beached specific licence conditions.

We always consider calling a review of a premises licence as a last resort and responsible authorities, such as the Police, Environmental Protection and Licensing Authority would only submit a supporting representation to a Review application where there is a history of complaints, the evidence is clear or the severity of the incident deems revocation of the licence appropriate.

When a Review of the premises licence is called, evidence must be presented by the person calling the Review to a panel of licensing councillors who would decide what action, if any, should be taken. The Premises Licence Holder also has the opportunity to give evidence at the hearing. Please follow the link below for information regarding calling a Review of a Premises Licence under the Licensing Act 2003.

https://www.brighton-hove.gov.uk/content/business-and-trade/licensing-and-gambling/make-a-complaint-about-a-licensed-premises

I will write to Paris House to advise them we have received a complaint and to remind them of their responsibility to uphold all 4 Licensing Objectives at all times

Regards,

Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Tel:

Case notes:

Details Notepad:

IVA Notepad:

Service Request [redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type:	Vis Date:	Vis Officer:
Vis Comments: 09/10/19 at 12:14 by [redacted] See [redacted]			
Action Info:	Act Type:	Act Date:	Act Officer:
Act Notes: None			

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 08.10.2019	Vis Officer: [redacted]
Vis Comments: 08/10/19 at 12:21 by [redacted] Email from [redacted] continuing breaches of licence conditions and noise problems. Response sent asked [redacted] to keep me updated and will re-visit if Lic condtions still being breached			
Action Info:	Act Type: E-mail sent	Act Date: 08.10.2019	Act Officer: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

On 8 Oct 2019, at 12:18, [redacted] <[redacted]brighton-hove.gov.uk> wrote:
Hello

[redacted] undergoing mediation I will not get involved [redacted]

[redacted] If the licence conditions are continuing to be breached please contact me and I can arrange to re-visit the premises. Please keep me updated.

Regards, [redacted]

[redacted]

B27

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 08 October 2019 11:58
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: Paris House Western Road ,Hove

B27

Dear [redacted] .
You will recall that I have written to you before about noise problems we are having with the Paris House pub which is at the top of Brunswick St East [redacted]

Last Saturday [redacted] went to bed at about 10 50pm .However ,the music from the Paris House continued after 11pm .I [redacted] as a result of the disturbance - especially at weekends (but not exclusively then) - we no longer invite so many friends or family to stay with us [redacted] .As a result ,most guests we have had in the last twelve months have expressed concerns about being disturbed by noise from the Paris House .
In an effort to minimise disturbance to us ,we close all windows at the front of our property at night and close two internal fire doors which give access to the front of the house . Sadly ,last Saturday night even those precautions did not work ! The noise [redacted] was so loud from the beat of the music being played that I was forced to get up and go down stairs because it was impossible to sleep .Customers were outside the premises drinking ,shouting and talking .I took video recordings on my mobile phone at 23 36, midnight and 0036 hours and at 0040 am I could still clearly hear the music in a room which is downstairs and at the rear of our home .
Our own previous experience and that of our neighbours has shown there is no point in going up to the pub to complain to the management because nothing happens when residents do so .
An image I caught on video at midnight speaks volumes for the attitude of the management to their neighbours .A member of staff came out of the pub with a container of empty bottles and emptied them in to a bin at the side of the pub on Brunswick St East .The noise created was considerable ! Quite why that had to be done then is difficult to understand but typifies the attitude that the staff at the pub will carry out their duties regardless of their neighbours .This evidences a lack of common sense or even basic consideration on their part but emphasises the lack of

control or care the management take to ensure the staff respect the neighbours .

The noise finally stopped at just after 0040 on Sunday morning and about twenty minutes later the Paris House was in darkness and the outside area was clear . I eventually went to bed after 1am .
Having read your email of 14 August this morning , I am pleased to see the conditions to which the Licence Holder and staff are subject but very surprised by the degree to which they flout them ! Specifically -
Conditions to Prevent Public Nuisance -
1. We have NEVER seen any member of the management making regular inspections outside the premises to manage sound levels so residents are not disturbed .We HAVE seen doormen standing near the doors in case of trouble but on occasions when we have been disturbed any doorman present does nothing about the noise levels ! One of our neighbours has commented that the noise levels are such that on some occasions the staff inside the premises and their customers must be in some danger of hearing impairment !

4.At least one door to the pub was open last Saturday night/Sunday morning and it is very often the case that the doors are open when live/DJ operated music is being played .I would be interested to know what additional ventilation has been installed in the premises and ,if any has ,how often it has been used .Another neighbour in Upper Market Street also queries the level of soundproofing used inside the premises .

B27

Additional conditions imposed 19 September 2005 -

1. We can only speak for the nights when we are disturbed which are usually on Friday and/or Saturday - but not exclusively so .On those occasions the outside area is NEVER cleared and closed by 2300 hours .That was the case last Saturday/Sunday night and customers were still outside at 0036 hours drinking ,talking loudly and generally making plenty of noise .

3. I will check the windows at the Paris House in future to see if they are closed after 2300 but it is often the case that at least one of the doors is open after 2300 and particularly when the weather is good both doors are kept open .Access and egress causes a problem if the noise inside is great - even if the doors are otherwise closed but the vast majority of the disturbance we suffer is when the doors are left open ie the noise level does not seem drop due to doors being opened and closed .

5.I will check but do not believe that there are any notices displayed asking the public who use the Paris House to respect local residents and leave the premises and area quietly .If there are any such notices they are small and ,whatever their size may be IF they exist ,many people who use the Paris House clearly have no concern at all about how the residents are affected .Doormen at the pub regularly stand outside when people are talking loudly or shouting after 2300 and take no action to stop it . Doorman are not always employed in any event .

As you might imagine , have many better things to do than spend time detailing what has been going on but we are angry about this ongoing problem and the apparent lack of interest shown by the management at the Paris House .Either they don't know what is going on - which is at least negligent - or they simply don't care and intend to carry on because they make a profit after 11pm in this way .

sincerely hope the noise nuisance will stop and we can return to the quiet enjoyment of our home with more sleep at night and more visitors who will no longer be disturbed .We will continue to keep a record of the nuisance we suffer from .

[redacted]

Finally ,I am sorry to have sent such a long email but thought it best you had this detail on record IF your authority needs to take further action to put a stop to this .

Regards ,

[redacted]

[redacted]

Notice to recipient:
The information contained in this electronic mail message is intended only for the use of the individual to whom it is addressed
and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.
If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this
communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.
Thank you in anticipation of your co-operation.
You can visit our website at http://www.brighton-hove.gov.uk
Please consider the environment, only print out this email if absolutely necessary.
Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

B27

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 22.07.2019	Vis Officer: [redacted]

Vis Comments:
22/07/19 at 11:43 by [redacted]

NO LETTERS SENT AS SPOKE TO [redacted] AND PUB AND COMPS ARE PURSUING [redacted]

22/07/19 at 11:00 by [redacted]

Letter sent
Emailed to [redacted]

Action Info:	Act Type: E-mail sent	Act Date: 22.07.2019	Act Officer: [redacted]

Act Notes:
None

Action Info:	Act Type: Letter - no action	Act Date: 22.07.2019	Act Officer: [redacted]

Act Notes:
None

B12

Case notes:

Details Notepad:

IVA Notepad:

Service Request	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 20.02.2020	Vis Officer:

Vis Comments:
26/02/20 at 10:49 by

Emails re Licensing interpretation. Final interpretation of condition from legal team emailed to

Action Info:	Act Type: E-mail received	Act Date: 20.02.2020	Act Officer:

Act Notes:

From: <
Sent: 20 February 2020 16:11
To: brighton-hove.gov.uk>
Cc: brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear ,

Thank you for your email enclosing the advice of your legal department .I will consider their advice carefully and ,if I have any further queries ,will contact you again in due course .

Regards ,

On 19 Feb 2020, at 16:03, brighton-hove.gov.uk> wrote:

Dear

This is the response we have received from our legal department regarding the interpretation of the condition:

I have read and considered the further emails sent by regarding the interpretation of the condition relating to the outside area of the Paris House. I have consulted my senior licensing colleague. Our interpretation of the condition has not changed. In licensing terms 'outside area' does not mean the whole of the area outside a premises as indeed this is difficult to define and potentially includes a space which is beyond the direct control of the licensee. In this case and in common with most of the other conditions relating to outside (garden or terrace) areas, it means a dedicated external seating area which is shown on the plan to the premises licence. Statutory S182 guidance to the Licensing Act 2003 (which has been through many versions) refers to such areas at 8.35. I appreciate that some conditions for other premises may have more specific wording especially more recent ones and those after the smoking ban, but that does not alter the fact that in this case the intention was to ensure that the outside table/seating area (as shown on the plan) was cleared and closed to customers after 11pm. This is the only 'common sense' interpretation of the condition, and it is one that is endorsed by the senior lawyer who advised the panel at the time.
It does leave the possibility of people standing outside smoking and drinking on the pavement outside the pub after 11pm as the pavement is not part of the 'outside area'. Customers should not be congregating within the table area after 11pm as this area should be closed off. As

BH9

previously advised, if customers are standing outside on the pavement by the entrance to the pub causing a nuisance and disturbance then this should be investigated.

Regards

Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
T |

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From: <
Sent: 11 February 2020 06:19
To: brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear
Thank you for your reply.
In both my long emails I suggested they be passed to a licensing lawyer and I am pleased you have now done that . They were detailed because I wanted to set out the legal arguments in favour of my conclusion so anyone looking at them could follow my reasoning .
has sent us diary sheets to record any concerns we have over the next two weeks or so .Most of the problems we have had have occurred on Friday, Saturday and Sunday evenings but not exclusively so . Given the recent weather there have been far fewer customers outside the Paris House at any time but the problem did get worse last year once better weather arrived and hence our concern to ensure this licensee complies with the licensing conditions which protect us
.
I look forward to hearing from you once your legal team has responded.
Regards,

On 10 Feb 2020, at 10:35, brighton-hove.gov.uk> wrote:

Dear

I have passed your email on to our legal team and we will be in touch shortly.

Regards

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T | brighton-hove.gov.uk

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From: <
Sent: 05 February 2020 09:14
To: brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear

Thank you for your email ,the contents of which surprise me .

My last two emails were sent in the hope they would be passed to your legal department to explain why they advise that a condition attached to a licence should be interpreted in a way which is contrary to the actual words used by both the licensee who offered it and the licensing panel which imposed it and which ,as I have explained, makes it more difficult for your authority to enforce .

This is against a background of providing evidence which does have a time attached to it but cannot be seen by your staff for some reason . have informed me that your IT system should be able to show the time but it appears not .That in no way detracts from the fact I have the evidence on my and could produce it with the time still on it - as I have now offered to do so more than once .

I fully appreciate the calls on the time of yourself and staff .I too have many other things I would much prefer to be doing !!

If I have to take this matter further I will but before doing so are you really saying you cannot or are unwilling to ask your legal department to explain its advice which is in contradiction to the words used in the condition which concerns ? The failure to comply with it is the principal source of our complaints !

I await your response .

Regards ,

On 4 Feb 2020, at 16:26, brighton-hove.gov.uk> wrote:

Dear

I refer to the 2 previous emails below. I feel that we have answered your concerns to the best of our ability with regards to the condition and have taken legal advice regarding this and shared that

with you.

While we are happy to communicate with members of the public about matters that concern them, regular correspondence about matters which we can no longer assist with will not achieve anything further for you and will impact on the service that we provide to others. Consequently, it is sometimes necessary to, reluctantly, bring correspondence to a close. With regard to this issue I am afraid that there is nothing more that we can add.

If you are unhappy with the responses you have received from us you can make a complaint to the council's Customer Feedback Team who may conduct an independent investigation. You can submit your complaint to them by email at customerfeedback@brighton-hove.gov.uk. If you would like to call them for advice about making a complaint the number is 01273 291229.

I have asked [redacted] to open a new case in response to your recent report of an incident on 1st February 2020. You will be asked to keep a diary detailing incidents for a two week period and how the alleged breaches are affecting you. [redacted] has contacted the premises and notified them of the allegation.

Regards

[redacted] Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 30 January 2020 11:40
To: [redacted]brighton-hove.gov.uk>
Subject: Fwd: Re Paris House -URGENT

Dear [redacted]
Further to my long email of yesterday (below) I have now had an opportunity to look at some of the minutes of the licensing panels which have sat to deal with applications under the Licensing Act 2003 .What I have read only serves to reinforce what I wrote yesterday as follows -

1. There was no reference to a plan in the minutes re the decision on what was then called "The Jugglers "(now "The Paris House ") .At the same panel meeting on 19 September 2005 identical conditions relating to an "external area" and an "outside area" were imposed on licences granted/varied re the Cleveland Arms and the Sidewinder pub respectively .In neither case was any reference to a plan made .There are other examples off this wording being used eg 22 September 2005 re the Ancient Mariner ;27 October 2008 re Heist to name just two .

2. When the panel dealing with a particular application wanted to be more specific it used appropriate wording eg

"Garden cleared and closed by 2230 " - Openhouse 20 September 2005
"Both outside areas to be closed and cleared by 2230 " Chez Nous same date as above
"Outside garden area shall be cleared and closed by 2300 hours" The Reservoir
22 September 2005

"Outside seating area shall be cleared of tables and chairs by 1200(midnight) and not used for the consumption of beverages thereafter" Refresh Club 22May 2008
"No drinks to be taken outside, including the smoking areas after 2300 hours The Brunswick 16 October 2012 (Minutes make reference to the panel having considered an updated plan
"Customers will not be allowed to take drinks outside the front after 2200 and all tables and chairs outside they front must be packed away by 2200.Courtyard area - smokers will be allowed in the courtyard area until 2100 when the courtyard will be closed .Smokers will be able to stand without drinks outside the front of the premises and smoke ". Ed Coffee House. 20 July 2016

Based on the above and the minutes generally where there was a need for a specific condition referring to a garden ,a courtyard or specific outside areas it is plain that the panel imposing a condition used specific words to define to what it was referring .
Similarly ,when the concerns related to the general area outside the licensed premises the wording " outside area " was used and must be taken to mean the whole of the outside area of the premises unless otherwise limited by words .The outside area for what is now the "Paris House " can be seen from how it is used .Customers congregate within the " outside table " areas AND generally on the corner of Brunswick Street East/Western Road AND on the benches at the side of the pub which are obviously provided for customers' use .

Unless there has been some amendment to the condition or some policy of interpretation adopted by the licensing panels of which I am unaware ,the above strengthens my view that the words of the condition mean what they say - otherwise what is the point of them being used in that way ? (especially when the licensee him/herself used those words when offering the condition in 2005 and did not seek to restrict the outside area in any way).

If there is a policy or amendment as I have suggested above please provide details (and explain why - despite lengthy correspondence -I have not been told of it before) .If there isn't please pass this email with the one I sent yesterday to a senior member of your licensing legal department so they can consider all the points I have made .

I look forward to hearing from you or the lawyer you have or will obtain advice from .As before ,I am well aware of the burden of work you and your colleagues have and am willing to meet at council offices at any convenient time to resolve this issue if at all possible .

Yours sincerely ,

Begin forwarded message:
From: <
Date: 29 January 2020 at 17:32:04 GMT
To: brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear
Thanks very much for your prompt response and for confirming that the wording you have shown is a direct copy of the minutes I requested .

On the assumption that this is all the evidence available to enable someone to interpret the

condition In question I am even more concerned about the interpretation which both you and the authority's legal department are adopting .

[redacted]

Against that background and with respect to you ,your department and the lawyer who has given legal advice ,the interpretation of the condition in question (to clear and close the outside area by 2300 hours) does not make sense ,not least because there is a more obvious interpretation based upon the words actually used .If there is more evidence available then please let me see it but on the basis of what you have told me so far the following points are relevant -

1. In every regulatory regime a great deal of emphasis is put on the proper drafting of conditions so that no one is in any doubt of their meaning .As I have said before ,the purpose of that is twofold : to enable the licensee to clearly understand what he/she must do to comply with the condition and to enable any enforcement agency to assess any factual situation to determine whether a breach has taken place and ,if so ,to take whatever action it feels is appropriate .

2.There are various rules of statutory and legal interpretation which in general adopt the stance that the words mean what they say("literal rule") unless they produce an absurd result (when the "golden rule" can be applied to interpret the words in a common sense way) or do not cover the particular situation (when the "mischief rule" is used to decide whether ,given the mischief the rule or law was designed to deal with ,what has been done falls within that mischief) .

3. Applying those rules to the words of the condition the literal rule is clear .The condition states "3.The licensee shall ensure that the outside area is closed and cleared no later than 2300 hours ." That was a condition offered IN THOSE EXACT TERMS by the licensee /applicant at the time to address the concerns of a complainant who had objected that an extension of hours "would lead to nuisance from and outside the premises ."

4. In considering what the condition means please note the applicant/licensee did not -
   (A) seek to define "the outside area" by reference to any plan and the condition itself does not refer to one .
   (B) seek to limit the "outside area" to the two "outside table areas " which are marked on the plan you produced to me a few weeks ago
   (C) did not suggest that the "outside area" used in the condition should be marked in any way on the ground so as to limit his responsibility in any way

5. I assume that the applicant/licensee was anxious to reach a compromise to ensure he/she kept the licence and it may be that he/she offered more than with hindsight might have been necessary. The Licensing Panel obviously took them at their word and imposed conditions mirroring what had been offered (which is a fairly common practice provided the panel is satisfied the conditions meet the object of dealing properly with the objection, provided it is a fair one - which in this case we must assume it was).

6. My strong contention is that the wording of the condition is clear and plain .The outside area must be cleared and closed by 2300 hours .The wording is clear and unambiguous and there is no need to apply any of the other rules of interpretation .

7. Looked at from the other direction the interpretation now proposed by your authority cannot be the correct one because -

(A) it relies on a plan which is not referred to anywhere in the minutes of the Panel meeting at which the condition in question was imposed .

(B) in any event the condition makes no reference to the plan at all .

(C) standard drafting of such a condition would include a reference in its wording to the Plan eg by adding after the "outside area " the words "as delineated in the attached plan " and the plan itself would be marked to show it was the one being referred to in the condition .Neither is the case here .

(D) the plan refers to "outside table areas " whereas the condition refers to "outside area" .If the condition was meant to refer to those two areas alone then it would have said so .It does not .

(E) the condition was offered by the applicant/licensee because of a complaint about "noise from and outside the premises " and NOT from the two "outside table areas" only .My guess is that the plan which is now being relied on (without any reference to it in the condition or the minutes) was produced for another purpose - ? Re the street licence for the authorisation of tables outside .

(F) for enforcement purposes the proposed interpretation creates more difficulties- If the two "outside table " areas are cleared of tables but not closed because the licensee allows customers to stand where the tables were UNLESS the table areas are marked on the ground which they are not (I doubt they ever have been - we have lived here since 2012 and don't recall any .) then how can an enforcement officer know whether particular customers are in or outside the"closed " area ? Making a condition more difficult to enforce in this way is unhelpful to all concerned .As far as I am aware the present licensee has never suggested it should be interpreted in this way either !

(G) as you are aware the outside area of these premises also has two benches fixed to the pub wall and facing Brunswick Street East .Ever since we have lived here it has been a regular occurrence for customers to sit on or stand around these benches drinking and talking loudly at various hours of the day and night .They have been there for years and were probably part of what led to the complaint that led to the imposition of the condition .Those benches are NOT included within the "outside table " areas referred to on the plan .If the Panel's intention was to address the complaint re noise nuisance from outside the premises why would it not have included those benches too ? The answer is it did - simply by referring to the "outside area "!!

I have gone to these lengths to set out my concerns clearly and in detail .If I am in any way mistaken - and particularly if there is more evidence to support your authority's interpretation which I haven't seen - please tell me on what basis your interpretation is correct .

From my point of view I have sent you video clips which you say do not show you what I have clearly recorded and which I still have and can look at . You have produced a plan which has never been referred to before and used it to justify an interpretation of a condition which does not accord with the Panel meeting minutes you have now produced and which was adopted to prevent nuisance to residents like [redacted] and myself .Your interpretation makes the condition itself more difficult to enforce so even if I suggest there have been breaches in the future it is unlikely anything will happen .

Our major concern now is that when the weather improves the same nuisance will continue with no action being taken to protect us .It is now over twelve months since our first complaint and we

still have the same concerns !

I should be very grateful if you would -
1. Let me know if there is any other evidence which informs your interpretation of this condition and .if so ,provide me with a copy .
2. If there is no such evidence please send this email to a senior lawyer within your licensing team so that he/she can consider the points I have made above and explain why your interpretation is the correct one .
3. Provide me with details of your customer service team so I can take this matter further if I have to .

Yours sincerely ,

On 29 Jan 2020, at 13:42, < brighton-hove.gov.uk> wrote:

Dear

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove.
191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.
191.3 The applicant said that had written to the complainant and also to environmental health. As a result had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. indicated that noise from outside of the premises was from other establishments and not his licensed premises.

191.4 RESOLVED - That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:
1. The amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.
2. The licensee to ensure that live music terminates no later than 23.00 hours.
3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits

requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions: To ensure that there is no public nuisance to local residents.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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From: <
Sent: 29 January 2020 10:51
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,

Thank you for your email .

I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

Regards ,

On 28 Jan 2020, at 11:20, < brighton-hove.gov.uk> wrote:

Dear

The legal department have considered the condition and looked back at the minutes from the hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing

outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern.

Clearly you can still monitor the situation and if presents evidence of being disturbed then you will have to take that on board and perhaps liaise further with the premises. Ultimately has the right to call for a review of the premises licence if is not happy. Let me know if I can help further.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove (see Minute Book).

191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.

191.3 The applicant said that had written to the complainant and also to environmental health. As a result had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. indicated that noise from outside of the premises was from other establishments and not his licensed premises.

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3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Reasons for conditions:

To ensure that there is no public nuisance to local residents.

192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

I have spoken to and does not have an outstanding noise complaint. the has been successful. Can you confirm whether you are still being disturbed by noise from the premises including the customers outside? I appreciate that as the weather is cold it is less likely that people are standing outside at the moment. You can, of course make further noise complaints at any time that you are being disturbed. I have copied into this email. The DPS and Premises licence holder (PLH) advised us that they had a noise limiter and that it had been set when the premises operated as Th

Action Info:	Act Type: E-mail received	Act Date: 19.02.2020	Act Officer:

Act Notes:

From: < brighton-hove.gov.uk>
Sent: 19 February 2020 10:14
To: < brighton-hove.gov.uk>;
< brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>
Subject: RE: Paris House -URGENT

Thanks for this I'll send it to They do have a tables and chairs licence, we checked with highways and it looks like the same two areas as the premises licence.

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From: < brighton-hove.gov.uk>
Sent: 18 February 2020 15:06
To: < brighton-hove.gov.uk>; < brighton-hove.gov.uk>
Subject: RE: Paris House -URGENT

Hi both, this is my view below. could send it verbatim as the response from the licensing lawyer. Are you ok with it? Is there an actual tables and chairs licence in place as well? Thanks,...

Hi
I have read and considered the further emails sent by regarding the interpretation of the condition relating to the outside area of the Paris House. I have consulted my senior licensing colleague. Our interpretation of the condition has not changed. In licensing terms 'outside area' does not mean the whole of the area outside a premises as indeed this is difficult to define and potentially includes a space which is beyond the direct control of the licensee. In this case and in common with most of the other conditions relating to outside (garden or terrace) areas, it means a dedicated external seating area which is shown on the plan to the premises licence. Statutory S182 guidance to the Licensing Act 2003 (which has been through many versions) refers to such areas at 8.35. I appreciate that some conditions for other premises may have more specific wording especially more recent ones and those after the smoking ban, but that does not alter the fact that in this case the intention was to ensure that the outside table/seating area (as shown on the plan) was cleared and closed to customers after 11pm. This is the only 'common sense' interpretation of the condition, and it is one that is endorsed by the senior lawyer who advised the panel at the time.
It does leave the possibility of people standing outside smoking and drinking on the pavement outside the pub after 11pm as the pavement is not part of the 'outside area'. Customers should not be congregating within the table area after 11pm as this area should be closed off. As

previously advised, if customers are standing outside on the pavement by the entrance to the pub causing a nuisance and disturbance then this should be investigated.

| | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ|DX Hove 1
T | brighton-hove.gov.uk

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From:
Sent: 13 February 2020 15:27
To:
Subject: RE: Paris House -URGENT

Thank you

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2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

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From: < brighton-hove.gov.uk>
Sent: 13 February 2020 15:27
To: < brighton-hove.gov.uk>
Subject: RE: Paris House -URGENT

Hi, I will hope to do a response by tomorrow or Monday…

| | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ|DX Hove 1
T | brighton-hove.gov.uk

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and West Sussex County Council working in partnership

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From:
Sent: 13 February 2020 15:24
To:
Subject: FW: Paris House -URGENT

On another note, I wondered if you had had a chance to look at this yet?

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From: <
Sent: 11 February 2020 06:19
To: < brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear
Thank you for your reply.
In both my long emails I suggested they be passed to a licensing lawyer and I am pleased you have now done that . They were detailed because I wanted to set out the legal arguments in favour of my conclusion so anyone looking at them could follow my reasoning .
has sent us diary sheets to record any concerns we have over the next two weeks or so .Most of the problems we have had have occurred on Friday, Saturday and Sunday evenings but not exclusively so . Given the recent weather there have been far fewer customers outside the Paris House at any time but the problem did get worse last year once better weather arrived and hence our concern to ensure this licensee complies with the licensing conditions which protect us .
I look forward to hearing from you once your legal team has responded.
Regards,

On 10 Feb 2020, at 10:35, < brighton-hove.gov.uk> wrote:

Dear

I have passed your email on to our legal team and we will be in touch shortly.

Regards

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From: <
Sent: 05 February 2020 09:14
To: <brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear ,

Thank you for your email ,the contents of which surprise me .

My last two emails were sent in the hope they would be passed to your legal department to explain why they advise that a condition attached to a licence should be interpreted in a way which is contrary to the actual words used by both the licensee who offered it and the licensing panel which imposed it and which ,as I have explained, makes it more difficult for your authority to enforce .

This is against a background of providing evidence which does have a time attached to it but cannot be seen by your staff for some reason . have informed me that your IT system should be able to show the time but it appears not .That in no way detracts from the fact I have the evidence on my and could produce it with the time still on it - as I have now offered to do so more than once .

I fully appreciate the calls on the time of yourself and staff .I too have many other things I would much prefer to be doing !!

If I have to take this matter further I will but before doing so are you really saying you cannot or are unwilling to ask your legal department to explain its advice which is in contradiction to the words used in the condition which concerns ? The failure to comply with it is the principal source of our complaints !

I await your response .

Regards ,

On 4 Feb 2020, at 16:26, < brighton-hove.gov.uk> wrote:

Dear

I refer to the 2 previous emails below. I feel that we have answered your concerns to the best of our ability with regards to the condition and have taken legal advice regarding this and shared that with you.

While we are happy to communicate with members of the public about matters that concern them, regular correspondence about matters which we can no longer assist with will not achieve anything further for you and will impact on the service that we provide to others. Consequently, it is sometimes necessary to, reluctantly, bring correspondence to a close. With regard to this issue I am afraid that there is nothing more that we can add.

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From: <
Sent: 30 January 2020 11:40
To: < brighton-hove.gov.uk>
Subject: Fwd: Re Paris House -URGENT

Dear ,
Further to my long email of yesterday (below) I have now had an opportunity to look at some of the minutes of the licensing panels which have sat to deal with applications under the Licensing Act 2003 .What I have read only serves to reinforce what I wrote yesterday as follows -

1. There was no reference to a plan in the minutes re the decision on what was then called "The Jugglers "(now "The Paris House ") .At the same panel meeting on 19 September 2005 identical conditions relating to an "external area" and an "outside area" were imposed on licences

granted/varied re the Cleveland Arms and the Sidewinder pub respectively .In neither case was any reference to a plan made .There are other examples off this wording being used eg 22 September 2005 re the Ancient Mariner ;27 October 2008 re Heist to name just two .

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Based on the above and the minutes generally where there was a need for a specific condition referring to a garden ,a courtyard or specific outside areas it is plain that the panel imposing a condition used specific words to define to what it was referring .
Similarly ,when the concerns related to the general area outside the licensed premises the wording " outside area " was used and must be taken to mean the whole of the outside area of the premises unless otherwise limited by words .The outside area for what is now the "Paris House " can be seen from how it is used .Customers congregate within the " outside table " areas AND generally on the corner of Brunswick Street East/Western Road AND on the benches at the side of the pub which are obviously provided for customers' use .

Unless there has been some amendment to the condition or some policy of interpretation adopted by the licensing panels of which I am unaware ,the above strengthens my view that the words of the condition mean what they say - otherwise what is the point of them being used in that way ? (especially when the licensee him/herself used those words when offering the condition in 2005 and did not seek to restrict the outside area in any way).

If there is a policy or amendment as I have suggested above please provide details (and explain why - despite lengthy correspondence -I have not been told of it before) .If there isn't please pass this email with the one I sent yesterday to a senior member of your licensing legal department so they can consider all the points I have made .

I look forward to hearing from you or the lawyer you have or will obtain advice from .As before ,I am well aware of the burden of work you and your colleagues have and am willing to meet at council offices at any convenient time to resolve this issue if at all possible .

Yours sincerely ,

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From: <
Date: 29 January 2020 at 17:32:04 GMT
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,
Thanks very much for your prompt response and for confirming that the wording you have shown is a direct copy of the minutes I requested .

On the assumption that this is all the evidence available to enable someone to interpret the condition In question I am even more concerned about the interpretation which both you and the authority's legal department are adopting .

Against that background and with respect to you ,your department and the lawyer who has given legal advice ,the interpretation of the condition in question (to clear and close the outside area by 2300 hours) does not make sense ,not least because there is a more obvious interpretation based upon the words actually used .If there is more evidence available then please let me see it but on the basis of what you have told me so far the following points are relevant -

1. In every regulatory regime a great deal of emphasis is put on the proper drafting of conditions so that no one is in any doubt of their meaning .As I have said before ,the purpose of that is twofold : to enable the licensee to clearly understand what he/she must do to comply with the condition and to enable any enforcement agency to assess any factual situation to determine whether a breach has taken place and ,if so ,to take whatever action it feels is appropriate .

2.There are various rules of statutory and legal interpretation which in general adopt the stance that the words mean what they say("literal rule") unless they produce an absurd result (when the "golden rule" can be applied to interpret the words in a common sense way) or do not cover the particular situation (when the "mischief rule" is used to decide whether ,given the mischief the rule or law was designed to deal with ,what has been done falls within that mischief) .

3. Applying those rules to the words of the condition the literal rule is clear .The condition states "3.The licensee shall ensure that the outside area is closed and cleared no later than 2300 hours ." That was a condition offered IN THOSE EXACT TERMS by the licensee /applicant at the time to address the concerns of a complainant who had objected that an extension of hours "would lead to nuisance from and outside the premises ."

4. In considering what the condition means please note the applicant/licensee did not -
   (A) seek to define "the outside area" by reference to any plan and the condition itself does not refer to one .
   (B) seek to limit the "outside area" to the two "outside table areas " which are marked on the plan you produced to me a few weeks ago
   (C) did not suggest that the "outside area" used in the condition should be marked in any way on the ground so as to limit his responsibility in any way

5. I assume that the applicant/licensee was anxious to reach a compromise to ensure he/she kept the licence and it may be that he/she offered more than with hindsight

might have been necessary. The Licensing Panel obviously took them at their word and imposed conditions mirroring what had been offered (which is a fairly common practice provided the panel is satisfied the conditions meet the object of dealing properly with the objection, provided it is a fair one - which in this case we must assume it was).

6. My strong contention is that the wording of the condition is clear and plain .The outside area must be cleared and closed by 2300 hours .The wording is clear and unambiguous and there is no need to apply any of the other rules of interpretation .

7. Looked at from the other direction the interpretation now proposed by your authority cannot be the correct one because -
   (A) it relies on a plan which is not referred to anywhere in the minutes of the Panel meeting at which the condition in question was imposed .
   (B) in any event the condition makes no reference to the plan at all .
   (C) standard drafting of such a condition would include a reference in its wording to the Plan eg by adding after the "outside area " the words "as delineated in the attached plan " and the plan itself would be marked to show it was the one being referred to in the condition .Neither is the case here .
   (D) the plan refers to "outside table areas " whereas the condition refers to "outside area" .If the condition was meant to refer to those two areas alone then it would have said so .It does not .
   (E) the condition was offered by the applicant/licensee because of a complaint about "noise from and outside the premises " and NOT from the two "outside table areas" only .My guess is that the plan which is now being relied on (without any reference to it in the condition or the minutes) was produced for another purpose - ? Re the street licence for the authorisation of tables outside .
   (F) for enforcement purposes the proposed interpretation creates more difficulties- If the two "outside table " areas are cleared of tables but not closed because the licensee allows customers to stand where the tables were UNLESS the table areas are marked on the ground which they are not (I doubt they ever have been - we have lived here since 2012 and don't recall any .) then how can an enforcement officer know whether particular customers are in or outside the"closed " area ? Making a condition more difficult to enforce in this way is unhelpful to all concerned .As far as I am aware the present licensee has never suggested it should be interpreted in this way either !
   (G) as you are aware the outside area of these premises also has two benches fixed to the pub wall and facing Brunswick Street East .Ever since we have lived here it has been a regular occurrence for customers to sit on or stand around these benches drinking and talking loudly at various hours of the day and night .They have been there for years and were probably part of what led to the complaint that led to the imposition of the condition .Those benches are NOT included within the "outside table " areas referred to on the plan .If the Panel's intention was to address the complaint re noise nuisance from outside the premises why would it not have included those benches too ? The answer is it did - simply by referring to the "outside area "!!

I have gone to these lengths to set out my concerns clearly and in detail .If I am in any way mistaken - and particularly if there is more evidence to support your authority's interpretation which I haven't seen - please tell me on what basis your interpretation is correct .

From my point of view I have sent you video clips which you say do not show you what I have clearly recorded and which I still have and can look at . You have produced a plan which has never been referred to before and used it to justify an interpretation of a condition which does not accord with the Panel meeting minutes you have now produced and which was adopted to

prevent nuisance to residents like and myself .Your interpretation makes the condition itself more difficult to enforce so even if I suggest there have been breaches in the future it is unlikely anything will happen .

Our major concern now is that when the weather improves the same nuisance will continue with no action being taken to protect us .It is now over twelve months since our first complaint and we still have the same concerns !

I should be very grateful if you would -
1. Let me know if there is any other evidence which informs your interpretation of this condition and .if so ,provide me with a copy .
2. If there is no such evidence please send this email to a senior lawyer within your licensing team so that he/she can consider the points I have made above and explain why your interpretation is the correct one .
3. Provide me with details of your customer service team so I can take this matter further if I have to .

Yours sincerely ,

On 29 Jan 2020, at 13:42, < brighton-hove.gov.uk> wrote:

Dear

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove.
191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.
191.3 The applicant said that had written to the complainant and also to environmental health. As a result had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. indicated that noise from outside of the premises was from other establishments and not his licensed premises.

191.4 RESOLVED - That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:
1. The amplified sound equipment shall be governed by a sound limiting device set at a level

approved by the licensing authority.
2. The licensee to ensure that live music terminates no later than 23.00 hours.
3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions: To ensure that there is no public nuisance to local residents.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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From: <
Sent: 29 January 2020 10:51
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,

Thank you for your email .

I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

Regards ,

On 28 Jan 2020, at 11:20, < brighton-hove.gov.uk> wrote:

Dear

The legal department have considered the condition and looked back at the minutes from the hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement af

Action Info:	Act Type: E-mail sent	Act Date: 19.02.2020	Act Officer:

Act Notes:
From: < brighton-hove.gov.uk>
Sent: 19 February 2020 16:04
To: <
Cc: < brighton-hove.gov.uk>
Subject: RE: Paris House -URGENT

Dear

This is the response we have received from our legal department regarding the interpretation of the condition:

I have read and considered the further emails sent by regarding the interpretation of the condition relating to the outside area of the Paris House. I have consulted my senior licensing colleague. Our interpretation of the condition has not changed. In licensing terms 'outside area' does not mean the whole of the area outside a premises as indeed this is difficult to define and potentially includes a space which is beyond the direct control of the licensee. In this case and in common with most of the other conditions relating to outside (garden or terrace) areas, it means a dedicated external seating area which is shown on the plan to the premises licence. Statutory S182 guidance to the Licensing Act 2003 (which has been through many versions) refers to such areas at 8.35. I appreciate that some conditions for other premises may have more specific wording especially more recent ones and those after the smoking ban, but that does not alter the fact that in this case the intention was to ensure that the outside table/seating area (as shown on the plan) was cleared and closed to customers after 11pm. This is the only 'common sense' interpretation of the condition, and it is one that is endorsed by the senior lawyer who advised the panel at the time.
It does leave the possibility of people standing outside smoking and drinking on the pavement outside the pub after 11pm as the pavement is not part of the 'outside area'. Customers should not be congregating within the table area after 11pm as this area should be closed off. As previously advised, if customers are standing outside on the pavement by the entrance to the pub causing a nuisance and disturbance then this should be investigated.

Regards

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From: <
Sent: 11 February 2020 06:19
To: < brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear
Thank you for your reply.
In both my long emails I suggested they be passed to a licensing lawyer and I am pleased you have now done that . They were detailed because I wanted to set out the legal arguments in favour of my conclusion so anyone looking at them could follow my reasoning .
has sent us diary sheets to record any concerns we have over the next two weeks or so .Most of the problems we have had have occurred on Friday, Saturday and Sunday evenings but not exclusively so . Given the recent weather there have been far fewer customers outside the Paris House at any time but the problem did get worse last year once better weather arrived and hence our concern to ensure this licensee complies with the licensing conditions which protect us .

I look forward to hearing from you once your legal team has responded.
Regards,

On 10 Feb 2020, at 10:35, < brighton-hove.gov.uk> wrote:

Dear

I have passed your email on to our legal team and we will be in touch shortly.

Regards

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From: <
Sent: 05 February 2020 09:14
To: < brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

B47

B46

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BH6

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Yours sincerely ,

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(G) as you are aware the outside area of these premises also has two benches fixed to the pub wall and facing Brunswick Street East .Ever since we have lived here it has been a regular occurrence for customers to sit on or stand around these benches drinking and talking loudly at various hours of the day and night .They have been there for years and were probably part of what led to the complaint that led to the imposition of the condition .Those benches are NOT included within the "outside table " areas referred to on the plan .If the Panel's intention was to address the complaint re noise nuisance from outside the premises why would it not have included those benches too ? The answer is it did - simply by referring to the "outside area "!!

I have gone to these lengths to set out my concerns clearly and in detail .If I am in any way mistaken - and particularly if there is more evidence to support your authority's interpretation which I haven't seen - please tell me on what basis your interpretation is correct .

From my point of view I have sent you video clips which you say do not show you what I have clearly recorded and which I still have and can look at . You have produced a plan which has never been referred to before and used it to justify an interpretation of a condition which does not accord with the Panel meeting minutes you have now produced and which was adopted to prevent nuisance to residents like and myself .Your interpretation makes the condition itself more difficult to enforce so even if I suggest there have been breaches in the future it is unlikely anything will happen .

Our major concern now is that when the weather improves the same nuisance will continue with no action being taken to protect us .It is now over twelve months since our first complaint and we still have the same concerns !

I should be very grateful if you would -

1. Let me know if there is any other evidence which informs your interpretation of this condition and .if so ,provide me with a copy .
2. If there is no such evidence please send this email to a senior lawyer within your licensing team so that he/she can consider the points I have made above and explain why your interpretation is the correct one .
3. Provide me with details of your customer service team so I can take this matter further if I have to .

Yours sincerely ,

On 29 Jan 2020, at 13:42, [redacted] < [redacted] brighton-hove.gov.uk> wrote:

Dear [redacted]

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

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5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions: To ensure that there is no public nuisance to local residents.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Rate your experience

We are committed to providing you services in accordance with our Customer Promise. Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: <
Sent: 29 January 2020 10:51
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,

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I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

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The legal department have considered the condition and looked back at the minutes from the hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern.

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With regards to notices placed at the premises we did discuss this in our meeting and there are signs by the exit inside the premises and the DPS and PLH did advise us that staff and customers were aware of this and that regular customers were often closing the door to prevent noise breakout. They advised us that the tables and chairs/benc

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 04.02.2020	Vis Officer:

Vis Comments:
10/02/20 at 13:48 by

04/02/20 at 10:38 by

2 more emails received re Legal teams advice. Unable to provide further information. Email to be sent closing case but possibly opening a new complaint about people using the outdoor area.
Forwarded Email to - Legal - for clarification

Action Info:	Act Type: E-mail sent	Act Date: 06.02.2020	Act Officer:

Act Notes:

From: _ _ < brighton-hove.gov.uk>

Sent: 06 February 2020 17:06
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>;
< brighton-hove.gov.uk>
Subject: RE: Paris House -URGENT

Hi
I will have to have a look at this next week. There may be some points I can make.

| | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ|DX Hove 1
T | brighton-hove.gov.uk

The Legal Services of Brighton and Hove City Council, East Sussex County Council, and West Sussex County Council working in partnership

All personal data processed in connection with this matter will be processed in accordance with Legal Services' privacy policies, which are available here

From:
Sent: 05 February 2020 09:18
To:
Cc:
Subject: FW: Paris House -URGENT

This is response to my email. would you like to look in to it and respond or shall we refer back to the customer feedback team?

Thank you

Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: <
Sent: 05 February 2020 09:14
To: < brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted] ,

Thank you for your email ,the contents of which surprise me .

My last two emails were sent in the hope they would be passed to your legal department to explain why they advise that a condition attached to a licence should be interpreted in a way which is contrary to the actual words used by both the licensee who offered it and the licensing panel which imposed it and which ,as I have explained, makes it more difficult for your authority to enforce .

This is against a background of providing evidence which does have a time attached to it but cannot be seen by your staff for some reason . [redacted] have informed me that your IT system should be able to show the time but it appears not .That in no way detracts from the fact I have the evidence on my [redacted] and could produce it with the time still on it - as I have now offered to do so more than once .

I fully appreciate the calls on the time of yourself and staff .I too have many other things I would much prefer to be doing !!

If I have to take this matter further I will but before doing so are you really saying you cannot or are unwilling to ask your legal department to explain its advice which is in contradiction to the words used in the condition which concerns [redacted] ? The failure to comply with it is the principal source of our complaints !

I await your response .

Regards ,

[redacted]

On 4 Feb 2020, at 16:26, [redacted] < [redacted] brighton-hove.gov.uk> wrote:

Dear [redacted]

I refer to the 2 previous emails below. I feel that we have answered your concerns to the best of our ability with regards to the condition and have taken legal advice regarding this and shared that with you.

B46

While we are happy to communicate with members of the public about matters that concern them, regular correspondence about matters which we can no longer assist with will not achieve anything further for you and will impact on the service that we provide to others. Consequently, it is sometimes necessary to, reluctantly, bring correspondence to a close. With regard to this issue I am afraid that there is nothing more that we can add.

If you are unhappy with the responses you have received from us you can make a complaint to the council's Customer Feedback Team who may conduct an independent investigation. You can submit your complaint to them by email at customerfeedback@brighton-hove.gov.uk. If you would like to call them for advice about making a complaint the number is 01273 291229.

I have asked [redacted] to open a new case in response to your recent report of an incident on 1st February 2020. You will be asked to keep a diary detailing incidents for a two week period and how the alleged breaches are affecting you. [redacted] has contacted the premises and notified them of the allegation.

Regards

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From: <
Sent: 30 January 2020 11:40
To: < brighton-hove.gov.uk>
Subject: Fwd: Re Paris House -URGENT

Dear ,
Further to my long email of yesterday (below) I have now had an opportunity to look at some of the minutes of the licensing panels which have sat to deal with applications under the Licensing Act 2003 .What I have read only serves to reinforce what I wrote yesterday as follows -

1. There was no reference to a plan in the minutes re the decision on what was then called "The Jugglers "(now "The Paris House ") .At the same panel meeting on 19 September 2005 identical conditions relating to an "external area" and an "outside area" were imposed on licences granted/varied re the Cleveland Arms and the Sidewinder pub respectively .In neither case was any reference to a plan made .There are other examples off this wording being used eg 22 September 2005 re the Ancient Mariner ;27 October 2008 re Heist to name just two .

2. When the panel dealing with a particular application wanted to be more specific it used appropriate wording eg
"Garden cleared and closed by 2230 " - Openhouse 20 September 2005
"Both outside areas to be closed and cleared by 2230 " Chez Nous same date as above
"Outside garden area shall be cleared and closed by 2300 hours" The Reservoir
22 September 2005
"Outside seating area shall be cleared of tables and chairs by 1200(midnight) and not used for the consumption of beverages thereafter" Refresh Club 22May 2008
"No drinks to be taken outside, including the smoking areas after 2300 hours The Brunswick 16 October 2012 (Minutes make reference to the panel having considered an updated plan
"Customers will not be allowed to take drinks outside the front after 2200 and all tables and chairs outside they front must be packed away by 2200.Courtyard area - smokers will be allowed in the courtyard area until 2100 when the courtyard will be closed .Smokers will be able to stand without drinks outside the front of the premises and smoke ". Ed Coffee House. 20 July 2016

Based on the above and the minutes generally where there was a need for a specific condition referring to a garden ,a courtyard or specific outside areas it is plain that the panel imposing a condition used specific words to define to what it was referring .
Similarly ,when the concerns related to the general area outside the licensed premises the wording " outside area " was used and must be taken to mean the whole of the outside area of the

premises unless otherwise limited by words .The outside area for what is now the "Paris House " can be seen from how it is used .Customers congregate within the " outside table " areas AND generally on the corner of Brunswick Street East/Western Road AND on the benches at the side of the pub which are obviously provided for customers' use .

Unless there has been some amendment to the condition or some policy of interpretation adopted by the licensing panels of which I am unaware ,the above strengthens my view that the words of the condition mean what they say - otherwise what is the point of them being used in that way ? (especially when the licensee him/herself used those words when offering the condition in 2005 and did not seek to restrict the outside area in any way).

If there is a policy or amendment as I have suggested above please provide details (and explain why - despite lengthy correspondence -I have not been told of it before) .If there isn't please pass this email with the one I sent yesterday to a senior member of your licensing legal department so they can consider all the points I have made .

I look forward to hearing from you or the lawyer you have or will obtain advice from .As before ,I am well aware of the burden of work you and your colleagues have and am willing to meet at council offices at any convenient time to resolve this issue if at all possible .

Yours sincerely ,

Begin forwarded message:
From: <
Date: 29 January 2020 at 17:32:04 GMT
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,
Thanks very much for your prompt response and for confirming that the wording you have shown is a direct copy of the minutes I requested .

On the assumption that this is all the evidence available to enable someone to interpret the condition In question I am even more concerned about the interpretation which both you and the authority's legal department are adopting .

Against that background and with respect to you ,your department and the lawyer who has given legal advice ,the interpretation of the condition in question (to clear and close the outside area by

2300 hours) does not make sense ,not least because there is a more obvious interpretation based upon the words actually used .If there is more evidence available then please let me see it but on the basis of what you have told me so far the following points are relevant -

1. In every regulatory regime a great deal of emphasis is put on the proper drafting of conditions so that no one is in any doubt of their meaning .As I have said before ,the purpose of that is twofold : to enable the licensee to clearly understand what must do to comply with the condition and to enable any enforcement agency to assess any factual situation to determine whether a breach has taken place and ,if so ,to take whatever action it feels is appropriate .

2.There are various rules of statutory and legal interpretation which in general adopt the stance that the words mean what they say("literal rule") unless they produce an absurd result (when the "golden rule" can be applied to interpret the words in a common sense way) or do not cover the particular situation (when the "mischief rule" is used to decide whether ,given the mischief the rule or law was designed to deal with ,what has been done falls within that mischief) .

3. Applying those rules to the words of the condition the literal rule is clear .The condition states "3.The licensee shall ensure that the outside area is closed and cleared no later than 2300 hours ." That was a condition offered IN THOSE EXACT TERMS by the licensee /applicant at the time to address the concerns of a complainant who had objected that an extension of hours "would lead to nuisance from and outside the premises ."

4. In considering what the condition means please note the applicant/licensee did not -
   (A) seek to define "the outside area" by reference to any plan and the condition itself does not refer to one .
   (B) seek to limit the "outside area" to the two "outside table areas " which are marked on the plan you produced to me a few weeks ago
   (C) did not suggest that the "outside area" used in the condition should be marked in any way on the ground so as to limit his responsibility in any way

5. I assume that the applicant/licensee was anxious to reach a compromise to ensure he/she kept the licence and it may be that he/she offered more than with hindsight might have been necessary. The Licensing Panel obviously took them at their word and imposed conditions mirroring what had been offered (which is a fairly common practice provided the panel is satisfied the conditions meet the object of dealing properly with the objection, provided it is a fair one - which in this case we must assume it was).

6. My strong contention is that the wording of the condition is clear and plain .The outside area must be cleared and closed by 2300 hours .The wording is clear and unambiguous and there is no need to apply any of the other rules of interpretation .

7. Looked at from the other direction the interpretation now proposed by your authority cannot be the correct one because -
   (A) it relies on a plan which is not referred to anywhere in the minutes of the Panel meeting at which the condition in question was imposed .
   (B) in any event the condition makes no reference to the plan at all .
   (C) standard drafting of such a condition would include a reference in its wording to the Plan eg by adding after the "outside area " the words "as delineated in the attached plan " and the plan itself would be marked to show it was the one being referred to in the condition .Neither is the case here .
   (D) the plan refers to "outside table areas " whereas the condition refers to "outside area" .If the condition was meant to refer to those two areas alone then it would have said so .It does not .
   (E) the condition was offered by the applicant/licensee because of a complaint about "noise from and outside the premises " and NOT from the two "outside

table areas" only .My guess is that the plan which is now being relied on (without any reference to it in the condition or the minutes) was produced for another purpose - ? Re the street licence for the authorisation of tables outside .

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192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

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With regards to notices placed at the premises we did discuss this in our meeting and there are signs by the exit inside the premises and the DPS and PLH did advise us that staff and customers were aware of this and that regular customers were often closing the door to prevent noise breakout. They advised us that the tables and chairs/benches are now cleared by 11:00pm and customers are not allowed to use the area after that time.

During the meeting with the DPS and PLH we did not give an interpretation of the condition but discussed it is detail in particular how they monitored customers outside and where the customers stood. They do allow customers to take drinks outside and we suggested that this may encourage customers to stay outside longer, however there is no condition on the licence which prevents them allowing this.

Please do not hesitate to contact Environmental Protection on 01273 294429 if you are disturbed by noise from music or customers at Paris House.

If you are not happy with my response you can contact Customer Services paragraph ????????

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From:
Sent: 21 January 2020 10:14
To: ' <
Subject: Re Paris House -URGENT

Dear

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner and discussed the conditions on their licence, the complaints received by this department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the mediation process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards,

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Action Info:	Act Type: E-mail sent	Act Date: 04.02.2020	Act Officer:

Act Notes:

From: < brighton-hove.gov.uk>
Sent: 04 February 2020 16:26
To:
Cc: < brighton-hove.gov.uk>
Subject: Paris House -URGENT

Dear

I refer to the 2 previous emails below. I feel that we have answered your concerns to the best of our ability with regards to the condition and have taken legal advice regarding this and shared that with you.

While we are happy to communicate with members of the public about matters that concern them, regular correspondence about matters which we can no longer assist with will not achieve anything further for you and will impact on the service that we provide to others. Consequently, it is sometimes necessary to, reluctantly, bring correspondence to a close. With regard to this issue I am afraid that there is nothing more that we can add.

If you are unhappy with the responses you have received from us you can make a complaint to the council's Customer Feedback Team who may conduct an independent investigation. You can submit your complaint to them by email at customerfeedback@brighton-hove.gov.uk. If you would like to call them for advice about making a complaint the number is 01273 291229.

I have asked to open a new case in response to your recent report of an incident on 1st February 2020. You will be asked to keep a diary detailing incidents for a two week period and how the alleged breaches are affecting you. has contacted the premises and notified them of the allegation.

Regards

Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

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From: <
Sent: 30 January 2020 11:40
To: < brighton-hove.gov.uk>
Subject: Fwd: Re Paris House -URGENT

Dear ,
Further to my long email of yesterday (below) I have now had an opportunity to look at some of the minutes of the licensing panels which have sat to deal with applications under the Licensing Act 2003 .What I have read only serves to reinforce what I wrote yesterday as follows -

1. There was no reference to a plan in the minutes re the decision on what was then called "The Jugglers "(now "The Paris House ") .At the same panel meeting on 19 September 2005 identical conditions relating to an "external area" and an "outside area" were imposed on licences granted/varied re the Cleveland Arms and the Sidewinder pub respectively .In neither case was any reference to a plan made .There are other examples off this wording being used eg 22 September 2005 re the Ancient Mariner ;27 October 2008 re Heist to name just two .

2. When the panel dealing with a particular application wanted to be more specific it used appropriate wording eg
"Garden cleared and closed by 2230 " - Openhouse 20 September 2005
"Both outside areas to be closed and cleared by 2230 " Chez Nous same date as above
"Outside garden area shall be cleared and closed by 2300 hours" The Reservoir 22 September 2005
"Outside seating area shall be cleared of tables and chairs by 1200(midnight) and not used for the consumption of beverages thereafter" Refresh Club 22May 2008
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"Customers will not be allowed to take drinks outside the front after 2200 and all tables and chairs outside they front must be packed away by 2200.Courtyard area - smokers will be allowed in the courtyard area until 2100 when the courtyard will be closed .Smokers will be able to stand without drinks outside the front of the premises and smoke ". Ed Coffee House. 20 July 2016

Based on the above and the minutes generally where there was a need for a specific condition referring to a garden ,a courtyard or specific outside areas it is plain that the panel imposing a condition used specific words to define to what it was referring .
Similarly ,when the concerns related to the general area outside the licensed premises the wording " outside area " was used and must be taken to mean the whole of the outside area of the premises unless otherwise limited by words .The outside area for what is now the "Paris House " can be seen from how it is used .Customers congregate within the " outside table " areas AND generally on the corner of Brunswick Street East/Western Road AND on the benches at the side of the pub which are obviously provided for customers' use .

Unless there has been some amendment to the condition or some policy of interpretation adopted by the licensing panels of which I am unaware ,the above strengthens my view that the words of the condition mean what they say - otherwise what is the point of them being used in that way ? (especially when the licensee him/herself used those words when offering the condition in 2005 and did not seek to restrict the outside area in any way).

If there is a policy or amendment as I have suggested above please provide details (and explain why - despite lengthy correspondence -I have not been told of it before) .If there isn't please pass this email with the one I sent yesterday to a senior member of your licensing legal department so they can consider all the points I have made .

I look forward to hearing from you or the lawyer you have or will obtain advice from .As before ,I am well aware of the burden of work you and your colleagues have and am willing to meet at council offices at any convenient time to resolve this issue if at all possible .

Yours sincerely ,

Begin forwarded message:
From: <
Date: 29 January 2020 at 17:32:04 GMT

To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,
Thanks very much for your prompt response and for confirming that the wording you have shown is a direct copy of the minutes I requested .

On the assumption that this is all the evidence available to enable someone to interpret the condition In question I am even more concerned about the interpretation which both you and the authority's legal department are adopting .

Against that background and with respect to you ,your department and the lawyer who has given legal advice ,the interpretation of the condition in question (to clear and close the outside area by 2300 hours) does not make sense ,not least because there is a more obvious interpretation based upon the words actually used .If there is more evidence available then please let me see it but on the basis of what you have told me so far the following points are relevant -

1. In every regulatory regime a great deal of emphasis is put on the proper drafting of conditions so that no one is in any doubt of their meaning .As I have said before ,the purpose of that is twofold : to enable the licensee to clearly understand what he/she must do to comply with the condition and to enable any enforcement agency to assess any factual situation to determine whether a breach has taken place and ,if so ,to take whatever action it feels is appropriate .

2.There are various rules of statutory and legal interpretation which in general adopt the stance that the words mean what they say("literal rule") unless they produce an absurd result (when the "golden rule" can be applied to interpret the words in a common sense way) or do not cover the particular situation (when the "mischief rule" is used to decide whether ,given the mischief the rule or law was designed to deal with ,what has been done falls within that mischief) .

3. Applying those rules to the words of the condition the literal rule is clear .The condition states "3.The licensee shall ensure that the outside area is closed and cleared no later than 2300 hours ." That was a condition offered IN THOSE EXACT TERMS by the licensee /applicant at the time to address the concerns of a complainant who had objected that an extension of hours "would lead to nuisance from and outside the premises ."

4. In considering what the condition means please note the applicant/licensee did not -
(A) seek to define "the outside area" by reference to any plan and the condition itself does not refer to one .
(B) seek to limit the "outside area" to the two "outside table areas " which are marked on the plan you produced to me a few weeks ago
(C) did not suggest that the "outside area" used in the condition should be marked in

any way on the ground so as to limit his responsibility in any way

5. I assume that the applicant/licensee was anxious to reach a compromise to ensure he/she kept the licence and it may be that he/she offered more than with hindsight might have been necessary. The Licensing Panel obviously took them at their word and imposed conditions mirroring what had been offered (which is a fairly common practice provided the panel is satisfied the conditions meet the object of dealing properly with the objection, provided it is a fair one - which in this case we must assume it was).

6. My strong contention is that the wording of the condition is clear and plain .The outside area must be cleared and closed by 2300 hours .The wording is clear and unambiguous and there is no need to apply any of the other rules of interpretation .

7. Looked at from the other direction the interpretation now proposed by your authority cannot be the correct one because -
   (A) it relies on a plan which is not referred to anywhere in the minutes of the Panel meeting at which the condition in question was imposed .
   (B) in any event the condition makes no reference to the plan at all .
   (C) standard drafting of such a condition would include a reference in its wording to the Plan eg by adding after the "outside area " the words "as delineated in the attached plan " and the plan itself would be marked to show it was the one being referred to in the condition .Neither is the case here .
   (D) the plan refers to "outside table areas " whereas the condition refers to "outside area" .If the condition was meant to refer to those two areas alone then it would have said so .It does not .
   (E) the condition was offered by the applicant/licensee because of a complaint about "noise from and outside the premises " and NOT from the two "outside table areas" only .My guess is that the plan which is now being relied on (without any reference to it in the condition or the minutes) was produced for another purpose - ? Re the street licence for the authorisation of tables outside .
   (F) for enforcement purposes the proposed interpretation creates more difficulties- If the two "outside table " areas are cleared of tables but not closed because the licensee allows customers to stand where the tables were UNLESS the table areas are marked on the ground which they are not (I doubt they ever have been - we have lived here since 2012 and don't recall any .) then how can an enforcement officer know whether particular customers are in or outside the"closed " area ? Making a condition more difficult to enforce in this way is unhelpful to all concerned .As far as I am aware the present licensee has never suggested it should be interpreted in this way either !
   (G) as you are aware the outside area of these premises also has two benches fixed to the pub wall and facing Brunswick Street East .Ever since we have lived here it has been a regular occurrence for customers to sit on or stand around these benches drinking and talking loudly at various hours of the day and night .They have been there for years and were probably part of what led to the complaint that led to the imposition of the condition .Those benches are NOT included within the "outside table " areas referred to on the plan .If the Panel's intention was to address the complaint re noise nuisance from outside the premises why would it not have included those benches too ? The answer is it did - simply by referring to the "outside area "!!

I have gone to these lengths to set out my concerns clearly and in detail .If I am in any way mistaken - and particularly if there is more evidence to support your authority's interpretation which I haven't seen - please tell me on what basis your interpretation is correct .

From my point of view I have sent you video clips which you say do not show you what I have clearly recorded and which I still have and can look at . You have produced a plan which has never been referred to before and used it to justify an interpretation of a condition which does not accord with the Panel meeting minutes you have now produced and which was adopted to prevent nuisance to residents like and myself .Your interpretation makes the condition itself more difficult to enforce so even if I suggest there have been breaches in the future it is unlikely anything will happen .

Our major concern now is that when the weather improves the same nuisance will continue with no action being taken to protect us .It is now over twelve months since our first complaint and we still have the same concerns !

I should be very grateful if you would -

1. Let me know if there is any other evidence which informs your interpretation of this condition and .if so ,provide me with a copy .
2. If there is no such evidence please send this email to a senior lawyer within your licensing team so that he/she can consider the points I have made above and explain why your interpretation is the correct one .
3. Provide me with details of your customer service team so I can take this matter further if I have to .

Yours sincerely ,

On 29 Jan 2020, at 13:42, < brighton-hove.gov.uk> wrote:

Dear

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove.
191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.
191.3 The applicant said that had written to the complainant and also to environmental health. As a result had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. indicated that noise from outside of the premises was from other establishments and not his licensed premises.

191.4 RESOLVED - That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:
1. The amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.
2. The licensee to ensure that live music terminates no later than 23.00 hours.
3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions: To ensure that there is no public nuisance to local residents.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

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From: <
Sent: 29 January 2020 10:51
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,

Thank you for your email .

I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

Regards ,

On 28 Jan 2020, at 11:20, < brighton-hove.gov.uk> wrote:

Dear

The legal department have considered the condition and looked back at the minutes from the

hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern.

Clearly you can still monitor the situation and if presents evidence of being disturbed then you will have to take that on board and perhaps liaise further with the premises. Ultimately has the right to call for a review of the premises licence if is not happy. Let me know if I can help further.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove (see Minute Book).

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5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Reasons for conditions:

To ensure that there is no public nuisance to local residents.

192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

I have spoken to and does not have an outstanding noise complaint. the mediation has been successful. Can you confirm whether you are still being disturbed by noise from the premises including the customers outside? I appreciate that as the weather is cold it is less likely that people are standing outside at the moment. You can, of course make further noise complaints at any time that you are being disturbed. I have copied into this email. The DPS and Premises licence holder (PLH) advised us that they had a noise limiter and that it had been set when the premises operated as The Juggler.

With regards to notices placed at the premises we did discuss this in our meeting and there are signs by the exit inside the premises and the DPS and PLH did advise us that staff and customers were aware of this and that regular customers were often closing the door to prevent noise breakout. They advised us that the tables and chairs/benches are now cleared by 11:00pm and customers are not allowed to use the area after that time.

During the meeting with the DPS and PLH we did not give an interpretation of the condition but discussed it is detail in particular how they monitored customers outside and where the customers stood. They do allow customers to take drinks outside and we suggested that this may encourage customers to stay outside longer, however there is no condition on the licence which prevents them allowing this.

Please do not hesitate to contact Environmental Protection on 01273 294429 if you are disturbed by noise from music or customers at Paris House.

If you are not happy with my response you can contact Customer Services paragraph ????????

Regards,

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From:
Sent: 21 January 2020 10:14
To: ' <
Subject: Re Paris House -URGENT

Dear

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner and discussed the conditions on their licence, the complaints received by this

department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the mediation process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards,

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From: <
Sent: 17 January 2020 15:37
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear ,

Thank you for your email of 14 January which I have read carefully .Sadly ,it only provides further frustration for the following reasons -

1. Video clips - You may recall that I sent you a selection only .I have many more available .However ,the ones I sent you were sent because they showed a failure to close and clear the outside area by 11pm .I do not know what you have been looking at but unless I am very much mistaken the clips DO show evidence of people standing or sitting in the one table area I can see from our home .I am willing to attend a meeting to show you the evidence I have and am more than a little unhappy that your interpretation is incorrect.

2. Despite what is now a lengthy correspondence I have never been told or shown a copy of the plan of the pub and the "outside table areas " which it shows .
The condition which concerns me most and which is attached to the licence is the one that states "the outside area shall be closed and cleared by 2300 hours ." That is what you told me in your email of 14 August 2019 .At no time did you tell me that that condition related solely to the "outside table areas " which is what you now seem to be suggesting .
When conditions are attached to licences they are meant to be clear for two reasons -
A) to enable both licensee and enforcement authority to know what conditions are in place and the purpose of them
And

(B) to enable those conditions to be enforced easily on the basis that if they are clear then it should not be difficult to prove a breach if necessary .

Thus ,if the condition applied only to the "outside table areas" it would say so and would add "as delineated on the plan attached to the licence " -but it doesn't .I suggest it doesn't for an obvious reason ie because the licensing authority which originally imposed the condition wanted to ensure that those in nearby properties were not disturbed after 11pm by customers congregating outside the premises .

If what I think is your interpretation is correct it means that IF they close and clear the table areas then they can have any number of persons congregating outside causing a disturbance until whatever hour they decide to close as long as they are not in the "outside table areas ".

Also ,the "outside table area " does not include the two benches which are at the side of the Paris House on Brunswick street and where customers often sit talking loudly with drinks in their hand and cause a disturbance after 11pm .

Are you completely sure that the plan produced isn't simply one issued in connection with the tables and any permissions relating to them rather than to the liquor licence ?

3. I note your point about smoking but surely customers should not be congregating outside after 11pm making a disturbance whether they are in or out of the table areas - whether at that time they have been closed or not ?

4.I was previously told that the video clips I had provided to [redacted] had been shown to the management at the Paris House on two separate occasions - by [redacted] himself and this was after my initial complaint in early January 2019 .You

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 03.02.2020	Vis Officer: [redacted]

Vis Comments:
03/02/20 at 10:19 by [redacted]

03/02/20 at 10:18 by [redacted]

2 more emails re legal position referred to [redacted] to send joint response.
Email from [redacted] re incident on 1/2/20. Response sent and email to [redacted] re incident
Email from [redacted] acknowledged.

Action Info:	Act Type: E-mail sent	Act Date: 03.02.2020	Act Officer: [redacted]

Act Notes:

From: [redacted]
Sent: 03 February 2020 08:51
To: [redacted] < [redacted] brighton-hove.gov.uk>
Cc: [redacted] < [redacted] brighton-hove.gov.uk>
Subject: FW: Re Paris House -URGENT

Hi [redacted]

See both emails below. I think this needs a response from a manager as to date we have no evidence to take any action on this complaint and have a legal opinion on the condition which differs from the complainant.
Thanks for all your help with this one.

[redacted]

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Sent: 30 January 2020 11:40
To: < brighton-hove.gov.uk>
Subject: Fwd: Re Paris House -URGENT

Dear
Further to my long email of yesterday (below) I have now had an opportunity to look at some of the minutes of the licensing panels which have sat to deal with applications under the Licensing Act 2003 .What I have read only serves to reinforce what I wrote yesterday as follows -

B45

1. There was no reference to a plan in the minutes re the decision on what was then called "The Jugglers "(now "The Paris House ") .At the same panel meeting on 19 September 2005 identical conditions relating to an "external area" and an "outside area" were imposed on licences granted/varied re the Cleveland Arms and the Sidewinder pub respectively .In neither case was any reference to a plan made .There are other examples off this wording being used eg 22 September 2005 re the Ancient Mariner ;27 October 2008 re Heist to name just two .

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"Customers will not be allowed to take drinks outside the front after 2200 and all tables and chairs outside they front must be packed away by 2200.Courtyard area - smokers will be allowed in the courtyard area until 2100 when the courtyard will be closed .Smokers will be able to stand without drinks outside the front of the premises and smoke ". Ed Coffee House. 20 July 2016

Based on the above and the minutes generally where there was a need for a specific condition referring to a garden ,a courtyard or specific outside areas it is plain that the panel imposing a condition used specific words to define to what it was referring .
Similarly ,when the concerns related to the general area outside the licensed premises the wording " outside area " was used and must be taken to mean the whole of the outside area of the premises unless otherwise limited by words .The outside area for what is now the "Paris House " can be seen from how it is used .Customers congregate within the " outside table " areas AND generally on the corner of Brunswick Street East/Western Road AND on the benches at the side

of the pub which are obviously provided for customers' use .

Unless there has been some amendment to the condition or some policy of interpretation adopted by the licensing panels of which I am unaware ,the above strengthens my view that the words of the condition mean what they say - otherwise what is the point of them being used in that way ? (especially when the licensee him/herself used those words when offering the condition in 2005 and did not seek to restrict the outside area in any way).

If there is a policy or amendment as I have suggested above please provide details (and explain why - despite lengthy correspondence -I have not been told of it before) .If there isn't please pass this email with the one I sent yesterday to a senior member of your licensing legal department so they can consider all the points I have made .

B45

I look forward to hearing from you or the lawyer you have or will obtain advice from .As before ,I am well aware of the burden of work you and your colleagues have and am willing to meet at council offices at any convenient time to resolve this issue if at all possible .

Yours sincerely ,

Begin forwarded message:
From: <
Date: 29 January 2020 at 17:32:04 GMT
To: < brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear ,
Thanks very much for your prompt response and for confirming that the wording you have shown is a direct copy of the minutes I requested .

On the assumption that this is all the evidence available to enable someone to interpret the condition In question I am even more concerned about the interpretation which both you and the authority's legal department are adopting .

B44

Against that background and with respect to you ,your department and the lawyer who has given legal advice ,the interpretation of the condition in question (to clear and close the outside area by 2300 hours) does not make sense ,not least because there is a more obvious interpretation based upon the words actually used .If there is more evidence available then please let me see it but on the basis of what you have told me so far the following points are relevant -

1. In every regulatory regime a great deal of emphasis is put on the proper drafting of conditions so that no one is in any doubt of their meaning .As I have said before ,the purpose of that is twofold : to enable the licensee to clearly understand what he/she must do to comply with the condition and to enable any enforcement agency to assess any factual situation to determine whether a breach has taken place and ,if so ,to take whatever action it feels is appropriate .

2.There are various rules of statutory and legal interpretation which in general adopt the stance that the words mean what they say("literal rule") unless they produce an absurd result (when the "golden rule" can be applied to interpret the words in a common sense way) or do not cover the particular situation (when the "mischief rule" is used to decide whether ,given the mischief the rule or law was designed to deal with ,what has been done falls within that mischief) .

3. Applying those rules to the words of the condition the literal rule is clear .The condition states "3.The licensee shall ensure that the outside area is closed and cleared no later than 2300 hours ." That was a condition offered IN THOSE EXACT TERMS by the licensee /applicant at the time to address the concerns of a complainant who had objected that an extension of hours "would lead to nuisance from and outside the premises ."

4. In considering what the condition means please note the applicant/licensee did not -
(A) seek to define "the outside area" by reference to any plan and the condition itself does not refer to one .
(B) seek to limit the "outside area" to the two "outside table areas " which are marked on the plan you produced to me a few weeks ago
(C) did not suggest that the "outside area" used in the condition should be marked in any way on the ground so as to limit his responsibility in any way

B44

5. I assume that the applicant/licensee was anxious to reach a compromise to ensure he/she kept the licence and it may be that he/she offered more than with hindsight might have been necessary. The Licensing Panel obviously took them at their word and imposed conditions mirroring what had been offered (which is a fairly common practice provided the panel is satisfied the conditions meet the object of dealing properly with the objection, provided it is a fair one - which in this case we must assume it was).

6. My strong contention is that the wording of the condition is clear and plain .The outside area must be cleared and closed by 2300 hours .The wording is clear and unambiguous and there is no need to apply any of the other rules of interpretation .

7. Looked at from the other direction the interpretation now proposed by your authority cannot be the correct one because -
(A) it relies on a plan which is not referred to anywhere in the minutes of the Panel meeting at which the condition in question was imposed .
(B) in any event the condition makes no reference to the plan at all .
(C) standard drafting of such a condition would include a reference in its wording to the Plan eg by adding after the "outside area " the words "as delineated in the attached plan " and the plan itself would be marked to show it was the one being referred to in the condition .Neither is the case here .
(D) the plan refers to "outside table areas " whereas the condition refers to "outside area" .If the condition was meant to refer to those two areas alone then it would have said so .It does not .
(E) the condition was offered by the applicant/licensee because of a complaint about "noise from and outside the premises " and NOT from the two "outside table areas" only .My guess is that the plan which is now being relied on (without any reference to it in the condition or the minutes) was produced for another purpose - ? Re the street licence for the authorisation of tables outside .

(F) for enforcement purposes the proposed interpretation creates more difficulties- If the two "outside table " areas are cleared of tables but not closed because the licensee allows customers to stand where the tables were UNLESS the table areas are marked on the ground which they are not (I doubt they ever have been - we have lived here since 2012 and don't recall any .) then how can an enforcement officer know whether particular customers are in or outside the"closed " area ? Making a condition more difficult to enforce in this way is unhelpful to all concerned .As far as I am aware the present licensee has never suggested it should be interpreted in this way either !

(G) as you are aware the outside area of these premises also has two benches fixed to the pub wall and facing Brunswick Street East .Ever since we have lived here it has been a regular occurrence for customers to sit on or stand around these benches drinking and talking loudly at various hours of the day and night .They have been there for years and were probably part of what led to the complaint that led to the imposition of the condition .Those benches are NOT included within the "outside table " areas referred to on the plan .If the Panel's intention was to address the complaint re noise nuisance from outside the premises why would it not have included those benches too ? The answer is it did - simply by referring to the "outside area "!!

B4k

I have gone to these lengths to set out my concerns clearly and in detail .If I am in any way mistaken - and particularly if there is more evidence to support your authority's interpretation which I haven't seen - please tell me on what basis your interpretation is correct .

From my point of view I have sent you video clips which you say do not show you what I have clearly recorded and which I still have and can look at . You have produced a plan which has never been referred to before and used it to justify an interpretation of a condition which does not accord with the Panel meeting minutes you have now produced and which was adopted to prevent nuisance to residents like [redacted] and myself .Your interpretation makes the condition itself more difficult to enforce so even if I suggest there have been breaches in the future it is unlikely anything will happen .

Our major concern now is that when the weather improves the same nuisance will continue with no action being taken to protect us .It is now over twelve months since our first complaint and we still have the same concerns !

I should be very grateful if you would -

1. Let me know if there is any other evidence which informs your interpretation of this condition and .if so ,provide me with a copy .
2. If there is no such evidence please send this email to a senior lawyer within your licensing team so that he/she can consider the points I have made above and explain why your interpretation is the correct one .
3. Provide me with details of your customer service team so I can take this matter further if I have to .

Yours sincerely ,

[redacted]

[redacted]

On 29 Jan 2020, at 13:42, < brighton-hove.gov.uk> wrote:

Dear

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove.
191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.
191.3 The applicant said that had written to the complainant and also to environmental health. As a result had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. indicated that noise from outside of the premises was from other establishments and not his licensed premises.

191.4 RESOLVED - That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:
1. The amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.
2. The licensee to ensure that live music terminates no later than 23.00 hours.
3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions: To ensure that there is no public nuisance to local residents.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take

no longer than 5 minutes to complete.

From: [redacted] <[redacted]
Sent: 29 January 2020 10:51
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear [redacted] ,

Thank you for your email .

I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

Regards ,

[redacted]

On 28 Jan 2020, at 11:20, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

The legal department have considered the condition and looked back at the minutes from the hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern. [redacted] Clearly you can still monitor the situation and if [redacted] presents evidence of being disturbed then you will have to take that on board and perhaps liaise further with the premises. Ultimately [redacted] has the right to call for a review of the premises licence if [redacted] is not happy. Let me know if I can help further.

[redacted]

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER
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and also to environmental health. As a result [redacted] had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. [redacted] indicated that noise from outside of the premises was from other establishments and not his licensed premises.
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5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions:
To ensure that there is no public nuisance to local residents.
192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

I have spoken to [redacted] and [redacted] does not have an outstanding noise complaint. [redacted] the mediation has been successful. Can you confirm whether you are still being disturbed by noise from the premises including the customers outside? I appreciate that as the weather is cold it is less likely that people are standing outside at the moment. You can, of course make further noise complaints at any time that you are being disturbed. I have copied [redacted] into this email. The DPS and Premises licence holder (PLH) advised us that they had a noise limiter and that it had been set when the premises operated as The Juggler.

With regards to notices placed at the premises we did discuss this in our meeting and there are signs by the exit inside the premises and the DPS and PLH did advise us that staff and customers were aware of this and that regular customers were often closing the door to prevent noise breakout. They advised us that the tables and chairs/benches are now cleared by 11:00pm and customers are not allowed to use the area after that time.

During the meeting with the DPS and PLH we did not give an interpretation of the condition but discussed it is detail in particular how they monitored customers outside and where the customers stood. They do allow customers to take drinks outside and we suggested that this may encourage customers to stay outside longer, however there is no condition on the licence which prevents them allowing this.

Please do not hesitate to contact Environmental Protection on 01273 294429 if you are disturbed by noise from music or customers at Paris House.

If you are not happy with my response you can contact Customer Services paragraph ????????

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted]
Sent: 21 January 2020 10:14
To: [redacted] <[redacted]
Subject: Re Paris House -URGENT

Dear [redacted]

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner [redacted] and discussed the conditions on their licence, the complaints received by this department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the mediation process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 17 January 2020 15:37
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>

Subject: Re: Paris House -URGENT

Dear [redacted] ,

Thank you for your email of 14 January which I have read carefully .Sadly ,it only provides further frustration for the following reasons -

1. Video clips - You may recall that I sent you a selection only .I have many more available .However ,the ones I sent you were sent because they showed a failure to close and clear the outside area by 11pm .I do not know what you have been looking at but unless I am very much mistaken the clips DO show evidence of people standing or sitting in the one table area I can see from our home .I am willing to attend a meeting to show you the evidence I have and am more than a little unhappy that your interpretation is incorrect.

2. Despite what is now a lengthy correspondence I have never been told or shown a copy of the plan of the pub and the "outside table areas " which it shows .
The condition which concerns me most and which is attached to the licence is the one that states "the outside area shall be closed and cleared by 2300 hours ." That is what you told me in your email of 14 August 2019 .At no time did you tell me that that condition related solely to the "outside table areas " which is what you now seem to be suggesting .
When conditions are attached to licences they are meant to be clear for two reasons -
(A) to enable both licensee and enforcement authority to know what conditions are in place and the purpose of them
And
(B) to enable those conditions to be enforced easily on the basis that if they are clear then it should not be difficult to prove a breach if necessary .

Thus ,if the condition applied only to the "outside table areas" it would say so and would add "as delineated on the plan attached to the licence " -but it doesn't .I suggest it doesn't for an obvious reason ie because the licensing authority which originally imposed the condition wanted to ensure that those in nearby properties were not disturbed after 11pm by customers congregating outside the premises .

If what I think is your interpretation is correct it means that IF they close and clear the table areas then they can have any number of persons congregating outside causing a disturbance until whatever hour they decide to close as long as they are not in the "outside table areas ".

Also ,the "outside table area " does not include the two benches which are at the side of the Paris House on Brunswick street and where customers often sit talking loudly with drinks in their hand and cause a disturbance after 11pm .

Are you completely sure that the plan produced isn't simply one issued in connection with the tables and any permissions relating to them rather than to the liquor licence ?

3. I note your point about smoking but surely customers should not be congregating outside after 11pm making a disturbance whether they are in or out of the table areas - whether at that time they have been closed or not ?

4.I was previously told that the video clips I had provided to [redacted] had been shown to the management at the Paris House on two separate occasions - by [redacted] himself and this was after my initial complaint in early January 2019 .You say in response to point 5 in my last email that visits took place in 2018 and written and verbal communications took place between you and the premises took place throughout last year .Did [redacted] in fact visit the premises in 2019 and show and discuss my video clips with the management ? What record is there of their response ? [redacted] the premises licence holder

([redacted]) knew nothing about such visits or any correspondence from you and your colleagues .Either what you say is true and [redacted] attitude is dismissive or [redacted] really did know nothing of our concerns - which is surprising in view of your comments .

5.Noise attenuator - in your email of 14 August 2019 you told me that one of the licence conditions was to have a sound attenuator which "shall be set at a level approved by the licensing authority ".Shouldn't regular checks be made to ensure compliance ie is there still one in the premises and ,if so ,to what level it should be set ? On the visits you referred to in 2018 was the attenuator there and was the level checked ? If so ,was it set to the correct one ?

Action Info:	Act Type: E-mail sent	Act Date: 03.02.2020	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 03 February 2020 10:10
To: [redacted] <[redacted]
Subject: Paris House

Dear [redacted]

I am writing to advise you that we have received an allegation that on 1st February there was a woman speaking in a loud voice seated in one of the outside table areas outside the Paris House at 2320 hours and the security guard started to clear the chairs away from that area at just after 2325 hours.

I am concerned that following our recent meeting that this allegation has been made. Please remind your staff of the importance of complying with all the conditions on the licence and in particular ensuring that the outside area is closed and cleared by 23.00 hours.

As you are aware any person or business can request a review of the licence if they have concerns about any of the licensing objectives:-
The Prevention of Crime and Disorder
The Prevention of Public Nuisance
Public Safety and
The Protection of Children from Harm

We will continue to monitor the premises. Please remember that a breach of conditions is a criminal offence on conviction, and it is your responsibility to comply with all the conditions

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

Action Info:	Act Type: E-mail sent	Act Date: 03.02.2020	Act Officer:

Act Notes:

-----Original Message-----
From:
Sent: 03 February 2020 09:46
To: <
Subject: RE: Paris House

Dear

Thank you for bringing this to our attention. I have referred your previous emails to my Manager and I will contact the DPS and owner regarding this email.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP T |
brighton-hove.gov.uk

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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

-----Original Message-----
From: <
Sent: 02 February 2020 15:40
To: <brighton-hove.gov.uk>
Subject: Paris House

Dear ,

Further to my two long emails last week and for the record - last night 1 February there was a woman speaking in a loud voice seated in one of the outside table areas outside the Paris House at 2320 hours and the security guard started to clear the chairs away from that area at just after 2325 hours .So much for the licensee complying with the licensing conditions !

And this on a cold ,damp night !! It gives us no confidence they will comply when the weather gets better .

Regards ,

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 29.01.2020	Vis Officer: [redacted]

Vis Comments:
29/01/20 at 13:46 by [redacted]

Email sent in error 28/1/20 tried to recall. Response recd from [redacted] asking for minutes. Response sent

Action Info:	Act Type: E-mail sent	Act Date: 29.01.2020	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 29 January 2020 13:29
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Re Paris House -URGENT

Dear [redacted]

I apologise the email below was sent in error before I finished writing it. I tried to recall it but this was unsuccessful. The wording under the title 191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL
ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER below which I was going to summarise is a direct copy of the minutes that you have requested.

While we are happy to communicate with members of the public about matters that concern them, regular correspondence about matters which we can no longer assist with will not achieve anything further for you and will impact on the service that we provide to others. Consequently, it is sometimes necessary to, reluctantly, bring correspondence to a close. With regard to this issue I am afraid that there is nothing more that we can add.

If you are unhappy with the responses you have received from us you can make a complaint to the council's Customer Feedback Team who may conduct an independent investigation. You can submit your complaint to them by email at customerfeedback@brighton-hove.gov.uk. If you would like to call them for advice about making a complaint the number is 01273 291229. I am sorry we were unable to help you on this occasion.

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 29 January 2020 10:51
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Re Paris House -URGENT

Dear [redacted] ,

Thank you for your email .

I should be grateful if you would let me have a copy of the minutes of the hearing where the application for the variation under the transitional arrangements of the 2003 Licensing Act was heard .

Regards ,

[redacted]

On 28 Jan 2020, at 11:20, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

The legal department have considered the condition and looked back at the minutes from the hearing where the APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 was heard. At the time the premises was known as The Juggler.

B43

There was one resident concerned about noise outside the premises later and the applicant had offered the condition. They state that "We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm". There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern. [redacted] Clearly you can still monitor the situation and if [redacted] presents evidence of being disturbed then you will have to take that on board and perhaps liaise further with the premises. Ultimately [redacted] has the right to call for a review of the premises licence if [redacted] is not happy. Let me know if I can help further.

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Reasons for conditions:
To ensure that there is no public nuisance to local residents.
192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

I have spoken to [redacted] and [redacted] does not have an outstanding noise complaint. [redacted] the mediation has been successful. Can you confirm whether you are still being disturbed by noise from the premises including the customers outside? I appreciate that as the weather is cold it is less likely that people are standing outside at the moment. You can, of course make further noise complaints at any time that you are being disturbed. I have copied [redacted] into this email. The DPS and Premises licence holder (PLH) advised us that they had a noise limiter and that it had been set when the premises operated as The Juggler.

B43

With regards to notices placed at the premises we did discuss this in our meeting and there are signs by the exit inside the premises and the DPS and PLH did advise us that staff and customers were aware of this and that regular customers were often closing the door to prevent noise breakout. They advised us that the tables and chairs/benches are now cleared by 11:00pm and customers are not allowed to use the area after that time.

During the meeting with the DPS and PLH we did not give an interpretation of the condition but discussed it is detail in particular how they monitored customers outside and where the customers stood. They do allow customers to take drinks outside and we suggested that this may encourage customers to stay outside longer, however there is no condition on the licence which prevents them allowing this.

Please do not hesitate to contact Environmental Protection on 01273 294429 if you are disturbed by noise from music or customers at Paris House.

If you are not happy with my response you can contact Customer Services paragraph ????????

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted]
Sent: 21 January 2020 10:14
To: [redacted]
Subject: Re Paris House -URGENT

Dear [redacted]

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner [redacted] and discussed the conditions on their licence, the complaints received by this department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the mediation process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted]
Sent: 17 January 2020 15:37
To: [redacted]brighton-hove.gov.uk>
Cc: [redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted] ,

Thank you for your email of 14 January which I have read carefully .Sadly ,it only provides further

frustration for the following reasons -

1. Video clips - You may recall that I sent you a selection only .I have many more available .However ,the ones I sent you were sent because they showed a failure to close and clear the outside area by 11pm .I do not know what you have been looking at but unless I am very much mistaken the clips DO show evidence of people standing or sitting in the one table area I can see from our home .I am willing to attend a meeting to show you the evidence I have and am more than a little unhappy that your interpretation is incorrect.

2. Despite what is now a lengthy correspondence I have never been told or shown a copy of the plan of the pub and the "outside table areas " which it shows .
The condition which concerns me most and which is attached to the licence is the one that states "the outside area shall be closed and cleared by 2300 hours ." That is what you told me in your email of 14 August 2019 .At no time did you tell me that that condition related solely to the "outside table areas " which is what you now seem to be suggesting .
When conditions are attached to licences they are meant to be clear for two reasons -
(A) to enable both licensee and enforcement authority to know what conditions are in place and the purpose of them
And
(B) to enable those conditions to be enforced easily on the basis that if they are clear then it should not be difficult to prove a breach if necessary .

Thus ,if the condition applied only to the "outside table areas" it would say so and would add "as delineated on the plan attached to the licence " -but it doesn't .I suggest it doesn't for an obvious reason ie because the licensing authority which originally imposed the condition wanted to ensure that those in nearby properties were not disturbed after 11pm by customers congregating outside the premises .

If what I think is your interpretation is correct it means that IF they close and clear the table areas then they can have any number of persons congregating outside causing a disturbance until whatever hour they decide to close as long as they are not in the "outside table areas ".

Also ,the "outside table area " does not include the two benches which are at the side of the Paris House on Brunswick street and where customers often sit talking loudly with drinks in their hand and cause a disturbance after 11pm .

Are you completely sure that the plan produced isn't simply one issued in connection with the tables and any permissions relating to them rather than to the liquor licence ?

3. I note your point about smoking but surely customers should not be congregating outside after 11pm making a disturbance whether they are in or out of the table areas - whether at that time they have been closed or not ?

4.I was previously told that the video clips I had provided to [redacted] had been shown to the management at the Paris House on two separate occasions - by [redacted] himself and this was after my initial complaint in early January 2019 .You say in response to point 5 in my last email that visits took place in 2018 and written and verbal communications took place between you and the premises took place throughout last year .Did [redacted] in fact visit the premises in 2019 and show and discuss my video clips with the management ? What record is there of their response ? [redacted] the premises licence holder ([redacted]) knew nothing about such visits or any correspondence from you and your colleagues .Either what you say is true and his attitude is dismissive or [redacted] really did know nothing of our concerns - which is surprising in view of your comments .

5.Noise attenuator - in your email of 14 August 2019 you told me that one of the licence conditions was to have a sound attenuator which "shall be set at a level approved by the licensing

authority ".Shouldn't regular checks be made to ensure compliance ie is there still one in the premises and ,if so ,to what level it should be set ? On the visits you referred to in 2018 was the attenuator there and was the level checked ? If so ,was it set to the correct one ?
I have heard that in fact there is no attenuator in the premises - which may just be gossip - but a neighbour who lives much nearer to the premises than us has said that when [redacted] is disturbed by noise from the Paris House [redacted] has real concerns for the welfare of staff and customers who are INSIDE the premises - as well as his own . .Surely there is an optimum level for most premises which will mean that the noise inside the premises is not too loud for customers inside and will not disturb nearby residents - especially after 11pm?

6. With regard to notices displayed so they can be read by customers outside the premises ,my simple point is that there are no notices which can be read by customers outside reminding them to keep the noise down after 11pm .There are a number of other licensed premises in this area which DO have such notices on doors or windows which can be read by customers outside them .I do not care whether they are fixed inside or outside the premises so long as customers outside can read them and in relation to premises which have attracted the most complaints in this area in the last year I suggest that as the enforcement agency it would be appropriate for you to suggest that to affix such notices would show goodwill on the licensee's part and would assist any efforts made to comply .You say it is unusual for notices to be displayed outside (which I take to mean just that ie it is not impossible and can be done in appropriate circumstances .I have certainly visited licensed premises in the past where free standing notices have been displayed outside .).With respect ,the status quo is not all you can insist on for these premises if that status quo is resulting in complaints from residents .

7.Thank you for your assurance that our concerns are being taken seriously and that you intend to visit the premises with your manager to go through the terms of the licence with the management .I sincerely hope you do NOT give them your interpretation of the condition re clearing and closing the outside area because I think it is wrong and if maintained will only add to the problems we have already experienced .Should your authority ever decide to enforce such a condition based upon that interpretation it is likely to lead to significant legal costs because any licensee would contest such a case as any breach would be extremely difficult to prove .

I am becoming extremely concerned about your approach which seems to look for reasons why the licensing authority need not take any action and to interpret conditions which are clearly stated in a different way which favours the licensee ,does not protect residents sufficiently in the way the original condition was meant to and which will lead to further nuisance to us and other residents - especially when the better weather arrives later this year .

Regards ,

[redacted]

[redacted]

On 14 Jan 2020, at 13:54, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I have met with my Manager today and we intend to meet with the Premises Licence Holder. Please see responses below in red to your questions. Please see the plan of the premises attached to the licence as I refer to it below.

<image001.jpg>

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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Rate your experience
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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted] <[redacted]
Sent: 04 January 2020 12:13
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Fwd: Paris House -URGENT

Happy New Year to you [redacted] .

I do not appear to have had a reply from you to my email of 29 November and should be grateful if you would respond to the points I made on behalf of [redacted] and myself .

Regards ,

[redacted]
[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 29 November 2019 at 15:42:15 GMT
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT
Dear [redacted] ,
Thank you for your email ,the contents of which only add to our concerns .Please consider the following -

1. Video clips - I use [redacted] .I have visited the [redacted] store and been informed that when the clips are sent the information re the times they were taken IS accessible but it may be the system you use cannot access it .I have been advised to take screenshots of the videos and record the recordings again to send to you .In this way the times will be clearly on the video clips .I will do my best in this regard .
Please also remember that you asked me to send you only a sample of the clips I had ie you do not have all the evidence . Thank you, I have reviewed all these clips and from the footage shown it appears that the customers are standing by the front door and not in the areas in dotted lines as indicated on the plan above, these are the two areas that Condition 1 under Annex 3 refers to.

2. Evidentially ,the videoclips on [redacted] are an original and contemporaneous record of my evidence .Unless doctored in any way ,it has been said in case law that such evidence is the BEST evidence because it is film of exactly what was /was not happening at a particular time .My own evidence [redacted] stands in its own right .When I recorded the video clips I already knew what time it was ie after 2300 hours so I made the decision then to film what happened ,that filmed evidence also corroborating my own re the time and the breach .I have a record of over twenty such breaches including one at after 550am on 1 January 2019 ie almost seven hours after the outside area should have been cleared and closed .

I suggest that all of this is ,in itself ,strong evidence of breach on a long term basis and especially when the number of weekends when [redacted] weren't at home is considered .
In addition , [redacted] was present at all these time too so [redacted] can give similar evidence to mine .
Whilst I am sure the authority's legal team would want more evidence if possible [redacted] here must come a time when a decision is made that ,in the face of what evidence is available ,some enforcement action should be taken .How long have we got to continue to complain BEFORE some meaningful action IS taken ? If this continues for another year and we are the only ones who have complained will you STILL say there is insufficient evidence to take action ?

3. The conditions imposed by the licence are clear and specific and are designed to ensure compliance with the council's licensing policy ,one of the aims of which is to minimise noise disturbance to neighbours .The condition re the outside area is clear ie 'to clear and close the outside area area by 2300 hours ." There is NO reference to smokers - or anyone else who might be exempt from it and ,I suggest ,that is for obvious reasons -
(A) for the sake of clarity and so that the licensee ,in particular ,understands exactly what is required of him/her
(B) to enable enforcement action to be taken in the case of breach without any fear on the enforcement officers' part of "getting it wrong ' because the condition is easily understood so that when a breach occurs it is obvious .
The conditions imposed on the licence were via a panel hearing on 19th September 2005 which is before the smoking ban came into force which is why smoking is not referred to within these conditions. The Health Act 2006 which banned smoking in public places came in to force in July 2007, this is when every public premises had to make allowances for customers to smoke outside. As long as their customers are not congregating/smoking in the two areas marked on the plan then this is not a breach of condition 1 under Annex 3.

If you are right ,anyone outside the Paris House at ,say ,2330 hours can claim to be there because they are smokers and either are ,were or will be smoking to justify their noisy presence .Indeed ,an unscrupulous licensee would probably tell such customers to say they had gone out to smoke to avoid compliance with the law !

It cannot be right that smokers - or anyone else -can congregate outside the venue (the presence of which is the very reason why they are congregating) and make loud noises at any hour of the night so that neighbours are disturbed and the licensee escape all responsibility because they were smokers or weren't sitting down .
Surely ,"cleared" and "closed" mean exactly what they say ? The furniture outside is "cleared" away so it can't be used (and this should include the locking of the benches fixed to the pub walls which are often left unlocked) and the area is "closed " so that it is no longer in use by anyone - whether smokers or not ?
As this is a condition on the licence ,it is then the licensee's responsibility to ensure proper clearance and closure to demonstrate compliance with the licence itself ,the aims of the licensing policy which is why the condition is there in the first place and to show proper consideration for their neighbours - which all responsible licensees do .

[redacted]

[redacted]. You will not be surprised therefore that we query the value of the visits so far undertaken and should be grateful for your assurance that the licensee is left in no doubt of what the consequences will be if the licence conditions continue to be breached .
Please confirm how many visits have taken place so far this year and with what result . Visits took place in 2018 and written & verbal communications between myself and the premises took place throughout last year.
In addition ,do you know if there is a noise attenuator on the premises and ,if so ,to what level it is set ? A sound limiter is set by the Environmental Protection Team so I will enquire with [redacted] regarding this and confirm, this is a condition on the licence so it is something that can be enforced, however please be aware that a sound limiting device is usually set in the premises while listening from the complainants property. It is likely that this was done at the time the licence was first issued however I will check this with [redacted] and see if there are any records confirming this. Please note that due to the deregulation of some forms of entertainment like live and recorded music, this condition will only be effective and enforceable after 11pm as music is not a licensable activity between the hours of 8am-11pm. However the licence holder has a duty under the Environmental Protection Act 1990 to ensure that noise does not cause a statutory nuisance.
Most responsible licensees in this area have notices on their premises which can be read by those outside encouraging customers outside to respect their neighbours .The Paris House does not [redacted].
Condition 5 under Annex 3 refers to notices being displayed at all exits and I can confirm that notices were displayed at the exits when I visited on 4th June 2018. It is unusual for notices to be displayed outside the premises, they are usually displayed on the doors leading outside and this is all we can insist on for this premises.

We fully understand the constraints on your authority's time and ability to act and sympathise with you but this is a relatively simple task of enforcement and in our view the issues should not be clouded by references to smokers which do NOT appear in the conditions themselves .As we understand the position ,this licence is one held in the Cumulative Impact Zone and thus would be unlikely to be granted now if a fresh application were made .They already have the ability to do things that they would not now have available to them so the least they can be expected to do is to comply with the conditions that have been imposed .
I would like to assure you that we do take your concerns seriously and myself and my manager will be making an appointment to re-visit the premises and thoroughly go through the licence. We will also liaise with the Police Licensing Unit who we work very closely with to see if they would be willing to do some monitoring after 11pm, although this may be more beneficial when the better weather arrives. Unfortunately due to our resources we do not do evening monitoring and visits as much as we used to.

Please address these concerns fully in response as it is beginning to feel as though whatever we do and however many times this licensee breaches the law little effective action will be taken by the very enforcement authority which should be doing something to protect us .

Regards ,

[redacted]

[redacted]

On 27 Nov 2019, at 14:33, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I refer to your email below.

I understand that the times were on the videos you recorded; however these were not visible on the videos you sent to us and as you said in your email, we were not able to view the clips [redacted] I did enlarge the clips to view them. I confirm that I received a copy of the schedule you sent and appreciate that this details all incidents that have affected you this year. I also note that you have been away on a number of weekends.

While the condition on the licence states that - 1. The outside

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 28.01.2020	Vis Officer: [redacted]

Vis Comments:
28/01/20 at 13:22 by [redacted]

Email from Legal. Opinion re interpretation of condition re use of outdoor area

Action Info:	Act Type: E-mail received	Act Date: 28.01.2020	Act Officer: [redacted]

Act Notes:

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 27 January 2020 12:15
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Re Paris House -URGENT

B42

Dear both,
I have discussed this with [redacted] who thinks [redacted] may have done the actual panel and [redacted] has located the minutes as below. (They are short as there were many applications dealt with in one session) There was one resident concerned about noise outside the premises later and the applicant had offered the condition. We agree that the condition relates to the outside table/seating area and that the concern then was to ensure the seating area was not available to customers after 11pm and that the chairs and tables were removed by that time. It was clearly designed to discourage customers from being outside the premises and disturbing people late at night. As you say it pre-dates the smoking ban and it does leave the possibility of people standing outside smoking and drinking on the pavement after 11pm. There is no condition for example that customers may not take drinks outside the premises. If nuisance and disturbance is being caused by customers on the pavement after 11pm then clearly that should be investigated and is a cause for concern. [redacted] Clearly you can still monitor the situation and if [redacted] presents evidence of being disturbed then you will have to take that on board and perhaps liaise further with the premises. Ultimately [redacted] has the right to call for a review of the premises licence if [redacted] is not happy. Let me know if I can help further.
[redacted]

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - THE JUGGLER
191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler,

21 Western Road, Hove (see Minute Book).
191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.
191.3 The applicant said that [redacted] had written to the complainant and also to environmental health. As a result [redacted] had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. [redacted] indicated that noise from outside of the premises was from other establishments and not his licensed premises.
191.4 RESOLVED - That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:
1. The amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.
2. The licensee to ensure that live music terminates no later than 23.00 hours.
3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.
4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.
5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Reasons for conditions:
To ensure that there is no public nuisance to local residents.
192. APPLICATION FOR A VARIATION UNDER TRANSITIONAL

B42

[redacted] | Brighton & Hove City Council
Room G101, Hove Town Hall, Norton Road, Hove BN3 3BQ|DX [redacted] Hove 1
T [redacted] | [redacted]brighton-hove.gov.uk

The Legal Services of Brighton and Hove City Council, East Sussex County Council, and West Sussex County Council working in partnership

All personal data processed in connection with this matter will be processed in accordance with Legal Services' privacy policies, which are available here

From: [redacted]
Sent: 22 January 2020 12:40
To: [redacted]
Subject: FW: Re Paris House -URGENT

Holding response and email chain

Thanks

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted]
Sent: 21 January 2020 10:14
To: [redacted] <[redacted]
Subject: Re Paris House -URGENT

Dear [redacted]

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner [redacted] and discussed the conditions on their licence, the complaints received by this department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the [redacted] process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 17 January 2020 15:37
To: [redacted] <[redacted] brighton-hove.gov.uk>

Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted] ,

Thank you for your email of 14 January which I have read carefully .Sadly ,it only provides further frustration for the following reasons -

1. Video clips - You may recall that I sent you a selection only .I have many more available .However ,the ones I sent you were sent because they showed a failure to close and clear the outside area by 11pm .I do not know what you have been looking at but unless I am very much mistaken the clips DO show evidence of people standing or sitting in the one table area I can see from our home .I am willing to attend a meeting to show you the evidence I have and am more than a little unhappy that your interpretation is incorrect.

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If what I think is your interpretation is correct it means that IF they close and clear the table areas then they can have any number of persons congregating outside causing a disturbance until whatever hour they decide to close as long as they are not in the "outside table areas ".

Also ,the "outside table area " does not include the two benches which are at the side of the Paris House on Brunswick street and where customers often sit talking loudly with drinks in their hand and cause a disturbance after 11pm .

Are you completely sure that the plan produced isn't simply one issued in connection with the tables and any permissions relating to them rather than to the liquor licence ?

3. I note your point about smoking but surely customers should not be congregating outside after 11pm making a disturbance whether they are in or out of the table areas - whether at that time they have been closed or not ?

4.I was previously told that the video clips I had provided to [redacted] had been shown to the management at the Paris House on two separate occasions - by [redacted] himself and this was after my initial complaint in early January 2019 .You say in response to point 5 in my last email that visits took place in 2018 and written and verbal communications took place between you and the premises took place throughout last year .Did [redacted] in fact visit the premises in 2019 and show and discuss my video clips with the management ? What record is there of their

response ? [redacted] the premises licence holder ([redacted]) knew nothing about such visits or any correspondence from you and your colleagues .Either what you say is true and his attitude is dismissive or [redacted] really did know nothing of our concerns - which is surprising in view of your comments .

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7.Thank you for your assurance that our concerns are being taken seriously and that you intend to visit the premises with your manager to go through the terms of the licence with the management .I sincerely hope you do NOT give them your interpretation of the condition re clearing and closing the outside area because I think it is wrong and if maintained will only add to the problems we have already experienced .Should your authority ever decide to enforce such a condition based upon that interpretation it is likely to lead to significant legal costs because any licensee would contest such a case as any breach would be extremely difficult to prove .

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Regards ,

[redacted]

[redacted]

On 14 Jan 2020, at 13:54, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I have met with my Manager today and we intend to meet with the Premises Licence Holder.

Please see responses below in red to your questions. Please see the plan of the premises attached to the licence as I refer to it below.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted] <[redacted]
Sent: 04 January 2020 12:13
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Fwd: Paris House -URGENT

Happy New Year to you , [redacted] .

I do not appear to have had a reply from you to my email of 29 November and should be grateful if you would respond to the points I made on behalf of [redacted] and myself .

Regards ,

[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 29 November 2019 at 15:42:15 GMT
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT
Dear [redacted] ,
Thank you for your email ,the contents of which only add to our concerns .Please consider the following -

1. Video clips - I use [redacted] .I have visited the [redacted] store and been informed that when the clips are sent the information re the times they were taken IS accessible but it may be the system you use cannot access it .I have been advised to take screenshots of the videos and record the recordings again to send to you .In this way the times will be clearly on the video clips .I will do my best in this regard .
Please also remember that you asked me to send you only a sample of the clips I had ie you do not have all the evidence . Thank you, I have reviewed all these clips and from the footage shown it appears that the customers are standing by the front door and not in the areas in dotted lines as indicated on the plan above, these are the two areas that Condition 1 under Annex 3 refers to.

2. Evidentially ,the videoclips on [redacted] are an original and contemporaneous record

of my evidence .Unless doctored in any way ,it has been said in case law that such evidence is the BEST evidence because it is film of exactly what was /was not happening at a particular time .My own evidence [redacted] stands in its own right .When I recorded the video clips I already knew what time it was ie after 2300 hours so I made the decision then to film what happened ,that filmed evidence also corroborating my own re the time and the breach .I have a record of over twenty such breaches including one at after 550am on 1 January 2019 ie almost seven hours after the outside area should have been cleared and closed . I suggest that all of this is ,in itself ,strong evidence of breach on a long term basis and especially when the number of weekends when [redacted] weren't at home is considered .
In addition , [redacted] was present at all these time too so she can give similar evidence to mine .
Whilst I am sure the authority's legal team would want more evidence if possible [redacted] there must come a time when a decision is made that ,in the face of what evidence is available ,some enforcement action should be taken .How long have we got to continue to complain BEFORE some meaningful action IS taken ? If this continues for another year and we are the only ones who have complained will you STILL say there is insufficient evidence to take action ?

3. The conditions imposed by the licence are clear and specific and are designed to ensure compliance with the council's licensing policy ,one of the aims of which is to minimise noise disturbance to neighbours .The condition re the outside area is clear ie 'to clear and close the outside area area by 2300 hours ." There is NO reference to smokers - or anyone else who might be exempt from it and ,I suggest ,that is for obvious reasons -
(A) for the sake of clarity and so that the licensee ,in particular ,understands exactly what is required of him/her
(B) to enable enforcement action to be taken in the case of breach without any fear on the enforcement officers' part of "getting it wrong ' because the condition is easily understood so that when a breach occurs it is obvious .
The conditions imposed on the licence were via a panel hearing on 19th September 2005 which is before the smoking ban came into force which is why smoking is not referred to within these conditions. The Health Act 2006 which banned smoking in public places came in to force in July 2007, this is when every public premises had to make allowances for customers to smoke outside. As long as their customers are not congregating/smoking in the two areas marked on the plan then this is not a breach of condition 1 under Annex 3.

If you are right ,anyone outside the Paris House at ,say ,2330 hours can claim to be there because they are smokers and either are ,were or will be smoking to justify their noisy presence .Indeed ,an unscrupulous licensee would probably tell such customers to say they had gone out to smoke to avoid compliance with the law !

It cannot be right that smokers - or anyone else -can congregate outside the venue
(the presence of which is the very reason why they are congregating) and make loud noises at any hour of the night so that neighbours are disturbed and the licensee escape all responsibility because they were smokers or weren't sitting down .
Surely ,"cleared" and "closed" mean exactly what they say ? The furniture outside is "cleared" away so it can't be used (and this should include the locking of the benches fixed to the pub walls which are often left unlocked) and the area is "closed " so that it is no longer in use by anyone - whether smokers or not ?
As this is a condition on the licence ,it is then the licensee's responsibility to ensure proper clearance and closure to demonstrate compliance with the licence itself ,the aims of the licensing policy which is why the condition is there in the first place and to show proper consideration for their neighbours - which all responsible licensees do .

[redacted]

[redacted] . You will not be surprised therefore that we query the value of the visits so far undertaken and should be grateful for your assurance that the licensee is left in no doubt of what the consequences will be if the licence conditions continue to be breached .
Please confirm how many visits have taken place so far this year and with what result . Visits took place in 2018 and written & verbal communications between myself and the premises took place throughout last year.
In addition ,do you know if there is a noise attenuator on the premises and ,if so ,to what level it is set ? A sound limiter is set by the Environmental Protection Team so I will enquire with [redacted] regarding this and confirm, this is a condition on the licence so it is something that can be enforced, however please be aware that a sound limiting device is usually set in the premises while listening from the complainants property. It is likely that this was done at the time the licence was first issued however I will check this with [redacted] and see if there are any records confirming this. Please note that due to the deregulation of some forms of entertainment like live and recorded music, this condition will only be effective and enforceable after 11pm as music is not a licensable activity between the hours of 8am-11pm. However the licence holder has a duty under the Environmental Protection Act 1990 to ensure that noise does not cause a statutory nuisance.
Most responsible licensees in this area have notices on their premises which can be read by those outside encouraging customers outside to respect their neighbours .The Paris House does not [redacted] .
Condition 5 under Annex 3 refers to notices being displayed at all exits and I can confirm that notices were displayed at the exits when I visited on 4th June 2018. It is unusual for notices to be displayed outside the premises, they are usually displayed on the doors leading outside and this is all we can insist on for this premises.

We fully understand the constraints on your authority's time and ability to act and sympathise with you but this is a relatively simple task of enforcement and in our view the issues should not be clouded by references to smokers which do NOT appear in the conditions themselves .As we understand the position ,this licence is one held in the Cumulative Impact Zone and thus would be unlikely to be granted now if a fresh application were made .They already have the ability to do things that they would not now have available to them so the least they can be expected to do is to comply with the conditions that have been imposed .
I would like to assure you that we do take your concerns seriously and myself and my manager will be making an appointment to re-visit the premises and thoroughly go through the licence. We will also liaise with the Police Licensing Unit who we work very closely with to see if they would be willing to do some monitoring after 11pm, although this may be more beneficial when the better weather arrives. Unfortunately due to our resources we do not do evening monitoring and visits as much as we used to.

Please address these concerns fully in response as it is beginning to feel as though whatever we do and however many times this licensee breaches the law little effective action will be taken by

the very enforcement authority which should be doing something to protect us .

Regards ,

[redacted]

On 27 Nov 2019, at 14:33, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I refer to your email below.

I understand that the times were on the videos you recorded; however these were not visible on the videos you sent to us and as you said in your email, we were not able to view the clips [redacted] I did enlarge the clips to view them. I confirm that I received a copy of the schedule you sent and appreciate that this details all incidents that have affected you this year. I also note that you have been away on a number of weekends.

While the condition on the licence states that - 1. The outside area shall be closed and cleared by 23.00 hours, Customers will still be outside smoking after 11:00pm. However they should not be seated outside after 11:00pm. Some of the video downloads are no longer available however I have looked at the videos that you sent as attachments again. In the clips dated 31 August and 7 September 2019 there appeared to be 2 people standing outside by the door. One looked like a door supervisor. No one was seated at the tables at the time. The clip dated 29 September was very blurry and I was not able to see anything other than lights. However the clip dated 5 October did show a number of people seated at tables. The premises have been reminded of this condition.

I am not suggesting at all that you are making the times up. As we have discussed we need to ensure that any evidence will be strong enough to hold up in a court case or review hearing if that becomes necessary. At this stage we do not have sufficient evidence to consider taking enforcement action. As mentioned I have looked at the clips again there are no dates or times shown though the clips were at full screen size when viewed. Customers will still have to leave the premises if they wish to smoke and that may result in people standing outside by the seating area. This does not of course mean that they are entitled to cause a disturbance and still have to promote the licensing objectives including the prevention of public nuisance.

I understand that you are not disturbed by traffic noise. It was just a description of what I heard on the recordings.

I hope this clarifies my position.

Please do not intimate from this email that the case has been fully closed. We do understand that you have ongoing concerns about the breach of the 'outside area' condition and I have therefore added the Paris House to the out of hours rota for Officers to visit when they are next carrying out late visits.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our [redacted] promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 21 November 2019 09:28
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gcsx.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted] ,
Thank you for your email yesterday ,the contents of which I have read with concern .

Unfortunately ,you are under a misapprehension - whilst the video clips I have provided to you may not have a time on them the times they were recorded are shown on both my [redacted] which was used to take them and on my larger [redacted] [redacted] is aware of this and that is one of the reasons why [redacted] encouraged me to prepare a schedule of events showing the exact times the recordings I have were made .Please confirm you have received a copy of my schedule .

Thus ,the video recordings I have DO show repeated breaches of the licensing condition to clear and close the outside area by 2300 hours [redacted]

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 22.01.2020	Vis Officer: [redacted]

Vis Comments:
22/01/20 at 13:20 by [redacted]

Email to/from Highways re highways licence

Action Info:	Act Type: E-mail received	Act Date: 22.01.2020	Act Officer: [redacted]

Act Notes:
From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 22 January 2020 11:21
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House, Western Road, Hove [redacted]

Hello [redacted]
Below is our diagram of their outside seating area. They do have a licence.
Kind regards
[redacted]

[redacted] [redacted]
Transport
Brighton & Hove City Council
Room G40, Hove Town Hall, Norton Road , Hove BN3 3BQ
tel: [redacted]
web: www.brighton-hove.gov.uk e-mail: [redacted]brighton-hove.gov.uk

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Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted]
Sent: 22 January 2020 10:38 AM
To: [redacted]
Subject: FW: Paris House, Western Road, Hove [redacted]

Hi [redacted]

Can you let [redacted] know if the plans at the bottom of this doc match what is licenced.

Cheers

[redacted]

[redacted] www.brighton-hove.gov.uk
G40 Hove Town Hall Norton Road Hove BN3 3BQ
tel: [redacted]

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From: [redacted]
Sent: 22 January 2020 9:29 AM
To: [redacted]
Subject: Paris House, Western Road, Hove [redacted]

Hello

I have attached the premises licence for The Paris House, 21 Western Road, Hove. Can you confirm whether the areas on the street marked on the plan on the last page is on private or Council land? And if on Council land is there a Highways Licence in place?

Thanks [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Visit Info:	Vis Type: EH Licensing - other visit	Vis Date: 20.01.2020	Vis Officer: [redacted]

Vis Comments:
21/01/20 at 12:48 by [redacted]

Meeting with [redacted] ([redacted] and [redacted] DPS. The area is cleared and tables folded at 11pm. Drinks are still taken outside by smokers. No condition on licence
[redacted] claimed that some of the problems reported by comp occured while the premises was closed.
Next mediation session is in March. The formal mediation process has finished but they are keeping in touch with residents. [redacted] felt [redacted] did not want to engage from the start.
Customers are mainly over 40s and not particularly noisy.
Following complaints they have stepped up door closing policy. Customers are aware and close doors as well. No live music after 10pm. DJ Fri and Sat 9pm until close. Sound limiter was set when operating as Jugglers.
Serious homeless/ drug problems in the area and hostel opposite.
Smokers usually wait on Western Road by front door as ash tray kept there.

B41

Action Info:	Act Type:	Act Date:	Act Officer:

Act Notes:
None

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 17.01.2020	Vis Officer: [redacted]

Vis Comments:
21/01/20 at 12:50 by [redacted]

21/01/20 at 10:18 by [redacted]

Another email from [redacted] Holding response sent re meeting with DPS/ [redacted] and refering to legal dept

Spoke with [redacted] about noise complaints and above meeting. No current noise complaints.

Action Info:	Act Type: E-mail sent	Act Date: 21.01.2020	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 21 January 2020 10:14
To: [redacted]
Subject: Re Paris House -URGENT

B41

Dear [redacted]

My Manager and I met with the Designated Premises Supervisor (DPS) and the owner [redacted] and discussed the conditions on their licence, the complaints received by this

B41

department and the Environmental Protection Team and action taken by the staff at the premises to prevent further complaints. While the mediation process has officially finished all parties involved are meeting informally on a regular basis to continue communication between the parties. There are no current noise complaints regarding this premises.

We have contacted the legal department with regards to our interpretation of the condition and will answer your email below in full once we have their views.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 17 January 2020 15:37
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

B40

Dear [redacted] ,

Thank you for your email of 14 January which I have read carefully .Sadly ,it only provides further frustration for the following reasons -

1. Video clips - You may recall that I sent you a selection only .I have many more available .However ,the ones I sent you were sent because they showed a failure to close and clear the outside area by 11pm .I do not know what you have been looking at but unless I am very much mistaken the clips DO show evidence of people standing or sitting in the one table area I can see from our home .I am willing to attend a meeting to show you the evidence I have and am more than a little unhappy that your interpretation is incorrect.

2. Despite what is now a lengthy correspondence I have never been told or shown a copy of the plan of the pub and the "outside table areas " which it shows .
The condition which concerns me most and which is attached to the licence is the one that states "the outside area shall be closed and cleared by 2300 hours ." That is what you told me in your email of 14 August 2019 .At no time did you tell me that that condition related solely to the "outside table areas " which is what you now seem to be suggesting .
When conditions are attached to licences they are meant to be clear for two reasons -
(A) to enable both licensee and enforcement authority to know what conditions are in place and the purpose of them
And

(B) to enable those conditions to be enforced easily on the basis that if they are clear then it should not be difficult to prove a breach if necessary .

Thus ,if the condition applied only to the "outside table areas" it would say so and would add "as delineated on the plan attached to the licence " -but it doesn't .I suggest it doesn't for an obvious reason ie because the licensing authority which originally imposed the condition wanted to ensure that those in nearby properties were not disturbed after 11pm by customers congregating outside the premises .

If what I think is your interpretation is correct it means that IF they close and clear the table areas then they can have any number of persons congregating outside causing a disturbance until whatever hour they decide to close as long as they are not in the "outside table areas ".

Also ,the "outside table area " does not include the two benches which are at the side of the Paris House on Brunswick street and where customers often sit talking loudly with drinks in their hand and cause a disturbance after 11pm .

Are you completely sure that the plan produced isn't simply one issued in connection with the tables and any permissions relating to them rather than to the liquor licence ?

3. I note your point about smoking but surely customers should not be congregating outside after 11pm making a disturbance whether they are in or out of the table areas - whether at that time they have been closed or not ?

B40

4.I was previously told that the video clips I had provided to [redacted] had been shown to the management at the Paris House on two separate occasions - by [redacted] himself and this was after my initial complaint in early January 2019 .You say in response to point 5 in my last email that visits took place in 2018 and written and verbal communications took place between you and the premises took place throughout last year .Did [redacted] in fact visit the premises in 2019 and show and discuss my video clips with the management ? What record is there of their response ? [redacted] the premises licence holder ([redacted]) knew nothing about such visits or any correspondence from you and your colleagues .Either what you say is true and his attitude is dismissive or [redacted] really did know nothing of our concerns - which is surprising in view of your comments .

5.Noise attenuator - in your email of 14 August 2019 you told me that one of the licence conditions was to have a sound attenuator which "shall be set at a level approved by the licensing authority ".Shouldn't regular checks be made to ensure compliance ie is there still one in the premises and ,if so ,to what level it should be set ? On the visits you referred to in 2018 was the attenuator there and was the level checked ? If so ,was it set to the correct one ?
I have heard that in fact there is no attenuator in the premises - which may just be gossip - but a neighbour who lives much nearer to the premises than us has said that when [redacted] is disturbed by noise from the Paris House [redacted] has real concerns for the welfare of staff and customers who are INSIDE the premises - as well as his own . .Surely there is an optimum level for most premises which will mean that the noise inside the premises is not too loud for customers inside and will not disturb nearby residents - especially after 11pm?

6. With regard to notices displayed so they can be read by customers outside the premises ,my simple point is that there are no notices which can be read by customers outside reminding them to keep the noise down after 11pm .There are a number of other licensed premises in this area which DO have such notices on doors or windows which can be read by customers outside them .I do not care whether they are fixed inside or outside the premises so long as customers outside can read them and in relation to premises which have attracted the most complaints in this area in the last year I suggest that as the enforcement agency it would be appropriate for you to suggest that to affix such notices would show goodwill on the licensee's part and would assist any efforts made to comply .You say it is unusual for notices to be displayed outside (which I take to mean

just that ie it is not impossible and can be done in appropriate circumstances .I have certainly visited licensed premises in the past where free standing notices have been displayed outside .).With respect ,the status quo is not all you can insist on for these premises if that status quo is resulting in complaints from residents .

7.Thank you for your assurance that our concerns are being taken seriously and that you intend to visit the premises with your manager to go through the terms of the licence with the management .I sincerely hope you do NOT give them your interpretation of the condition re clearing and closing the outside area because I think it is wrong and if maintained will only add to the problems we have already experienced .Should your authority ever decide to enforce such a condition based upon that interpretation it is likely to lead to significant legal costs because any licensee would contest such a case as any breach would be extremely difficult to prove .

B40

I am becoming extremely concerned about your approach which seems to look for reasons why the licensing authority need not take any action and to interpret conditions which are clearly stated in a different way which favours the licensee ,does not protect residents sufficiently in the way the original condition was meant to and which will lead to further nuisance to us and other residents - especially when the better weather arrives later this year .

Regards ,

[redacted]

[redacted]

On 14 Jan 2020, at 13:54, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I have met with my Manager today and we intend to meet with the Premises Licence Holder. Please see responses below in red to your questions. Please see the plan of the premises attached to the licence as I refer to it below.

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 04 January 2020 12:13
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Fwd: Paris House -URGENT

Happy New Year to you [redacted] .

I do not appear to have had a reply from you to my email of 29 November and should be grateful if you would respond to the points I made on behalf of [redacted] and myself .

Regards ,

[redacted]

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From: [redacted] <[redacted]
Date: 29 November 2019 at 15:42:15 GMT
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT
Dear [redacted] ,
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1. Video clips - I use [redacted] .I have visited the [redacted] store and been informed that when the clips are sent the information re the times they were taken IS accessible but it may be the system you use cannot access it .I have been advised to take screenshots of the videos and record the recordings again to send to you .In this way the times will be clearly on the video clips .I will do my best in this regard .
Please also remember that you asked me to send you only a sample of the clips I had ie you do not have all the evidence . Thank you, I have reviewed all these clips and from the footage shown it appears that the customers are standing by the front door and not in the areas in dotted lines as indicated on the plan above, these are the two areas that Condition 1 under Annex 3 refers to.

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I suggest that all of this is ,in itself ,strong evidence of breach on a long term basis and especially when the number of weekends when [redacted] weren't at home is considered .
In addition , [redacted] was present at all these time too so [redacted] can give similar evidence to mine .
Whilst I am sure the authority's legal team would want more evidence if possible [redacted] there must come a time when a decision is made that ,in the face of what evidence is available ,some enforcement action should be taken .How long have we got to continue to complain BEFORE some meaningful action IS taken ? If this continues for another year and we are the only ones who have complained will you STILL say there is insufficient evidence to take action ?

3. The conditions imposed by the licence are clear and specific and are designed to ensure compliance with the council's licensing policy ,one of the aims of which is to minimise noise disturbance to neighbours .The condition re the outside area is clear ie 'to clear and close the outside area area by 2300 hours ." There is NO reference to smokers - or anyone else who might be exempt from it and ,I suggest ,that is for obvious reasons -
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when a breach occurs it is obvious .
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If you are right ,anyone outside the Paris House at ,say ,2330 hours can claim to be there because they are smokers and either are ,were or will be smoking to justify their noisy presence .Indeed ,an unscrupulous licensee would probably tell such customers to say they had gone out to smoke to avoid compliance with the law !

It cannot be right that smokers - or anyone else -can congregate outside the venue (the presence of which is the very reason why they are congregating) and make loud noises at any hour of the night so that neighbours are disturbed and the licensee escape all responsibility because they were smokers or weren't sitting down .
Surely ,"cleared" and "closed" mean exactly what they say ? The furniture outside is "cleared" away so it can't be used (and this should include the locking of the benches fixed to the pub walls which are often left unlocked) and the area is "closed " so that it is no longer in use by anyone - whether smokers or not ?
As this is a condition on the licence ,it is then the licensee's responsibility to ensure proper clearance and closure to demonstrate compliance with the licence itself ,the aims of the licensing policy which is why the condition is there in the first place and to show proper consideration for their neighbours - which all responsible licensees do .

[redacted] .I have already [redacted] .

[redacted] . You will not be surprised therefore that we query the value of the visits so far undertaken and should be grateful for your assurance that the licensee is left in no doubt of what the consequences will be if the licence conditions continue to be breached .
Please confirm how many visits have taken place so far this year and with what result . Visits took place in 2018 and written & verbal communications between myself and the premises took place throughout last year.
In addition ,do you know if there is a noise attenuator on the premises and ,if so ,to what level it is set ? A sound limiter is set by the Environmental Protection Team so I will enquire with [redacted] regarding this and confirm, this is a condition on the licence so it is something that can be enforced, however please be aware that a sound limiting device is usually set in the premises while listening from the complainants property. It is likely that this was done at the time the licence was first issued however I will check this with [redacted] and see if there are any records confirming this. Please note that due to the deregulation of some forms of entertainment like live and recorded music, this condition will only be effective and enforceable after 11pm as music is

not a licensable activity between the hours of 8am-11pm. However the licence holder has a duty under the Environmental Protection Act 1990 to ensure that noise does not cause a statutory nuisance.
Most responsible licensees in this area have notices on their premises which can be read by those outside encouraging customers outside to respect their neighbours .The Paris House does not [redacted] .
Condition 5 under Annex 3 refers to notices being displayed at all exits and I can confirm that notices were displayed at the exits when I visited on 4th June 2018. It is unusual for notices to be displayed outside the premises, they are usually displayed on the doors leading outside and this is all we can insist on for this premises.

We fully understand the constraints on your authority's time and ability to act and sympathise with you but this is a relatively simple task of enforcement and in our view the issues should not be clouded by references to smokers which do NOT appear in the conditions themselves .As we understand the position ,this licence is one held in the Cumulative Impact Zone and thus would be unlikely to be granted now if a fresh application were made .They already have the ability to do things that they would not now have available to them so the least they can be expected to do is to comply with the conditions that have been imposed .
I would like to assure you that we do take your concerns seriously and myself and my manager will be making an appointment to re-visit the premises and thoroughly go through the licence. We will also liaise with the Police Licensing Unit who we work very closely with to see if they would be willing to do some monitoring after 11pm, although this may be more beneficial when the better weather arrives. Unfortunately due to our resources we do not do evening monitoring and visits as much as we used to.

Please address these concerns fully in response as it is beginning to feel as though whatever we do and however many times this licensee breaches the law little effective action will be taken by the very enforcement authority which should be doing something to protect us .

Regards ,

[redacted]

On 27 Nov 2019, at 14:33, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Dear [redacted]

I refer to your email below.

I understand that the times were on the videos you recorded; however these were not visible on the videos you sent to us and as you said in your email, we were not able to view the clips [redacted] I did enlarge the clips to view them. I confirm that I received a copy of the schedule you sent and appreciate that this details all incidents that have affected you this year. I also note that you have been away on a number of weekends.

While the condition on the licence states that - 1. The outside area shall be closed and cleared by 23.00 hours, Customers will still be outside smoking after 11:00pm. However they should not be seated outside after 11:00pm. Some of the video downloads are no longer available however I have looked at the videos that you sent as attachments again. In the clips dated 31 August and 7 September 2019 there appeared to be 2 people standing outside by the door. One looked like a

door supervisor. No one was seated at the tables at the time. The clip dated 29 September was very blurry and I was not able to see anything other than lights. However the clip dated 5 October did show a number of people seated at tables. The premises have been reminded of this condition.

I am not suggesting at all that you are making the times up. As we have discussed we need to ensure that any evidence will be strong enough to hold up in a court case or review hearing if that becomes necessary. At this stage we do not have sufficient evidence to consider taking enforcement action. As mentioned I have looked at the clips again there are no dates or times shown though the clips were at full screen size when viewed. Customers will still have to leave the premises if they wish to smoke and that may result in people standing outside by the seating area. This does not of course mean that they are entitled to cause a disturbance and still have to promote the licensing objectives including the prevention of public nuisance.

I understand that you are not disturbed by traffic noise. It was just a description of what I heard on the recordings.

I hope this clarifies my position.

Please do not intimate from this email that the case has been fully closed. We do understand that you have ongoing concerns about the breach of the 'outside area' condition and I have therefore added the Paris House to the out of hours rota for Officers to visit when they are next carrying out late visits.

Regards,

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: <
Sent: 21 November 2019 09:28
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gcsx.gov.uk>
Subject: Re: Paris House -URGENT

Dear ,
Thank you for your email yesterday ,the contents of which I have read with concern .

Unfortunately ,you are under a misapprehension - whilst the video clips I have provided to you may not have a time on them the times they were recorded are shown on both my which was used to take them and on my larger . is aware of this and that is one of the reasons why encouraged me to prepare a schedule of events showing the exact times the recordings I have were made .Please confirm you have received a copy of my schedule .

Thus ,the video recordings I have DO show repeated breaches of the licensing condition to clear and close the outside area by 2300 hours

[redacted] .

[redacted] it is possible to enlarge the image .I do not know whether you tried to do that when you viewed my video clips but I can assure you that if the picture is enlarged customers can be seen clearly sitting on the chairs and benches outside the Paris House after 2300 hours in breach of the condition .When I saw you I did tell you that nearly all of the recordings I have were taken to show the position at least 15 minutes AFTER 2300 hours and thus show clear breaches .

In addition ,I can confirm that the recordings were made at the times stated in the schedule I sent you - simply because I am relying on not only what [redacted] show when I play them but also because I checked the times before I started to film .I have no wish to waste anyone's time in making false or unreliable evidence and am sufficiently IT illiterate as not even to know whether it is possible to change the times shown on an iPhone when filming and ,if it is ,how to do it !! In other words ,the times I have are genuine !!

My understanding is that [redacted] made two visits to the Paris House and showed some of the clips I had provided in February /March this year .That was done in the hope that when the management could see the problem they would deal with it .Sadly ,that did not happen and ,after more clips were provided to show the problems were continuing ,[redacted] ,the premises manager ,did not agree [redacted] had been shown video clips by [redacted] and denied having what I believe to be three letters from the council licensing department about the problems being created .

[redacted] they would be sending their report to you [redacted] Please explain how the Paris House is "still involved " in it .

After [redacted] in January this year and I understood [redacted] had visited the premises the noise did reduce for a period .Our concern is that the same pattern was observed after the mediation meeting but that has begun to change again and hence my reference to three dates AFTER that mediation when I have clips showing they have NOT complied with the licensing condition .Whilst the weather may be getting colder it does not stop people congregating outside (only rain and strong winds seem to do that) and we are concerned that the problem will continue as before .

Can I make it plain that what disturbs us is not traffic noise on Western Rd but people talking or shouting/swearing after 2300 whilst in the area which is meant to be " cleared and closed " by then .

Since mediation any problems we have had have been far more to do with the breach of the licensing condition than the noise of music (live or recorded) coming from the premises - there may have been a concerted effort to keep that noise at a lower level after 2300 hours .

What action the council chooses to take is a matter for you and your colleagues .However ,whilst I

know you are all very busy ,please appreciate that we have endured this problem for a long time and see no good reason why the licensee cannot simply comply with the conditions on its licence - which the evidence I have shows clearly it does not on every occasion .If it will not even accept it is doing so [redacted] surely the licensing authority should deal with that in an appropriate way ? If ,as I understand it ,visits have previously been made and letters sent and the problem continues consideration should be given as to what can be done next .Otherwise ,this licensee ,knowing of pressures on council officers' time ,may decide the revenue generated by breaching licence conditions is sufficient to warrant the risk of being caught doing so .In which case the only ones who suffer are the premises' neighbours who are meant to be protected by the licensing conditions !!

I should be grateful if you could contact me to arrange a time when I can prove to you that the video footage I have IS timed BEFORE any decision is taken on future action .

Yours sincerely ,

[redacted]

On 20 Nov 2019,

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 14.01.2020	Vis Officer: [redacted]

Vis Comments:
14/01/20 at 13:56 by [redacted]

14/01/20 at 13:55 by [redacted]

Emails sent to Cllr M and [redacted] re recent emails.
Email to [redacted] re meeting next Tues 21 Jan at 2pm

Action Info:	Act Type: E-mail sent	Act Date: 14.01.2020	Act Officer: [redacted]

Act Notes:

From: [redacted]
Sent: 14 January 2020 13:45
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Further queries/ complaints about Paris House

Dear Cllr

I refer to your email below and have answered your concerns in red.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Rate your experience
We are committed to providing you services in accordance with our Customer Promise.

Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 09 January 2020 16:41
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Further queries/ complaints about Paris House

Dear all

B39

I met with some local residents before Christmas and we discussed some of the ongoing issues and concerns they have. I would deeply value responses to the questions they have raised with me.

They were clear that they value living in this neighbourhood and like so many of my residents they enjoy the rich mixture of music, restaurants that make the area's diversity rich. As such they want co-existence and music and food venues thriving alongside communities.

In an email exchange of 5th September, [redacted] stated there is no noise attenuator between 8-11pm. This means there are no controls at all. Residents tell me that this is when noise is worst at the weekend with summer very bad. This can only be for music after 11pm because live and recorded music are not regulated entertainment between the hours of 8-11pm so any music conditions on a licence cannot be enforced until after 11pm. This vagary is central to the complaint from residents. This is correct, this condition will only be effective and enforceable after 11pm as music is not a licensable activity between the hours of 8am-11pm. Under the Environmental Protection 1990 the licence holder still has a duty to ensure that noise from the premises does not cause a statutory nuisance and this is something that [redacted] would investigate.

BHCC response

There is the issue of compliance with the license conditions and methods to do this effectively. Residents have noticed that doors being kept closed has made a difference but are there other methods to do this that don't rely on the will of people leaving/ entering eg double doors, baffling or a porch inside the venue to double protect against noise escaping. Are any of these possible? With the porch, the premises has claimed this will break fire regs. As it stands at the moment, we could not insist that the premises put in extra sound insulation as this is not a condition on their licence. The Environmental Protection Team may make suggestions to reduce noise breakout but this is not a licensing function. Please rest assured that we take these complaints seriously and I will be visiting the premises with my manager to go through the licence again and ensure they are fully aware of all their conditions.

BHCC response.

Clearing and closing outside the premises. Is the outside defined? Does the council have tables and chairs highways licence for the premises or is this outside area owned by the pub? If BHCC highways holds the table and chairs licence then why doesn't licensing do this if the area is the venue's own? I have copied the plan from the premises licence below so you can see the two outside areas that are referred to under Condition 1, Annex 3 of the licence (The outside area shall be closed and cleared by 23.00 hours). As explained to one of the complainants, The Health Act 2006 which banned smoking in public places came in to force in July 2007, this is when every public premises had to make allowances for customers to smoke outside. As long as their customers are not congregating/smoking in the two areas marked on the plan then this is not a breach of condition 1 under Annex 3. I am unsure if the outside area is licensed with the Highways Team but can look in to this and get back to you.

BHCC response.

Why is a small venue in a densely residential area being allowed to have live music virtually every

day of the week? Unfortunately, as explained above this is not something we can enforce as music is de-regulated until 11pm. If they were playing live music after 11pm then this would be a breach of their licence as they are only licensed for live music until 11pm.

BHCC response.

B39

Residents have shared with me reported routine evidence of repeat breaches of conditions. The question for me is what way the licensing authority deals with these and it strikes me that the LA needs to up its game in terms of the advice and warnings it is prepared to issue to the venue. I can see from our records that the licensing team have received complaints over the last two years from two separate residents. We have written to the premises and visited the premises on various occasions and are aware that there is a mediation process taking place with the Environmental Protection Team. It is difficult when we receive intel from residents that has not been witnessed by authorised officers, we can notify the premises that allegations have been made and give advice accordingly but to take formal enforcement action we need more concrete evidence. As mentioned above, we will be visiting the premises again in the near future so they are aware that complaints are still being received and there are still concerns from the local residents.

BHCC response.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

Action Info:	Act Type: E-mail sent	Act Date: 14.01.2020	Act Officer: [redacted]

Act Notes:

From: [redacted]
Sent: 14 January 2020 13:36
To: [redacted]
Subject: Paris House, Western Road, Brighton

Dear [redacted]

We are continuing to receive complaints about breaches of the Licence conditions at Paris House, Western Road, Brighton. I would appreciate it if you could attend a meeting with me and [redacted]
Could you confirm whether you are available at 2:00pm Tuesday 21 January 2020. We will meet you at The Paris House.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

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Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

Action Info:	Act Type: E-mail sent	Act Date: 14.01.2020	Act Officer: [redacted]

Act Notes:

From: [redacted]
Sent: 14 January 2020 13:54
To: [redacted] <[redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted]

I have met with my Manager today and we intend to meet with the Premises Licence Holder. Please see responses below in red to your questions. Please see the plan of the premises attached to the licence as I refer to it below.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 04 January 2020 12:13
To: [redacted] <[redacted]brighton-hove.gov.uk>

Subject: Fwd: Paris House -URGENT

Happy New Year to you [redacted] .

I do not appear to have had a reply from you to my email of 29 November and should be grateful if you would respond to the points I made on behalf of [redacted] and myself .

Regards ,

[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 29 November 2019 at 15:42:15 GMT
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House -URGENT
Dear [redacted] ,
Thank you for your email ,the contents of which only add to our concerns .Please consider the following -

B38

1. Video clips - I use [redacted] .I have visited the [redacted] store and been informed that when the clips are sent the information re the times they were taken IS accessible but it may be the system you use cannot access it .I have been advised to take screenshots of the videos and record the recordings again to send to you .In this way the times will be clearly on the video clips .I will do my best in this regard .
Please also remember that you asked me to send you only a sample of the clips I had ie you do not have all the evidence . Thank you, I have reviewed all these clips and from the footage shown it appears that the customers are standing by the front door and not in the areas in dotted lines as indicated on ~~the plan above,~~ these are the two areas that Condition 1 under Annex 3 refers to.

Annotated BHCC response

2. Evidentially ,the videoclips on [redacted] are an original and contemporaneous record of my evidence .Unless doctored in any way ,it has been said in case law that such evidence is the BEST evidence because it is film of exactly what was /was not happening at a particular time .My own evidence [redacted] stands in its own right .When I recorded the video clips I already knew what time it was ie after 2300 hours so I made the decision then to film what happened ,that filmed evidence also corroborating my own re the time and the breach .I have a record of over twenty such breaches including one at after 550am on 1 January 2019 ie almost seven hours after the outside area should have been cleared and closed . I suggest that all of this is ,in itself ,strong evidence of breach on a long term basis and especially when the number of weekends when [redacted] weren't at home is considered .
In addition , [redacted] was present at all these time too so [redacted] can give similar evidence to mine .
Whilst I am sure the authority's legal team would want more evidence if possible [redacted] there must come a time when a decision is made that ,in the face of what evidence is available ,some enforcement action should be taken .How long have we got to continue to complain BEFORE some meaningful action IS taken ? If this continues for another year and we are the only ones who have complained will you STILL say there is insufficient evidence to take action ?

3. The conditions imposed by the licence are clear and specific and are designed to ensure compliance with the council's licensing policy ,one of the aims of which is to minimise noise disturbance to neighbours .The condition re the outside area is clear ie 'to clear and close the outside area area by 2300 hours ." There is NO reference to smokers - or anyone else who might be exempt from it and ,I suggest ,that is for obvious reasons -
(A) for the sake of clarity and so that the licensee ,in particular ,understands exactly what is required of him/her

(B) to enable enforcement action to be taken in the case of breach without any fear on the enforcement officers' part of "getting it wrong ' because the condition is easily understood so that when a breach occurs it is obvious .
The conditions imposed on the licence were via a panel hearing on 19th September 2005 which is before the smoking ban came into force which is why smoking is not referred to within these conditions. The Health Act 2006 which banned smoking in public places came in to force in July 2007, this is when every public premises had to make allowances for customers to smoke outside. As long as their customers are not congregating/smoking in the two areas marked on the plan then this is not a breach of condition 1 under Annex 3.

BMCC annotated response

B38

If you are right ,anyone outside the Paris House at ,say ,2330 hours can claim to be there because they are smokers and either are ,were or will be smoking to justify their noisy presence .Indeed ,an unscrupulous licensee would probably tell such customers to say they had gone out to smoke to avoid compliance with the law !

It cannot be right that smokers - or anyone else -can congregate outside the venue (the presence of which is the very reason why they are congregating) and make loud noises at any hour of the night so that neighbours are disturbed and the licensee escape all responsibility because they were smokers or weren't sitting down .
Surely ,"cleared" and "closed" mean exactly what they say ? The furniture outside is "cleared" away so it can't be used (and this should include the locking of the benches fixed to the pub walls which are often left unlocked) and the area is "closed " so that it is no longer in use by anyone - whether smokers or not ?
As this is a condition on the licence ,it is then the licensee's responsibility to ensure proper clearance and closure to demonstrate compliance with the licence itself ,the aims of the licensing policy which is why the condition is there in the first place and to show proper consideration for their neighbours - which all responsible licensees do .

BMCC annotated response

[redacted] . You will not be surprised therefore that we query the value of the visits so far undertaken and should be grateful for your assurance that the licensee is left in no doubt of what the consequences will be if the licence conditions continue to be breached .
Please confirm how many visits have taken place so far this year and with what result . Visits took place in 2018 and written & verbal communications between myself and the premises took place throughout last year.

BMCC annotated response

In addition ,do you know if there is a noise attenuator on the premises and ,if so ,to what level it is set ? A sound limiter is set by the Environmental Protection Team so I will enquire with [redacted] regarding this and confirm, this is a condition on the licence so it is something that can be enforced, however please be aware that a sound limiting device is usually set in the premises while listening from the complainants property. It is likely that this was done at the time the licence was first issued however I will check this with [redacted] and see if there are any records

BMCC response

confirming this. Please note that due to the deregulation of some forms of entertainment like live and recorded music, this condition will only be effective and enforceable after 11pm as music is not a licensable activity between the hours of 8am-11pm. However the licence holder has a duty under the Environmental Protection Act 1990 to ensure that noise does not cause a statutory nuisance.
Most responsible licensees in this area have notices on their premises which can be read by those outside encouraging customers outside to respect their neighbours .The Paris House does not [redacted].

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Condition 5 under Annex 3 refers to notices being displayed at all exits and I can confirm that notices were displayed at the exits when I visited on 4th June 2018. It is unusual for notices to be displayed outside the premises, they are usually displayed on the doors leading outside and this is all we can insist on for this premises.

We fully understand the constraints on your authority's time and ability to act and sympathise with you but this is a relatively simple task of enforcement and in our view the issues should not be clouded by references to smokers which do NOT appear in the conditions themselves .As we understand the position ,this licence is one held in the Cumulative Impact Zone and thus would be unlikely to be granted now if a fresh application were made .They already have the ability to do things that they would not now have available to them so the least they can be expected to do is to comply with the conditions that have been imposed .
I would like to assure you that we do take your concerns seriously and myself and my manager will be making an appointment to re-visit the premises and thoroughly go through the licence. We will also liaise with the Police Licensing Unit who we work very closely with to see if they would be willing to do some monitoring after 11pm, although this may be more beneficial when the better weather arrives. Unfortunately due to our resources we do not do evening monitoring and visits as much as we used to.

BMCC response.

Please address these concerns fully in response as it is beginning to feel as though whatever we do and however many times this licensee breaches the law little effective action will be taken by the very enforcement authority which should be doing something to protect us .

Regards ,

[redacted]

On 27 Nov 2019, at 14:33, [redacted] < [redacted] brighton-hove.gov.uk> wrote:

Dear [redacted]

I refer to your email below.

B37

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While the condition on the licence states that - 1. The outside area shall be closed and cleared by 23.00 hours, Customers will still be outside smoking after 11:00pm. However they should not be seated outside after 11:00pm. Some of the video downloads are no longer available however I

have looked at the videos that you sent as attachments again. In the clips dated 31 August and 7 September 2019 there appeared to be 2 people standing outside by the door. One looked like a door supervisor. No one was seated at the tables at the time. The clip dated 29 September was very blurry and I was not able to see anything other than lights. However the clip dated 5 October did show a number of people seated at tables. The premises have been reminded of this condition.

B37

I am not suggesting at all that you are making the times up. As we have discussed we need to ensure that any evidence will be strong enough to hold up in a court case or review hearing if that becomes necessary. At this stage we do not have sufficient evidence to consider taking enforcement action. As mentioned I have looked at the clips again there are no dates or times shown though the clips were at full screen size when viewed. Customers will still have to leave the premises if they wish to smoke and that may result in people standing outside by the seating area. This does not of course mean that they are entitled to cause a disturbance and still have to promote the licensing objectives including the prevention of public nuisance.

I understand that you are not disturbed by traffic noise. It was just a description of what I heard on the recordings.

I hope this clarifies my position.

Please do not intimate from this email that the case has been fully closed. We do understand that you have ongoing concerns about the breach of the 'outside area' condition and I have therefore added the Paris House to the out of hours rota for Officers to visit when they are next carrying out late visits.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our [redacted] promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 21 November 2019 09:28
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gcsx.gov.uk>
Subject: Re: Paris House -URGENT

Dear [redacted] ,
Thank you for your email yesterday ,the contents of which I have read with concern .

Unfortunately ,you are under a misapprehension - whilst the video clips I have provided to you may not have a time on them the times they were recorded are shown on both my [redacted] which was used to take them and on my larger [redacted] . [redacted] is aware of this and that is one of the reasons why [redacted] encouraged me to prepare a schedule of events showing the exact times the recordings I have were made .Please confirm you have received a copy of my schedule .

Thus ,the video recordings I have DO show repeated breaches of the licensing condition to clear and close the outside area by 2300 hours . [redacted]

[redacted] it is possible to enlarge the image .I do not know whether you tried to do that when you viewed my video clips but I can assure you that if the picture is enlarged customers can be seen clearly sitting on the chairs and benches outside the Paris House after 2300 hours in breach of the condition .When I saw you I did tell you that nearly all of the recordings I have were taken to show the position at least 15 minutes AFTER 2300 hours and thus show clear breaches .

In addition ,I can confirm that the recordings were made at the times stated in the schedule I sent you - simply because I am relying on not only what [redacted] show when I play them but also because I checked the times before I started to film .I have no wish to waste anyone's time in making false or unreliable evidence and am sufficiently IT illiterate as not even to know whether it is possible to change the times shown on an iPhone when filming and ,if it is ,how to do it !! In other words ,the times I have are genuine !!

My understanding is that [redacted] made two visits to the Paris House and showed some of the clips I had provided in February /March this year .That was done in the hope that when the management could see the problem they would deal with it .Sadly ,that did not happen and ,after more clips were provided to show the problems were continuing [redacted] ,the premises manager ,did not agree [redacted] had been shown video clips by [redacted] and denied having what I believe to be three letters from the council licensing department about the problems being created .

[redacted] they would be sending their report to you [redacted] Please explain how the Paris House is "still involved " in it .

After [redacted] in January this year and I understood [redacted] had visited the premises the noise did reduce for a period .Our concern is that the same pattern was observed after the mediation meeting but that has begun to change again and hence my reference to three dates AFTER that mediation when I have clips showing they have NOT complied with the licensing condition .Whilst the weather may be getting colder it does not stop people congregating outside (only rain and strong winds seem to do that) and we are concerned that the problem will continue as before .

Can I make it plain that what disturbs us is not traffic noise on Western Rd but people talking or shouting/swearing after 2300 whilst in the area which is meant to be " cleared and closed " by then .

Since mediation any problems we have had have been far more to do with the breach of the licensing condition than the noise of music (live or recorded) coming from the premises - there may have been a concerted effort to keep that noise at a lower level after 2300 hours .

What action the council chooses to take is a matter for you and your colleagues .However ,whilst I know you are all very busy ,please appreciate that we have endured this problem for a long time and see no good reason why the licensee cannot simply comply with the conditions on its licence - which the evidence I have shows clearly it does not on every occasion .If it will not even accept it is doing so [redacted] surely the licensing authority should deal with that in an appropriate way ? If ,as I understand it ,visits have previously been made and letters sent and the problem continues consideration should be given as to what can be done next .Otherwise ,this licensee ,knowing of pressures on council officers' time ,may decide the revenue generated by breaching licence conditions is sufficient to warrant the risk of being caught doing so .In which case the only ones who suffer are the premises' neighbours who are meant to be protected by the licensing conditions !!

I should be grateful if you could contact me to arrange a time when I can prove to you that the video footage I have IS timed BEFORE any decision is taken on future action .

Yours sincerely ,

[redacted]

On 20 Nov 2019, at 13:28, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

Hello

Sorry I have been in a training course this week.

I will have a look at the new video footage however, as we discussed at our meeting with [redacted] the times are not shown on the video so it does not clearly demonstrate that the Licensing condition 1. The outside area shall be closed and cleared by 23.00 hours has been breached

On the previous videos you sent us I could hear music from Paris House, however while the premises is involved in mediation [redacted] will not be taking any further action under the Environmental Protection Act 1990 and to date no statutory noise nuisance has been identified. The videos show some people who appeared to be standing outside the premises however as previously stated unless the times are shown on the video we are not able to take action. I could not see anyone sitting at tables. There was also noise from traffic in Western Road.

I am meeting with my Manager on Monday and I will discuss this case with [redacted] however I do not feel that we have sufficient information at this stage to take enforcement action. I have been in contact with the management at Paris House and hope that the mediation process may result in improvements to the concerns you have. As the weather is now cooler I hope that people noise will be reduced as the outdoor seating area will not be being used. I have added Paris House to our out of hours schedule to be visited during evening inspections when they next take place and will contact the premises again to remind them of their responsibilities under the Licensing Act 2003.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 18 November 2019 16:22
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: Paris House

Dear [redacted] ,
Thanks for your response to my email last week .I am sorry that both you and your manager were unwell and unable to meet last Wednesday and hope you are both now fully recovered .
I am forwarding you an email I have just sent to [redacted] and to our two local councillors .Phelim MacCafferty suggested a meeting with us and we have been trying to arrange one over the last week or so .However ,because we can't attend the one proposed for this Wednesday evening I have suggested I meet Phelim during the day (which he prefers) but have also set out in the email our ongoing concerns and what has happened since the mediation in case we can't meet this week .
You will appreciate from what I have said that simple complete compliance with the licensing condition re the outside area would probably address most of our complaints but the management seem reluctant to comply .
The times of the video footage I have is as follows -
25 October - 2322 hours
30 October - 2315 hours
16 November -2336hours

I hope that information is of some assistance to you and your colleagues and should be grateful if you could let me know in due course what action is proposed to address our ongoing concerns .

Best wishes ,

[redacted]

[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 18 November 2019 at 16:05:11 GMT
To: [redacted] <[redacted]
Cc: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>, [redacted]
<[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Hi all ,
We have not heard from Phelim as to whether he can see us during the day as we can't make the evening of Wednesday 20 November .
Phelim I shall be pleased to see you wherever is convenient for you preferably Thursday all day or Friday am this week to discuss our concerns which should take less than thirty minutes in total .Obviously if the same time is suitable for [redacted] and [redacted] and anyone else then we could consider having just the one meeting .
We have been troubled less from the Paris House since the mediation but this is not unusual .I understand that [redacted] paid the management a visit after our complaint in January this year and there were few ,if any ,problems for about a month or so afterwards and then they

started up again .There are two elements as far as we are concerned -

1. Noise nuisance because they play music too loud late at night and do not properly observe the licensing condition to keep doors and windows closed except for access and egress to minimise noise nuisance to neighbours .

2. (and the one we think is mostly the cause of the nuisance we experience) continually breaching the condition to close and clear the outside area by 11pm .Since the mediation they have breached this on three occasions (I have video footage to show it) on 25 & 30 October and 16 November . They have been better at clearing the tables and chairs away by 11pm but people still congregate outside after 11pm ,some standing and others sitting on fold down benches fixed to the pub walls .Most of these people are customers but some may stop to listen to the music .Whatever they are doing they are usually shouting or talking loudly and I guess the management may argue that they can't control people outside their premises and are not responsible for them .(This was intimated by [redacted] who is the owner of the premises [redacted].
The point is that the conditions are on the licence for a good reason ie to minimise noise nuisance to neighbours after 11pm and the only reason these people congregate there is because the pub is open ,playing music and undoubtedly selling drinks to at least some of those outside .In other words ,the management has the responsibility under the terms of the licence to "clear and close " the outside area after 11pm ,the purpose of which is to stop exactly what they currently allow to happen .
[redacted] ,the premises manager ,point blank denied any breaches of licensing conditions - even when told I had video footage showing most of the twenty odd previous occasions and some of which (I understood) [redacted] had previously shown to [redacted] ![redacted] appeared vague when told [redacted] had been shown them and that [redacted] had had at least three letters from enforcement officers (which I had been informed of by council officers) .
I have seen [redacted] at the premises today and that's the first time since the mediation.Our worry is that ,having laid low for a while ,all the problems will start up again - especially if [redacted] continues to be involved .

If we can't organise a meeting Phelim this is the gist of our concerns .I will send a copy of this to [redacted] in the council's licensing unit so [redacted] is aware of developments since the mediation .I know [redacted] was due to meet [redacted] manager last Wednesday to consider their next steps but the meeting could not take place because of illness .

Best wishes to all ,

[redacted]
[redacted]

On 13 Nov 2019, at 15:08, [redacted] <[redacted]> wrote:

Hi all,
[redacted] and I can do day time - normally Mon, Wed and Fri before 3pm will work best for us.
Best
[redacted]

[redacted]
m: [redacted]
[redacted]

On Wed, 13 Nov 2019 at 13:38, [redacted] <[redacted]> wrote:

Phelim,
We can't do the 20th November but would be happy to meet you during a day if that is easier for you .
Best wishes
[redacted]

On 13 Nov 2019, at 12:22, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:

Yes indeed- that would be great.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
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phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 12 November 2019 22:42
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 27.11.2019	Vis Officer: [redacted]

Vis Comments:
27/11/19 at 14:40 by [redacted]

Email response to [redacted] re reasons for not pursing legal action at this stage.

Action Info:	Act Type: E-mail sent	Act Date: 27.11.2019	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 27 November 2019 14:34
To: [redacted] <[redacted]
Subject: FW: Paris House -URGENT

Dear [redacted]

I refer to your email below.

I understand that the times were on the videos you recorded; however these were not visible on the videos you sent to us and as you said in your email, we were not able to view the clips [redacted] I did enlarge the clips to view them. I confirm that I

received a copy of the schedule you sent and appreciate that this details all incidents that have affected you this year. I also note that you have been away on a number of weekends.

While the condition on the licence states that - 1. The outside area shall be closed and cleared by 23.00 hours, Customers will still be outside smoking after 11:00pm. However they should not be seated outside after 11:00pm. Some of the video downloads are no longer available however I have looked at the videos that you sent as attachments again. In the clips dated 31 August and 7 September 2019 there appeared to be 2 people standing outside by the door. One looked like a door supervisor. No one was seated at the tables at the time. The clip dated 29 September was very blurry and I was not able to see anything other than lights. However the clip dated 5 October did show a number of people seated at tables. The premises have been reminded of this condition.

I am not suggesting at all that you are making the times up. As we have discussed we need to ensure that any evidence will be strong enough to hold up in a court case or review hearing if that becomes necessary. At this stage we do not have sufficient evidence to consider taking enforcement action. As mentioned I have looked at the clips again there are no dates or times shown though the clips were at full screen size when viewed. Customers will still have to leave the premises if they wish to smoke and that may result in people standing outside by the seating area. This does not of course mean that they are entitled to cause a disturbance and still have to promote the licensing objectives including the prevention of public nuisance.

I understand that you are not disturbed by traffic noise. It was just a description of what I heard on the recordings.

I hope this clarifies my position.

Please do not intimate from this email that the case has been fully closed. We do understand that you have ongoing concerns about the breach of the 'outside area' condition and I have therefore added the Paris House to the out of hours rota for Officers to visit when they are next carrying out late visits.

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted]
Sent: 21 November 2019 09:28
To: [redacted]brighton-hove.gov.uk>
Cc: [redacted]brighton-hove.gcsx.gov.uk>
Subject: Re: Paris House -URGENT

B36

Dear [redacted],
Thank you for your email yesterday ,the contents of which I have read with concern .

Unfortunately ,you are under a misapprehension - whilst the video clips I have provided to you may not have a time on them the times they were recorded are shown on both my [redacted] which

was used to take them and on my larger [redacted] is aware of this and that is one of the reasons why [redacted] encouraged me to prepare a schedule of events showing the exact times the recordings I have were made .Please confirm you have received a copy of my schedule .

Thus ,the video recordings I have DO show repeated breaches of the licensing condition to clear and close the outside area by 2300 hours .

[redacted] it is possible to enlarge the image .I do not know whether you tried to do that when you viewed my video clips but I can assure you that if the picture is enlarged customers can be seen clearly sitting on the chairs and benches outside the Paris House after 2300 hours in breach of the condition .When I saw you I did tell you that nearly all of the recordings I have were taken to show the position at least 15 minutes AFTER 2300 hours and thus show clear breaches .

In addition ,I can confirm that the recordings were made at the times stated in the schedule I sent you - simply because I am relying on not only what [redacted] show when I play them but also because I checked the times before I started to film .I have no wish to waste anyone's time in making false or unreliable evidence and am sufficiently IT illiterate as not even to know whether it is possible to change the times shown on an iPhone when filming and ,if it is ,how to do it !! In other words ,the times I have are genuine !!

My understanding is that [redacted] made two visits to the Paris House and showed some of the clips I had provided in February /March this year .That was done in the hope that when the management could see the problem they would deal with it .Sadly ,that did not happen and ,after more clips were provided to show the problems were continuing .

B36

[redacted] ,the premises manager ,did not agree [redacted] had been shown video clips by [redacted] and denied having what I believe to be three letters from the council licensing department about the problems being created .

[redacted] they would be sending their report to you [redacted] Please explain how the Paris House is "still involved " in it .

After [redacted] in January this year and I understood [redacted] had visited the premises the noise did reduce for a period .Our concern is that the same pattern was observed after the mediation meeting but that has begun to change again and hence my reference to three dates AFTER that mediation when I have clips showing they have NOT complied with the licensing condition .Whilst the weather may be getting colder it does not stop people congregating outside (only rain and strong winds seem to do that) and we are concerned that the problem will continue as before .

Can I make it plain that what disturbs us is not traffic noise on Western Rd but people talking or

shouting/swearing after 2300 whilst in the area which is meant to be " cleared and closed " by then .

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What action the council chooses to take is a matter for you and your colleagues .However ,whilst I know you are all very busy ,please appreciate that we have endured this problem for a long time and see no good reason why the licensee cannot simply comply with the conditions on its licence - which the evidence I have shows clearly it does not on every occasion .If it will not even accept it is doing so [redacted] surely the licensing authority should deal with that in an appropriate way ? If ,as I understand it ,visits have previously been made and letters sent and the problem continues consideration should be given as to what can be done next .Otherwise ,this licensee ,knowing of pressures on council officers' time ,may decide the revenue generated by breaching licence conditions is sufficient to warrant the risk of being caught doing so .In which case the only ones who suffer are the premises' neighbours who are meant to be protected by the licensing conditions !!

B36

I should be grateful if you could contact me to arrange a time when I can prove to you that the video footage I have IS timed BEFORE any decision is taken on future action .

Yours sincerely ,

[redacted]

On 20 Nov 2019, at 13:28, [redacted] <[redacted]brighton-hove.gov.uk> wrote:

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Sorry I have been in a training course this week.

I will have a look at the new video footage however, as we discussed at our meeting with [redacted] the times are not shown on the video so it does not clearly demonstrate that the Licensing condition 1. The outside area shall be closed and cleared by 23.00 hours has been breached

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I am meeting with my Manager on Monday and I will discuss this case with [redacted] however I do not feel that we have sufficient information at this stage to take enforcement action. I have been in contact with the management at Paris House and hope that the mediation process may result in improvements to the concerns you have. As the weather is now cooler I hope that people noise will be reduced as the outdoor seating area will not be being used. I have added Paris House to our out of hours schedule to be visited during evening inspections when they next take place and will contact the premises again to remind them of their responsibilities under the Licensing Act 2003.

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 18 November 2019 16:22
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
<[redacted] brighton-hove.gov.uk>
Subject: Paris House

Dear [redacted] ,
Thanks for your response to my email last week .I am sorry that both you and your manager were unwell and unable to meet last Wednesday and hope you are both now fully recovered .
I am forwarding you an email I have just sent to [redacted] and to our two local councillors .Phelim MacCafferty suggested a meeting with us and we have been trying to arrange one over the last week or so .However ,because we can't attend the one proposed for this Wednesday evening I have suggested I meet Phelim during the day (which [redacted] prefers) but have also set out in the email our ongoing concerns and what has happened since the mediation in case we can't meet this week .
You will appreciate from what I have said that [redacted] complete compliance with the licensing condition re the outside area would probably address most of our complaints but the management seem reluctant to comply .
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30 October - 2315 hours
16 November -2336hours

I hope that information is of some assistance to you and your colleagues and should be grateful if you could let me know in due course what action is proposed to address our ongoing concerns .

Best wishes ,

[redacted]

[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 18 November 2019 at 16:05:11 GMT
To: [redacted] <[redacted]
Cc: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>, [redacted] [redacted]
<[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Hi all ,
We have not heard from Phelim as to whether [redacted] can see us during the day as we can't make the evening of Wednesday 20 November .
Phelim I shall be pleased to see you wherever is convenient for you preferably Thursday all day

or Friday am this week to discuss our concerns which should take less than thirty minutes in total .Obviously if the same time is suitable for [redacted] and [redacted] and anyone else then we could consider having just the one meeting .
We have been troubled less from the Paris House since the mediation but this is not unusual .I understand that [redacted] paid the management a visit after our complaint in January this year and there were few ,if any ,problems for about a month or so afterwards and then they started up again .There are two elements as far as we are concerned -

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Best wishes to all ,

[redacted]
[redacted]

On 13 Nov 2019, at 15:08, [redacted] <[redacted]> wrote:

Hi all,
[redacted] and I can do day time - normally Mon, Wed and Fri before 3pm will work best for us.
Best
[redacted]

[redacted]

m: [redacted]
[redacted]

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Best wishes
[redacted]
[redacted]

On 13 Nov 2019, at 12:22, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:

Yes indeed- that would be great.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
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phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]>
Sent: 12 November 2019 22:42
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]> Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Phelim,
Do you mean Wednesday 20th Nov? We can do that evening.
Best,
[redacted]

[redacted]
m: [redacted]
[redacted]

On Tue, 12 Nov 2019 at 13:23, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

I am more easily available during the day but recognise that may be a struggle for everyone else so should we say an evening? I would next be free on an evening of Mon/Weds/Fri next Wednesday- is that ok?

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
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http://www.brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 11 November 2019 11:59
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted] <[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Phélim,
Would be great yo all meet up.
Were you thinking about a day time meet up or in the evening?
Day times Mon, Wed and Fri are the most flexible for [redacted] and me. Evenings you are all welcome to come around to ours one night at 8pm once Ben is in bed.
Best
[redacted]

[redacted]
m: [redacted]
[redacted]

On Thu, 7 Nov 2019 at 16:17, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear all

I suggested we might be interested in meeting up to discuss the ongoing situation at the Paris House. [redacted] I wondered if we can try and get a date in the diary to discuss practical steps. Would you be interested in doing that in the next few weeks?

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
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Notice to recipient:
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communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.
Thank you in anticipation of your co-operation.
You can visit our website at http://www.brighton-hove.gov.uk
Please consider the environment, only print out this email if absolutely necessary.
Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

B36

Visit Info:	Vis Type: EH No visit	Vis Date: 21.11.2019	Vis Officer: [redacted]

Vis Comments:
21/11/19 at 11:36 by [redacted]

21/11/19 at 11:35 by [redacted]

Email re more problems and meeting with Cllr MacCafferty from [redacted] 18.11.19
Response sent 20.11.19

Action Info:	Act Type: E-mail sent	Act Date: 21.11.2019	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 20 November 2019 13:29
To: [redacted]
Subject: FW: Paris House

Hello

Sorry I have been in a training course this week.

I will have a look at the new video footage however, as we discussed at our meeting with [redacted] the times are not shown on the video so it does not clearly demonstrate that the Licensing condition 1. The outside area shall be closed and cleared by 23.00 hours has been breached

On the previous videos you sent us I could hear music from Paris House, however while the premises is involved in mediation [redacted] will not be taking any further action under the Environmental Protection Act 1990 and to date no statutory noise nuisance has been identified. The videos show some people who appeared to be standing outside the premises however as previously stated unless the times are shown on the video we are not able to take action. I could not see anyone sitting at tables. There was also noise from traffic in Western Road.

I am meeting with my Manager on Monday and I will discuss this case with [redacted] however I do not feel that we have sufficient information at this stage to take enforcement action. I have been in contact with the management at Paris House and hope that the mediation process may result in improvements to the concerns you have. As the weather is now cooler I hope that people noise will be reduced as the outdoor seating area will not be being used. I have added Paris House to our out of hours schedule to be visited during evening inspections when they next take place and will contact the premises again to remind them of their responsibilities under the Licensing Act 2003.

Regards, [redacted]

B36

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our [redacted] promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 18 November 2019 16:22
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: Paris House

Dear [redacted] ,
Thanks for your response to my email last week .I am sorry that both you and your manager were unwell and unable to meet last Wednesday and hope you are both now fully recovered .
I am forwarding you an email I have just sent to [redacted] and to our two local councillors .Phelim MacCafferty suggested a meeting with us and we have been trying to arrange one over the last week or so .However ,because we can't attend the one proposed for this Wednesday evening I have suggested I meet Phelim during the day (which [redacted] prefers) but have also set out in the email our ongoing concerns and what has happened since the mediation in case we can't meet this week .
You will appreciate from what I have said that simple complete compliance with the licensing

condition re the outside area would probably address most of our complaints but the management seem reluctant to comply .
The times of the video footage I have is as follows -
25 October - 2322 hours
30 October - 2315 hours
16 November -2336hours

B36

I hope that information is of some assistance to you and your colleagues and should be grateful if you could let me know in due course what action is proposed to address our ongoing concerns .

Best wishes ,

[redacted]

[redacted]

Begin forwarded message:
From: [redacted] <[redacted]
Date: 18 November 2019 at 16:05:11 GMT
To: [redacted] <[redacted]
Cc: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>, [redacted]
<[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

B35

Hi all ,
We have not heard from Phelim as to whether [redacted] can see us during the day as we can't make the evening of Wednesday 20 November .
Phelim I shall be pleased to see you wherever is convenient for you preferably Thursday all day or Friday am this week to discuss our concerns which should take less than thirty minutes in total .Obviously if the same time is suitable for [redacted] and [redacted] and anyone else then we could consider having just the one meeting .
We have been troubled less from the Paris House since the [redacted] but this is not unusual .I understand that [redacted] paid the management a visit after our complaint in January this year and there were few ,if any ,problems for about a month or so afterwards and then they started up again .There are two elements as far as we are concerned -

1. Noise nuisance because they play music too loud late at night and do not properly observe the licensing condition to keep doors and windows closed except for access and egress to minimise noise nuisance to neighbours .

2. (and the one we think is mostly the cause of the nuisance we experience) continually breaching the condition to close and clear the outside area by 11pm .Since the mediation they have breached this on three occasions (I have video footage to show it) on 25 & 30 October and 16 November . They have been better at clearing the tables and chairs away by 11pm but people still congregate outside after 11pm ,some standing and others sitting on fold down benches fixed to the pub walls .Most of these people are customers but some may stop to listen to the music .Whatever they are doing they are usually shouting or talking loudly and I guess the management may argue that they can't control people outside their premises and are not responsible for them .(This was intimated by [redacted] who is the owner of the premises [redacted] .
The point is that the conditions are on the licence for a good reason ie to minimise noise nuisance to neighbours after 11pm and the only reason these people congregate there is because the pub is open ,playing music and undoubtedly selling drinks to at least some of those outside .In other words ,the management has the responsibility under the terms of the licence to "clear and close " the outside area after 11pm ,the purpose of which is to stop exactly what they currently allow to happen .
[redacted] ,the premises manager ,point blank

denied any breaches of licensing conditions - even when told I had video footage showing most of the twenty odd previous occasions and some of which (I understood) [redacted] had previously shown to [redacted] !! [redacted] appeared vague when told [redacted] had been shown them and that [redacted] had had at least three letters from enforcement officers (which I had been informed of by council officers) .
I have seen [redacted] at the premises today and that's the first time since the mediation.Our worry is that ,having laid low for a while ,all the problems will start up again - especially if [redacted] continues to be involved .

B35

If we can't organise a meeting Phelim this is the gist of our concerns .I will send a copy of this to [redacted] in the council's licensing unit so [redacted] is aware of developments since the mediation .I know [redacted] was due to meet [redacted] manager last Wednesday to consider their next steps but the meeting could not take place because of illness .

Best wishes to all ,

[redacted]

On 13 Nov 2019, at 15:08, [redacted] <[redacted]> wrote:

Hi all,
[redacted] and I can do day time - normally Mon, Wed and Fri before 3pm will work best for us.
Best
[redacted]

[redacted]
m: [redacted]
[redacted]

On Wed, 13 Nov 2019 at 13:38, [redacted] <[redacted]> wrote:
Phelim,
We can't do the 20th November but would be happy to meet you during a day if that is easier for you .
Best wishes
[redacted]

On 13 Nov 2019, at 12:22, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:

Yes indeed- that would be great.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome &

Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 12 November 2019 22:42
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted] <[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Phelim,
Do you mean Wednesday 20th Nov? We can do that evening.
Best,
[redacted]

[redacted]
m: [redacted]
[redacted]

On Tue, 12 Nov 2019 at 13:23, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

I am more easily available during the day but recognise that may be a struggle for everyone else so should we say an evening? I would next be free on an evening of Mon/Weds/Fri next Wednesday- is that ok?

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre,

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Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 11 November 2019 11:59
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: meeting up

Phélim,
Would be great yo all meet up.
Were you thinking about a day time meet up or in the evening?
Day times Mon, Wed and Fri are the most flexible for [redacted] and me. Evenings you are all welcome to come around to ours one night at 8pm once Ben is in bed.
Best
[redacted]

[redacted]
m: [redacted]
[redacted]

On Thu, 7 Nov 2019 at 16:17, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear all

I suggested we might be interested in meeting up to discuss the ongoing situation at the Paris House. [redacted] I wondered if we can try and get a date in the diary to discuss practical steps. Would you be interested in doing that in the next few weeks?

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
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phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 29.10.2019	Vis Officer: [redacted]

Vis Comments:
06/11/19 at 13:09 by [redacted]

06/11/19 at 10:57 by [redacted]

Email from [redacted] <[redacted]
re letter and mediation meeting

Action Info:	Act Type:	Act Date:	Act Officer:

Act Notes:

From: [redacted] <[redacted]
Sent: 29 October 2019 13:39
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Dear [redacted] and [redacted]
Thank you for your letter ([redacted] of 16 October re The Paris House (copied to [redacted] and [redacted] our venue DPS).
This email is just to confirm a number of the salient points I raised with [redacted] subsequently in a 'phone call on Monday (21 October).
I have also called you [redacted] a number of times since Friday 18 October, but it has just gone straight to voicemail, so I'm assuming you were not around. Hence this email.
[redacted] and I discussed [redacted] letter, which followed your joint meeting with [redacted] last week. [redacted]

Mediation
[redacted] suggested we engage in a Mediation Process (via the Brighton & Hove Independent Mediation Service) - which we were happy to do (and is on-going).
Our first Mediation Meeting was held on Monday 14 October attended throughout by [redacted] and myself - and it concluded really positively and was very constructive, with some tangible (and workable) outputs.
Most important to note - [redacted] LEFT the Mediation Meeting prematurely and before the session had ended (as it happens, on a high note). [redacted]

B33

[redacted]
The agreed outputs of the Mediation Meeting were 'signed off' by [redacted] and myself ([redacted] having left by then).
As part of the Process it was agreed that we ([redacted] and myself) would reconvene in a month or so's time - to review progress. [redacted] and ourselves both regard the Mediation Process as very much still 'live' and 'active', however.
[redacted]

B33

The only time a potential customer would have been refused admission is where they are: a) evidently drunk or b) aggressive and likely to cause trouble if let inside.
[redacted]
Even though having Security is not a required License Condition for us - we have voluntarily had it for many years now, only on these two weekend nights and at these times.
The brief to our (single) Security is to provide 'a customer concierge / welcoming front-of-house' service - not a 'strong arm' one (as there's no need - as we're not a trouble venue).
The reason we voluntarily have (a single) Security is because Western Road can attract noisy / drunk people at the weekend times they work. We want to ensure our customers (inside) are not troubled by such people, who may also have been refused entry and been 'kicked back' from elsewhere (where there is a Licensing requirement to have Security) - and are just looking to gain entry 'anywhere' (they can).
We were therefore previously at a disadvantage (before we had Security) - as 'undesirables' could easily walk in to us unchallenged, having been refused elsewhere (and once in, be far more difficult to remove).
False Claims
[redacted] had previously remonstrated with us two years ago (in October 2017) about a Saturday night - at a time when Security would have been on duty. He then followed this up with a meeting (on the Sunday) with a member of our team and an unpleasant email sent by [redacted] the same day (Sunday), that contained false claims (of fact).
An (extremely well-written) contemporaneous email account by our team member who met with [redacted]
The particular matter at stake that Saturday night was that [redacted] was insisting that our Premises Licence prevented us from playing Music after 1am. This is simply not true.
[redacted] described our team member who [redacted] met on the Sunday as 'dismissive' of his complaint, before [redacted] stormed off.
[redacted] wasn't being dismissive; [redacted] was merely pointing out (the fact that) [redacted] comments about our Licence were verifiably untrue.

had either read our Licence inaccurately

New Year's Eve 31 December 2018
We discussed with (copied to letter to us of 7 January 2019 (about NYE on 31 December 2018) - alleging unacceptable noise coming from The Paris House (on NYE).
This letter is also referenced in your (letter of 16 October: "In January 2019 my colleague also wrote to you to remind you of you [sic] responsibilities under the Licensing Act 2003".
We were able to verifiably demonstrate to in January (by reference to CCTV, etc) The Paris House was actually closed at the time we were being accused of causing a noise nuisance.
It was clear from our Mediation Meeting this complaint was raised by (although we didn't know that at the time).
They went on and on about the noise from The Paris House on NYE at the Mediation Meeting, even saying they had independent witnesses against us (turned out to be their son, visiting them from London that night).....
They wouldn't or didn't want to accept the noise was NOT coming from The Paris House - because were verifiably closed at the time.....
Yet again - another false claim by the
concluded our email exchange about this subject (on 31 January 2019) and seems to have accepted our version of events (i.e. being closed at the time - so any noise was not ours) thus:
"Dear
Thank you for your email, the contents of which have been noted and placed on file.
The Licensing Team do not intend to take any further action with regard to this matter.
I note that you have copied in from the Environmental Protection Team."

I am therefore a little surprised this correspondence is referred to again in the most recent letter of 16 October from
The also wasted precious public (and private) time and expense on this completely fictitious exercise - we were closed so the noise was not ours!!
His Complaint and Letter of 16 October
Turning to the substance of the complaint and points referred to or raised in your letter (of 16 October.
Clearly as a professional multi-site operator in Brighton - we are fully aware of the Licensing Objectives and the specific Conditions on our License, including closure of the outside area. As far as I am aware that area IS (and always has been) closed in accordance with our License.
On a separate point, I note that specifically acknowledges we are indeed undertaking the necessary "regular inspections inside and outside the premises in order to monitor noise levels...." in accordance with our License requirement: "The complainant says has seen the Designated Premises Supervisor carrying out inspections outside the premises....".
As far as "...noise from people outside the premises...." - how can anyone be so categoric this noise was coming from our (a point I raised with on the 'phone - and which appeared to accept)?
It is most likely this noise is coming from general 'passers-by' crossing the side road junction of Brunswick Street East (and Western Road (which, in itself, is highly trafficked by pedestrians and is notoriously not quiet at any time of the day or night). There are also lots of homeless people in that area 24/7 - see below.
This (people) noise has nothing to do with The Paris House or its Given the particular demographic of Paris House clientele - I would also be astounded if they were shouting in the street, late at night or indeed at anytime.....whether or not Security was on duty.

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Signage requirements: We do have the required signage in place requesting [redacted] to respect neighbours (a point we made at the Mediation Meeting). This signage has also been inspected on previous routine Licensing checks - and found to be satisfactory. FYI - there are prominent stainless steel signs (x2) attached to both inside leafs of the (only) doors to the premises - so are seen by everyone who is leaving.

Glass bottles: A point was raised in the Mediation Meeting about the noise of glass being emptied into the outside bins late at night. We have no issue with this activity being delayed until morning - and this undertaking forms part of what was agreed (and 'signed off') by [redacted] and myself (the [redacted] having left by then). This was also the first time a glass complaint had ever been raised with us and we have taken steps immediately, to remedy.

In summary, I don't believe there is ANY non-compliance with the Licensing Objectives occurring at The Paris House (or at any of our other venues) or that any unauthorised Licensable Activities are occurring. I do not believe we are breaching any requirements or Conditions.

Short Video

Please watch this short video of The Paris House, made independently by students earlier this year as part of their degree course submission. It gives an insight into The Paris House and its workings and was not commissioned by us - nor did we have any editorial involvement. Nevertheless, we feel it captures The Paris House culture and atmosphere so very well. See: https://www.youtube.com/watch?v=0pqEZugsdE0

The Paris House has a particularly strong diversity in ages, attracting an older crowd rarely serviced by other commercial operators - as evidenced by this short film.

In Conclusion

I am sure you will understand my need to record all of the above points to you both, in writing.

[redacted]

B33

We believe they are now at the stage where they are lashing out and blaming The Paris House for all the problems and ills that exist in the vicinity of their home (although they have nothing to do with our venue nearby).....

Indeed, they raised some of these 'extraneous' matters with us at the Mediation Meeting before they left it - namely 'general street drug dealing in the Western Road area' (and nothing to do with The PH, as it turned out - see below).

As this drug dealing allegation ("outside The Paris House....") was such a very serious accusation made by [redacted] - and said by them with a definite inference The Paris House was somehow involved in it (or that it involved our [redacted] - we demanded they explain themselves, immediately.

They then backed down rapidly on this point (as they couldn't substantiate it) - admitting the street drug dealing hadn't in fact anything to do with us..... but that it was a 'general problem of the area'. As is the "noise.....". So yet another false claim.

We were surprised that someone [redacted], would even make such a wild (and potentially) defamatory claim about us - that had no founding as far as our premises were concerned. [redacted] raised it only to smear us - and quickly retracted the allegation when directly challenged, as [redacted] realised the serious legal implications of what [redacted] had just said (as being untrue).

Let us remind ourselves that until recently there was a homeless hostel, specialising in substance abuse at the [redacted] of Cambridge Road, right opposite the Brunswick Street East junction.

There are also lots of homeless people who still congregate in the area generally, many of whom sleep in shop and other doorways. Many 'shout out' day and night - and are clearly substance abusers..... None have anything to do with The Paris House, however.

[redacted]

As you would expect, we are fully aware of and do take our Licensing Responsibilities very seriously - and we have a long track-record, across all of our venues, of ensuring these are well managed.

Our venues also have a first-class reputation for being trouble-free environments which make a strong, positive contribution to the City's culture.
If the noise levels really were at those complained about by [redacted] - then would so many people 'of an (old) age' be saying such complimentary things about us in the video?
Customers of that age profile simply do not like (or attend) noisy establishments.
With Kind Regards
[redacted]
From: [redacted] [mailto:[redacted]brighton-hove.gov.uk]
Sent: 16 October, 2019 12:07 PM
To: [redacted]
Cc: [redacted]
Subject: Paris House

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

B33

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We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 16.10.2019	Vis Officer: [redacted]

Vis Comments:
16/10/19 at 12:50 by [redacted]

Met with [redacted]
Noise from music and [redacted] outside.
1. The outside area shall be closed and cleared by 23.00 hours.

The complainant alleges that there have been 14 occasions since July where this condition has been breached. [redacted] also alleges incidents where glass bottles are being emptied in the recycling bins at midnight and that they are being regularly disturbed by [redacted] outside of the premises. The complainant says [redacted] has seen the Designated Premises Supervisor carrying out inspections outside the premises but did not feel that the noise issues were being addressed. [redacted] did not feel the premises was always managed well when the DPS was not on site. [redacted] also claimed that there were occasions when Door Supervisors were outside but they seemed to be ignoring noisy

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customers.
The complainant suggested that these signs should also be visible to customers using the outdoor seating area.
Discussed review but as last resort. Letter to Premises, DPS, HO. Email to [redacted] and [redacted]

Action Info:	Act Type: Letter - no action	Act Date: 16.10.2019	Act Officer: [redacted]

Act Notes:

[redacted]

Date:
Your Ref:

Contact:

Tel:
Email:

16 October 2019
ELB/ [redacted]

[redacted]

[redacted]brighton-hove.gcsx .gov.uk

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

I refer to my letter of 13 May 2019 sent to you following a noise complaint being investigated by our Environmental Protection (EP) Team. In January 2019 my colleague also wrote to you to remind you of you responsibilities under the Licensing Act 2003.

May I remind you again that all licensed premises are required to operate with regard to the conditions on their licence as well as the four licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

The complainant advises me that they are still being disturbed by noise from music being played in the premises but also noise from people outside the premises. I have met with the complainant and [redacted] from the EP team and discussed the continuing problems [redacted] has been experiencing.

Conditions were added to the licence after a hearing of a Licensing Panel on 19 September 2005. Condition 1 states:-

1. The outside area shall be closed and cleared by 23.00 hours.

The complainant alleges that there have been 14 occasions since July where this condition has

been breached. [redacted] also alleges incidents where glass bottles are being emptied in the recycling bins at midnight and that they are being regularly disturbed by customer outside of the premises.

Condition 1 under the Licensing Objective of the Prevention of Public nuisance states:-

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.

The complainant says [redacted] has seen the Designated Premises Supervisor carrying out inspections outside the premises but did not feel that the noise issues were being addressed. [redacted] did not feel the premises was always managed well when the DPS was not on site. [redacted] also claimed that there were occasions when Door Supervisors were outside but they seemed to be ignoring noisy customers.

It is a condition of your licence that
:- prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

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The complainant suggested that these signs should also be visible to customers using the outdoor seating area.

We will continue to consult with the Environmental Protection team who will continue to pursue their investigations under the Environmental Protection Act 1990.

Non-compliance with the licensing objectives, the permitted hours and the conditions on your licence constitutes a breach of the premises licence issued under the above legislation. Please ensure that all conditions and hours on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if -
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

At any stage following the grant of a premises licence, a responsible authority, such as the Environmental Health, Police or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

Please ensure that all staff are aware of and understand the conditions, and operate the premises licence having regard to all four of the licensing objectives and the conditions attached to it.

Yours Sincerely

[redacted]

Paris House
21 Western Road
Hove
BN3 1AE

[redacted]
EP Team

[redacted]

B39

[redacted]

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 15.10.2019	Vis Officer: [redacted]

Vis Comments:
15/10/19 at 13:21 by [redacted]

Emails from comp. [redacted] wants to meet [redacted] and me. Appt made for 10:30am [redacted]

Action Info:	Act Type: E-mail sent	Act Date: 15.10.2019	Act Officer: [redacted]

Act Notes:

From: [redacted] <[redacted]
Sent: 15 October 2019 10:06
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House Western Road ,Hove

Good morning [redacted]
Again, thanks for your prompt response.
Yes I can attend at 1030am [redacted] and really appreciate your making time available on your last day before your leave .
I look forward to seeing you and [redacted]

Best wishes

[redacted]

On 15 Oct 2019, at 08:24, [redacted] <[redacted]brighton-hove.gov.uk> wrote:
Hello

I am sorry that [redacted] was unsuccessful. After tomorrow I am on leave for 2 weeks so if you are able to come in tomorrow morning both [redacted] and I are available. Is 10:30am convenient?

[redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]
Sent: 14 October 2019 15:42
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House Western Road ,Hove

Dear [redacted] ,

[redacted].
It seems that the Paris House do not accept there is a problem or that they may be in breach of their licence conditions whereas we believe they are .
We will continue to monitor the problem as before but I really would appreciate meeting you and your colleague [redacted] at your offices and at your convenience to discuss matters further and to show you some of the video footage which evidences the problem .

Best wishes ,

[redacted]
[redacted]

On 9 Oct 2019, at 12:54, [redacted] <[redacted]brighton-hove.gov.uk> wrote:
Thank you. [redacted]

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

B30

B29

From: [redacted] <[redacted]
Sent: 09 October 2019 11:47
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: Paris House Western Road ,Hove

Dear [redacted] ,
[redacted]

1. Between Saturday the 6th July and 6th October 2019 (last Sunday morning) there have been fourteen occasions when we have been disturbed by noise relating to the Paris House .In that period we have been away on holidays and were not at home for virtually a month in total .
Four of the occasions are after your email of 14 August to me in which you said you would write to advise the management of my complaints to the effect conditions were being breached and to remind them of the consequences and that they would be monitored .I believe [redacted] gave them similar advice earlier this year .These four occasions were on 31 August ,7 & 29 September and 5 October and we were away from 8- 25 September inclusive .
It appears the licensee either does not understand his duties or is deliberately breaking conditions in the belief they will not be enforced in order to maintain a level of profits .
[redacted]
[redacted] .The licensee has had a visit from [redacted] ,a notice of complaint from you and a reminder of his duties as well as mediators [redacted]
.Despite all of that the business continues in apparent total disregard for its neighbours as clearly shown in the latest incident .
[redacted]

2. I have taken video footage on most of the occasions when we were disturbed .That always shows the outside area of the premises to be in active use by customers and is one of the main sources of noise which affects us .I emphasise this isn't an occasional failure to comply with the condition to clear and close the outside area by 2300 hours .Most of the dates we were disturbed were on either a Friday or a Saturday evening but occasionally other days too .Every time we have been disturbed the video footage I have taken shows the outside area in use well after 2300 hours ,with four of the fourteen occasions occurring at 1 30am .The earliest recording I have started at 2315 hours on the night of Saturday 20 July and the nuisance was still going on at 0130 on the following Sunday morning .

3. There is no apparent supervision of the outside of the premises by the staff to ensure the noise generated does not cause a nuisance for others .On the contrary ,customers come out of the pub with drinks they are obviously intending to drink outside and when doormen are on duty they can often be seen standing outside and taking no steps to quieten people down - who in any event should not be there if the licensee was complying with the condition to clear and close the outside area .

4. I have carefully checked the area outside the premises .There are no signs which customers

sitting outside can read to remind them to respect the needs of local residents and leave the area quietly . I will try to make a discreet check inside the premises to see if there any notices there BUT even if any notices there are were six feet high it is obvious any such warnings are not being observed on the days we have been disturbed .

Finally ,when the mediation has been concluded I should like to meet you and/or [redacted] to show you some of the video footage I have so you can fully appreciate our concerns .Knowing your time is valuable ,I am willing to attend your offices for whatever time you can spare for that purpose .Please let me know when that might be possible .

Regards ,

[redacted]

On 8 Oct 2019, at 12:18, [redacted] <[redacted]brighton-hove.gov.uk> wrote:
Hello

[redacted] undergoing mediation I will not get involved [redacted]

[redacted] If the licence conditions are continuing to be breached please contact me and I can arrange to re-visit the premises. Please keep me updated.

Regards, [redacted]

(Please note I will be on leave from 18th October until 1st November)

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
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From: [redacted] <[redacted]
Sent: 08 October 2019 11:58
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris House Western Road ,Hove

Dear [redacted] .
You will recall that I have written to you before about noise problems we are having with the Paris House pub which is at the top of Brunswick St East and [redacted]

[redacted]

Last Saturday [redacted] went to bed at about 10 50pm .However ,the music from the Paris House continued after 11pm .[redacted]as a result of the disturbance - especially at weekends (but not exclusively then) - we no longer invite so many friends or family to stay with us .[redacted]As a result ,most guests we have had in the last twelve months have expressed concerns about being disturbed by noise from the Paris House .

In an effort to minimise disturbance to us ,we close all windows at the front of our property at night and close two internal fire doors which give access to the front of the house . Sadly ,last Saturday night even those precautions did not work ! The noise [redacted] was so loud from the beat of the music being played that I was forced to get up and go down stairs because it was impossible to sleep .Customers were outside the premises drinking ,shouting and talking .I took video recordings on my mobile phone at 23 36, midnight and 0036 hours and at 0040 am I could still clearly hear the music in a room which is downstairs and at the rear of our home .

Our own previous experience and that of our neighbours has shown there is no point in going up to the pub to complain to the management because nothing happens when residents do so .

An image I caught on video at midnight speaks volumes for the attitude of the management to their neighbours .A member of staff came out of the pub with a container of empty bottles and emptied them in to a bin at the side of the pub on Brunswick St East .The noise created was considerable ! Quite why that had to be done then is difficult to understand but typifies the attitude that the staff at the pub will carry out their duties regardless of their neighbours .This evidences a lack of common sense or even basic consideration on their part but emphasises the lack of control or care the management take to ensure the staff respect the neighbours .

The noise finally stopped at just after 0040 on Sunday morning and about twenty minutes later the Paris House was in darkness and the outside area was clear . I eventually went to bed after 1am .

Having read your email of 14 August this morning , I am pleased to see the conditions to which the Licence Holder and staff are subject but very surprised by the degree to which they flout them ! Specifically -

Conditions to Prevent Public Nuisance -

1. We have NEVER seen any member of the management making regular inspections outside the premises to manage sound levels so residents are not disturbed .We HAVE seen doormen standing near the doors in case of trouble but on occasions when we have been disturbed any doorman present does nothing about the noise levels ! One of our neighbours has commented that the noise levels are such that on some occasions the staff inside the premises and their customers must be in some danger of hearing impairment !

4.At least one door to the pub was open last Saturday night/Sunday morning and it is very often the case that the doors are open when live/DJ operated music is being played .I would be interested to know what additional ventilation has been installed in the premises and ,if any has ,how often it has been used .Another neighbour in Upper Market Street also queries the level of soundproofing used inside the premises .

Additional conditions imposed 19 September 2005 -

1. We can only speak for the nights when we are disturbed which are usually on Friday and/or Saturday - but not exclusively so .On those occasions the outside area is NEVER cleared and closed by 2300 hours .That was the case last Saturday/Sunday night and customers were still outside at 0036 hours drinking ,talking loudly and generally making plenty of noise .

3. I will check the windows at the Paris House in future to see if they are closed after 2300 but it is often the case that at least one of the doors is open after 2300 and particularly when the weather is good both doors are kept open .Access and egress causes a problem if the noise inside is great - even if the doors are otherwise closed but the vast majority of the disturbance we suffer is when the doors are left open ie the noise level does not seem drop due to doors being opened and closed .

5.I will check but do not believe that there are any notices displayed asking the public who use the Paris House to respect local residents and leave the premises and area quietly .If there are any such notices they are small and ,whatever their size may be IF they exist ,many people who use the Paris House clearly have no concern at all about how the residents are affected .Doormen at the pub regularly stand outside when people are talking loudly or shouting after 2300 and take no action to stop it . Doorman are not always employed in any event .

As you might imagine , have many better things to do than spend time detailing what has been going on but we are angry about this ongoing problem and the apparent lack of interest shown by the management at the Paris House .Either they don't know what is going on - which is at least negligent - or they simply don't care and intend to carry on because they make a profit after 11pm in this way .

sincerely hope the noise nuisance will stop and we can return to the quiet enjoyment of our home with more sleep at night and more visitors who will no longer be disturbed .We will continue to keep a record of the nuisance we suffer from

Finally ,I am sorry to have sent such a long email but thought it best you had this detail on record IF your authority needs to take further action to put a stop to this .

Regards ,

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Thank you in anticipation of your co-operation.
You can visit our website at http://www.brighton-hove.gov.uk

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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 09.10.2019	Vis Officer:

Vis Comments:
09/10/19 at 12:18 by

Emails from comp
8/10 and 9/10

Action Info:	Act Type: E-mail sent	Act Date: 08.10.2019	Act Officer:

Act Notes:
From: <
Sent: 09 October 2019 11:47
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>
Subject: Re: Paris House Western Road ,Hove

B28

Dear ,

1. Between Saturday the 6th July and 6th October 2019 (last Sunday morning) there have been fourteen occasions when we have been disturbed by noise relating to the Paris House .In that period we have been away on holidays and were not at home for virtually a month in total .
Four of the occasions are after your email of 14 August to me in which you said you would write to advise the management of my complaints to the effect conditions were being breached and to remind them of the consequences and that they would be monitored .I believe gave them similar advice earlier this year .These four occasions were on 31 August ,7 & 29 September and 5 October and we were away from 8- 25 September inclusive .
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.The licensee has had a visit from ,a notice of complaint from you and a reminder of his duties as well as mediators

.Despite all of that the business continues in apparent total disregard for its neighbours as clearly shown in the latest incident .

2. I have taken video footage on most of the occasions when we were disturbed .That always shows the outside area of the premises to be in active use by customers and is one of the main sources of noise which affects us .I emphasise this isn't an occasional failure to comply with the condition to clear and close the outside area by 2300 hours .Most of the dates we were disturbed were on either a Friday or a Saturday evening but occasionally other days too .Every time we

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B28

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Regards ,

On 8 Oct 2019, at 12:18, < brighton-hove.gov.uk> wrote:
Hello

undergoing mediation I will not get involved

If the licence conditions are continuing to be breached please contact me and I can arrange to re-visit the premises. Please keep me updated.

Regards,

(Please note I will be on leave from 18th October until 1st November)

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 08 October 2019 11:58
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris House Western Road ,Hove

Dear [redacted] .
You will recall that I have written to you before about noise problems we are having with the Paris House pub which is at the top of Brunswick St East and [redacted]
Last Saturday [redacted] went to bed at about 10 50pm .However ,the music from the Paris House continued after 11pm .I [redacted] as a result of the disturbance - especially at weekends (but not exclusively then) - we no longer invite so many friends or family to stay with us .[redacted] As a result ,most guests we have had in the last twelve months have expressed concerns about being disturbed by noise from the Paris House .
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Additional conditions imposed 19 September 2005 -

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Regards ,

[redacted]
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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 08.10.2019	Vis Officer: [redacted]

Vis Comments:
09/10/19 at 11:03 by [redacted]

09/10/19 at 11:02 by [redacted]

Email from Cllr [redacted]
Email sent.

Action Info:	Act Type: E-mail sent	Act Date: 08.10.2019	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 09 October 2019 11:01
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: FW: FW: Paris House

For info. Responded to Cllr [redacted] as have contacted him direct before and just re-sent that email. See below

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted]
Sent: 08 October 2019 13:55
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: RE: FW: Paris House

Hello

I refer to my previous email (copied below). However this relates to a different complainant. I have not had any dealings with [redacted] and [redacted] The Environmental Protection team will be contacting you in due course.

Regards, [redacted]

Hello

I wrote to Paris House on 13 May 2019 following a noise complaint. Despite this further complaints have been received and [redacted] is the case officer from Environmental Protection investigating these. A complaint was referred to me on 19 July 2019 however I did not follow this up because, as [redacted] states in [redacted] email, mediation is taking place between the parties. A further complaint came in on 7 August 2019 and I contacted the complainant on 8 August to advise [redacted] of the conditions on the licence and that [redacted] was not able to follow up his complaint while [redacted] was in the process of mediation.

I previously carried out a risk rate inspection on 6 March 2018 and at the time there were a number of non-conformities which were rectified following a letter and follow up investigation

Regards, [redacted]

[redacted] [redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Our customer promise to you
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From: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 04 October 2019 15:41
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted]
[redacted]
Subject: FW: FW: Paris House

Dear [redacted] and [redacted]

Our residents on Cambridge Road are really suffering here and I think they raise really legitimate questions. They are below. No noise limiters for live music seems farcical. Please can you help with their queries? Thank you. I am going to hear the level of the noise from their property and really want to be able to support them.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition

Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 28 September 2019 23:31
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: Fwd: FW: Paris House

Hi Phelim,

Sorry to harangue you about this. It's Saturday night, after 11, and the PH do not have their doors shut and the music is thumping. I've done the usual thing and filmed the noise.

Please get back to me about my questions below. [redacted] it would still be very useful to understand what has happened so far. It really would be useful to know what happened in previous inspections, what 'non-conformities' were allegedly resolved, and why [redacted] doesn't think noise limiters are of any use.

I don't want to come the conclusion that the council's approach, in respect to this issue at least, is limited to a sympathetic ear and kicking the bureaucratic can down the road in the hope that the issues just disappear, or the complainants simply give up because the whole thing is unspeakably dull and life is too damn short.

Please get back to me when you get a moment.

All the best,
[redacted]

Thanks Phelim,

Ok, so the evidence suggests complaining about open doors, which is pretty much every night, can't be an issue for licensing because the stipulation about ventilation etc. only applies after 11pm. Truth told; that's mad. It means that they can play live and recorded music as loud as they want before 11. Tonight, for example, Paris House have a covers/wedding style band on and they are making a lot of noise and making very little effort to keep the doors closed. Hopefully they'll stop by 10.

I agree that noise limiters would be far from ideal. That said, the threat of a noise limiter may focus their minds. One question though is why [redacted] thinks this is not possible for live music. Is it just because live music varies so much?

Another question is what does [redacted] mean by 'a risk rate inspection' and are we allowed to know about the 'non-conformities which were rectified following a letter and follow up investigation'?

A final question is, given that we've complained a fair few times, it's odd that we haven't from [redacted]

Thanks Phelim and sorry about the akward questions.

Hope you can help.

All the best,
[redacted]

On Tue, 10 Sep 2019 at 21:56, [redacted] <[redacted]> wrote:
Thanks [redacted]

Ok, so the evidence suggests complaining about open doors, which is pretty much every night, can't be an issue for listening as the stipulation about ventilation etc only applies after 11pm. Truth told, that's mad. It means that they can play live and recorded music as loud as they want before 11. Tonight, for example, Paris House have a covers/wedding style band on and they are making a lot of noise and making very little effort to keep the doors closed. Hopefully they'll stop by 10.

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A final question is, given that we've complained a fair few times, it's odd that we haven't from [redacted]

Thanks and Phelim and sorry about the award questions.

Hope you can help.

All the best,
[redacted]

On Tue, 10 Sep 2019 at 12:11, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

I am really sorry for not forwarding on the information from licensing. Below.

I'm pushing back on the issue of noise limiters for live events- which just seems absolute madness; and would be interested in hearing thoughts from you both too.

Yours sincerely
Phélim

Hello

I wrote to Paris House on 13 May 2019 following a noise complaint. Despite this further complaints have been received and [redacted] is the case officer from Environmental Protection investigating these. A complaint was referred to me on 19 July 2019 however I did not follow this up because, as [redacted] states in [redacted] email, mediation is taking place between the parties. A further complaint came in on 7 August 2019 and I contacted the complainant on 8 August to advise [redacted] of the conditions on the licence and that [redacted] was not able to follow up his complaint while [redacted] was in the process of mediation.

I previously carried out a risk rate inspection on 6 March 2018 and at the time there were a number of non-conformities which were rectified following a letter and follow up investigation

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 05 September 2019 11:05
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: Paris House

Dear Phelim,

Thank you for your email. [redacted] is the [redacted] for this case but [redacted] is away from the office right now. I will find out when [redacted] last wrote and visited the premises but ultimately we know that this is more of a noise issue which is being investigated by the Environmental Protection Team and the mediation process is still underway.

One of the conditions on the licence states that:
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music
But this can only be for any music after 11pm because live and recorded music are not regulated entertainment between the hours of 8am-11pm so any music conditions on a licence cannot be enforced until after 11pm.
The licence does have a sound limiter condition on it and it could be arranged so that music levels can be set between the complainant's properties and the premises, however I am advised by [redacted] that this is not possible for live music.

Thanks you,
[redacted]

[redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: Phelim MacCafferty
Sent: 02 September 2019 14:05
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: FW: FW: Paris House

Dear [redacted]

This one is worth touching in with colleagues on but one of the things I was hoping wasn't trapped by ongoing mediation was that someone from licensing make a visit and outline the current licensing conditions as I have outlined below. There definitely would appear to be an issue esp around keeping the doors closed during sets even though this is one of the conditions.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 27 August 2019 21:44
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

Many thanks Phelim. Paris House have been making no attempt to keep the doors close during live sets in the evening. This is partly due to the weather I'm sure. I suspect a visit from the licencing team will be useful. Can you arrange this?

Many thanks,
[redacted]

On Thu, 22 Aug 2019 at 13:06, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
That's all fine. Let's all stay in touch. I don't have remote access to the entire licensing conditions but happy to forward them on of course.

Yours sincerely

Phélim

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From: [redacted] <[redacted]
Sent: 17 August 2019 23:02
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

Many thanks Phelim,

The information on licencing is very useful indeed. We were under the impression that Paris House kept to the terms of its licence but judging by the section you've pasted in, it's not really that clear that they do. For example,the doors were open all during today's live sets, from 4 - 7pm. In addition to sending the licensing conditions to Paris House, it would be useful for me and [redacted] to see them. Could you send them on to me by email? If, as I now suspect, Paris House is in fact in breach of these conditions, a visit from licensing would be good.

[redacted]

[redacted]

Thanks again for your email and for your support.

All the best,
[redacted]

On Thu, 15 Aug 2019 at 16:39, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted] and [redacted]

My colleague Hannah has forwarded some of the correspondence that you've had with Paris

House. I've had a quick scan of the documents you sent over.

First of all an apology I wasn't there at our ward surgery to listen to you- I was at a meeting with residents on Norfolk square who are facing many issues of anti-social behaviour. Secondly although I had routinely queried things like licensing conditions at the Paris House, I was never aware of how seriously some residents had been affected because sadly I hadn't received any complaints. As someone who's personally had to deal with long-standing noise problems from a former neighbour, I know how frustrating and exhausting the complaint process can be.

A few initial queries-
Have you asked that the licensing conditions are sent to the pub by the licensing team? If not we can request that. This definitely needs to include things like the conditions listed below. With other venues this has acted as a reminder that the venue is being monitored and it has changed the behaviour of other public houses.
We can ask licensing to make a site visit too.

Paris House
For the Prevention of Public Nuisance:

2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

It's good to see you have already thought about a deputation to a council committee to raise the issues with the right elected Councillors; or we can help you raise a petition in the immediate area. We have helped many residents do this. It has come to light- again only recently- that licensing issues are affecting other surrounding streets so it is likely affecting other less obvious neighbours too.

There are stronger measures we can request from the licensing authority and police over time but any process needs to be driven by evidence.

Some of this may be guided by the process of mediation eg licensing are unable to take any formal action.

Apologies if any of this duplicates previous advice, I suppose I also just wanted to reiterate to you that we are here to support you if we can.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

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Hove Town Hall, Norton Road, Hove BN3 3BQ
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Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)
From: [redacted] <[redacted]
Sent: Friday, August 9, 2019 11:39:29 PM
To: Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]
Subject: Paris House

Dear Hannah,

Thanks for seeing [redacted] and me last Wednesday and apologies for the delay in sending this email ... we are just back from a week's holiday in Germany.

As promised I have attached all key correspondence with, from, and in relation to the Paris House. These include:

1. Email Correspondence August - October 2017
2. Letter 1 to Paris House - 9th August 2018
3. Letter 1 from Paris House - 5th July 2019
4. Letter 2 to Paris House - 28th July 2019
5. Letter dropped into neighbours - 26th July 2019
6. Link to Youtube videos - https://www.youtube.com/playlist?list=[redacted]

Also, for you information, Paris House's live and DJ music is typically comprised of the following weekly schedule, the cumulative total of which is around 50 hours of live music every month.

Mondays: 2 - 5, and 8 - 10
Tuesdays: 8 - 10
Wednesdays: 8 - 10
Thursday: 8 - 10
Fridays: no live music but occasionally a DJ
Saturdays: 4 - 7, and a DJ till late.

Finally, here's a brief summary of where we got to with [redacted] at the council:

After producing a noise diary for [redacted] last year, [redacted] set up a recorder in our flat, which [redacted] picked up two weeks later. After five or so unanswered emails we finally discovered that the ambient noise rendered those recordings unusable. I then gave [redacted] a series of dates to hear the noise from PH. [redacted] didn't get back to me.

[redacted] suggested that we repeat the process again this year. While we've been keeping a noise diary, at this stage we have decided against the same approach for a couple of reasons - in addition to the fact that receiving an email reply from [redacted] is all but impossible, we are unconvinced that further recording will change anything or that anyone will actually come to hear the noise at Paris House. [redacted] The general view, at least among the [redacted] residents I've met, is that there is too much live music at the Paris and it is often too loud. [redacted].

There is, of course, much more to the story than I can set out here, but the above covers most of the central features.

Any help or advice you can offer would be hugely appreciated. As we said, we certainly don't want to see Paris House's licence revoked; we would just like them to have fewer live sessions each week and/or fewer loud bands.

Please do get in touch if you need further information.

All the best,
[redacted]

--
[redacted]
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Thank you in anticipation of your co-operation.

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Please consider the environment, only print out this email if absolutely necessary.

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--
[redacted]

--
[redacted]

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From: [redacted] <[redacted]>
Sent: Monday, September 9, 2019 9:24:01 PM
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

Hi [redacted],

Have we heard anything back from licensing? Actually it would be good to see their licence agreement if you a copy.

Paris House have been making very little effort to keep the doors closed, unfortunately.

The evidence suggests that unless we badger them -- and I've run out of energy for that -- they just don't care.

[redacted]

I hope you can help.

Thanks,
[redacted]

On Mon, 2 Sep 2019 at 20:38, [redacted] <[redacted]> wrote:
Thanks Phelim.

On Mon, 2 Sep 2019 at 14:05, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

I've raised this with [redacted] for you.

Yours sincerely
Phélim

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Subject: Re: FW: Paris House

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[redacted]

Thanks again for your email and for your support.

All the best,

[redacted]

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A few initial queries-
Have you asked that the licensing conditions are sent to the pub by the licensing team? If not we can request that. This definitely needs to include things like the conditions listed below. With other venues this has acted as a reminder that the venue is being monitored and it has changed the behaviour of other public houses.
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There are stronger measures we can request from the licensing authority and poli

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 08.10.2019	Vis Officer:

Vis Comments:
09/10/19 at 11:03 by

Email from re
Response sent

Action Info:	Act Type: E-mail sent	Act Date: 08.10.2019	Act Officer:

Act Notes:
From: <
Sent: 08 October 2019 12:21
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>
Subject: Re: Paris House Western Road ,Hove

Many thanks for your prompt response , !
As promised ,I will keep you updated .
Have an enjoyable leave !
Regards ,

On 8 Oct 2019, at 12:18, < brighton-hove.gov.uk> wrote:
Hello

Thank you for your email. undergoing mediation I will not get involved

If the licence conditions are continuing to be breached please contact me and I can arrange to re-visit the premises. Please keep me updated.

Regards,

(Please note I will be on leave from 18th October until 1st November)

(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T | brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: <
Sent: 08 October 2019 11:58
To: < brighton-hove.gov.uk>
Cc: < brighton-hove.gov.uk>
Subject: Paris House Western Road ,Hove

Dear [redacted] .
You will recall that I have written to you before about noise problems we are having with the Paris House pub which is at the top of Brunswick St East [redacted]

Last Saturday [redacted] went to bed at about 10 50pm .However ,the music from the Paris House continued after 11pm .I [redacted] as a result of the disturbance - especially at weekends (but not exclusively then) - we no longer invite so many friends or family to stay with us [redacted] .As a result ,most guests we have had in the last twelve months have expressed concerns about being disturbed by noise from the Paris House .
In an effort to minimise disturbance to us ,we close all windows at the front of our property at night and close two internal fire doors which give access to the front of the house . Sadly ,last Saturday night even those precautions did not work ! The noise [redacted] was so loud from the beat of the music being played that I was forced to get up and go down stairs because it was impossible to sleep .Customers were outside the premises drinking ,shouting and talking .I took video recordings on my mobile phone at 23 36, midnight and 0036 hours and at 0040 am I could still clearly hear the music in a room which is downstairs and at the rear of our home .
Our own previous experience and that of our neighbours has shown there is no point in going up to the pub to complain to the management because nothing happens when residents do so .
An image I caught on video at midnight speaks volumes for the attitude of the management to their neighbours .A member of staff came out of the pub with a container of empty bottles and emptied them in to a bin at the side of the pub on Brunswick St East .The noise created was considerable ! Quite why that had to be done then is difficult to understand but typifies the attitude that the staff at the pub will carry out their duties regardless of their neighbours .This evidences a lack of common sense or even basic consideration on their part but emphasises the lack of control or care the management take to ensure the staff respect the neighbours .

The noise finally stopped at just after 0040 on Sunday morning and about twenty minutes later the Paris House was in darkness and the outside area was clear . I eventually went to bed after 1am .
Having read your email of 14 August this morning , I am pleased to see the conditions to which the Licence Holder and staff are subject but very surprised by the degree to which they flout them ! Specifically -
Conditions to Prevent Public Nuisance -
1. We have NEVER seen any member of the management making regular inspections outside the premises to manage sound levels so residents are not disturbed .We HAVE seen doormen standing near the doors in case of trouble but on occasions when we have been disturbed any doorman present does nothing about the noise levels ! One of our neighbours has commented that the noise levels are such that on some occasions the staff inside the premises and their customers must be in some danger of hearing impairment !

4.At least one door to the pub was open last Saturday night/Sunday morning and it is very often

the case that the doors are open when live/DJ operated music is being played .I would be interested to know what additional ventilation has been installed in the premises and ,if any has ,how often it has been used .Another neighbour in Upper Market Street also queries the level of soundproofing used inside the premises .

Additional conditions imposed 19 September 2005 -

1. We can only speak for the nights when we are disturbed which are usually on Friday and/or Saturday - but not exclusively so .On those occasions the outside area is NEVER cleared and closed by 2300 hours .That was the case last Saturday/Sunday night and customers were still outside at 0036 hours drinking ,talking loudly and generally making plenty of noise .

3. I will check the windows at the Paris House in future to see if they are closed after 2300 but it is often the case that at least one of the doors is open after 2300 and particularly when the weather is good both doors are kept open .Access and egress causes a problem if the noise inside is great - even if the doors are otherwise closed but the vast majority of the disturbance we suffer is when the doors are left open ie the noise level does not seem drop due to doors being opened and closed .

5.I will check but do not believe that there are any notices displayed asking the public who use the Paris House to respect local residents and leave the premises and area quietly .If there are any such notices they are small and ,whatever their size may be IF they exist ,many people who use the Paris House clearly have no concern at all about how the residents are affected .Doormen at the pub regularly stand outside when people are talking loudly or shouting after 2300 and take no action to stop it . Doorman are not always employed in any event .

As you might imagine [redacted] have many better things to do than spend time detailing what has been going on but we are angry about this ongoing problem and the apparent lack of interest shown by the management at the Paris House .Either they don't know what is going on - which is at least negligent - or they simply don't care and intend to carry on because they make a profit after 11pm in this way .

[redacted] sincerely hope the noise nuisance will stop and we can return to the quiet enjoyment of our home with more sleep at night and more visitors who will no longer be disturbed .We will continue to keep a record of the nuisance we suffer from [redacted]

Finally ,I am sorry to have sent such a long email but thought it best you had this detail on record IF your authority needs to take further action to put a stop to this .

Regards ,

[redacted]

[redacted]

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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 08.10.2019	Vis Officer:

Vis Comments:
09/10/19 at 12:15 by

Email from Cllr
Response sent. cc and

Action Info:	Act Type: E-mail sent	Act Date: 08.10.2019	Act Officer:

Act Notes:
From:
Sent: 09 October 2019 11:01
To: <brighton-hove.gov.uk>;
<brighton-hove.gov.uk>
Subject: FW: FW: Paris House

For info. Responded to Cllr as have contacted direct before and just re-sent that email. See below

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From:
Sent: 08 October 2019 13:55
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: RE: FW: Paris House

Hello

I refer to my previous email (copied below). However this relates to a different complainant. I have not had any dealings with and The Environmental Protection team will be contacting you in due course.

Regards,

Hello

I wrote to Paris House on 13 May 2019 following a noise complaint. Despite this further complaints have been received and [redacted] is the case officer from Environmental Protection investigating these. A complaint was referred to me on 19 July 2019 however I did not follow this up because, as [redacted] states in [redacted] email, mediation is taking place between the parties. A further complaint came in on 7 August 2019 and I contacted the complainant on 8 August to advise [redacted] of the conditions on the licence and that [redacted] was not able to follow up his complaint while [redacted] was in the process of mediation.

I previously carried out a risk rate inspection on 6 March 2018 and at the time there were a number of non-conformities which were rectified following a letter and follow up investigation

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 04 October 2019 15:41
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted]
Subject: FW: FW: Paris House

B26

Dear [redacted] and [redacted]

Our residents on Cambridge Road are really suffering here and I think they raise really legitimate questions. They are below. No noise limiters for live music seems farcical. Please can you help with their queries? Thank you. I am going to hear the level of the noise from their property and really want to be able to support them.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

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From: [redacted] <[redacted]
Sent: 28 September 2019 23:31
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: Fwd: FW: Paris House

Hi [redacted],

Sorry to harangue you about this. It's Saturday night, after 11, and the PH do not have their doors shut and the music is thumping. I've done the usual thing and filmed the noise.

B25

Please get back to me about my questions below. We're meeting with [redacted] and PH next week, which is good, but it would still be very useful to understand what has happened so far. It really would be useful to know what happened in previous inspections, what 'non-conformities' were allegedly resolved, and why [redacted] doesn't think noise limiters are of any use.

I don't want to come the conclusion that the council's approach, in respect to this issue at least, is limited to a sympathetic ear and kicking the bureaucratic can down the road in the hope that the issues just disappear, or the complainants simply give up because the whole thing is unspeakably dull and life is too damn short.

Please get back to me when you get a moment.

All the best,
[redacted]

Thanks Phelim,

B23 (duplicate)

Ok, so the evidence suggests complaining about open doors, which is pretty much every night, can't be an issue for licensing because the stipulation about ventilation etc. only applies after 11pm. Truth told; that's mad. It means that they can play live and recorded music as loud as they want before 11. Tonight, for example, Paris House have a covers/wedding style band on and they are making a lot of noise and making very little effort to keep the doors closed. Hopefully they'll stop by 10.

I agree that noise limiters would be far from ideal. That said, the threat of a noise limiter may focus their minds. One question though is why [redacted] thinks this is not possible for live music. Is it just because live music varies so much?

Another question is what does [redacted] mean by 'a risk rate inspection' and are we allowed to know about the 'non-conformities which were rectified following a letter and follow up investigation'?

A final question is, given that we've complained a fair few times, it's odd that we haven't from [redacted]

Thanks Phelim and sorry about the akward questions.

Hope you can help.

All the best,
[redacted]

On Tue, 10 Sep 2019 at 21:56, [redacted] wrote:
Thanks Phelim,

B23

Ok, so the evidence suggests complaining about open doors, which is pretty much every night, can't be an issue for listening as the stipulation about ventilation etc only applies after 11pm. Truth told, that's mad. It means that they can play live and recorded music as loud as they want before 11. Tonight, for example, Paris House have a covers/wedding style band on and they are making a lot of noise and making very little effort to keep the doors closed. Hopefully they'll stop by 10.

I agree that noise limiters would be far from ideal. That said, the threat of a noise limiter may focus their minds. One question though is why [redacted] thinks this is not possible for live music.. Is it just because live music varies so much?

Another question is what does [redacted] mean by 'a risk rate inspection' and are we allowed to know about the 'non-conformities which were rectified following a letter and follow up investigation'?

A final question is, given that we've complained a fair few times, it's odd that we haven't from [redacted]

Thanks and Phelim and sorry about the award questions.

Hope you can help.

All the best,
[redacted]

On Tue, 10 Sep 2019 at 12:11, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

B22

I am really sorry for not forwarding on the information from licensing. Below.

I'm pushing back on the issue of noise limiters for live events- which just seems absolute madness; and would be interested in hearing thoughts from you both too.

Yours sincerely
Phélim

Hello

I wrote to Paris House on 13 May 2019 following a noise complaint. Despite this further complaints have been received and [redacted] is the case officer from Environmental Protection investigating these. A complaint was referred to me on 19 July 2019 however I did not follow this up because, as [redacted] states in [redacted] email, mediation is taking place between the parties. A further complaint came in on 7 August 2019 and I contacted the complainant on 8 August to advise [redacted] of the conditions on the licence and that [redacted] was not able to follow up his complaint while [redacted] was in the process of mediation.

I previously carried out a risk rate inspection on 6 March 2018 and at the time there were a number of non-conformities which were rectified following a letter and follow up investigation

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 05 September 2019 11:05
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: Paris House

Dear Phelim,

Thank you for your email. [redacted] is the [redacted] for this case but [redacted] is away from the office right now. I will find out when [redacted] last wrote and visited the premises but ultimately we know that this is more of a noise issue which is being investigated by the Environmental Protection Team and the mediation process is still underway.

One of the conditions on the licence states that:
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music
But this can only be for any music after 11pm because live and recorded music are not regulated entertainment between the hours of 8am-11pm so any music conditions on a licence cannot be enforced until after 11pm.
The licence does have a sound limiter condition on it and it could be arranged so that music levels can be set between the complainant's properties and the premises, however I am advised by [redacted] that this is not possible for live music.

Thanks you,
[redacted]

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T [redacted] | [redacted]brighton-hove.gov.uk

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Sent: 02 September 2019 14:05
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Hannah Clare
<Hannah.Clare@brighton-hove.gov.uk>

Subject: FW: FW: Paris House

Dear [redacted]

This one is worth touching in with colleagues on but one of the things I was hoping wasn't trapped by ongoing mediation was that someone from licensing make a visit and outline the current licensing conditions as I have outlined below. There definitely would appear to be an issue esp around keeping the doors closed during sets even though this is one of the conditions.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
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Sent: 27 August 2019 21:44
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Cc: [redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

Many thanks Phelim. Paris House have been making no attempt to keep the doors close during live sets in the evening. This is partly due to the weather I'm sure. I suspect a visit from the licencing team will be useful. Can you arrange this?

Many thanks,
[redacted]

On Thu, 22 Aug 2019 at 13:06, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
That's all fine. Let's all stay in touch. I don't have remote access to the entire licensing conditions but happy to forward them on of course.

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Subject: Re: FW: Paris House

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[redacted]

[redacted]

Thanks again for your email and for your support.

All the best,
[redacted]

On Thu, 15 Aug 2019 at 16:39, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted] and [redacted]

My colleague Hannah has forwarded some of the correspondence that you've had with Paris House. I've had a quick scan of the documents you sent over.

First of all an apology I wasn't there at our ward surgery to listen to you- I was at a meeting with residents on Norfolk square who are facing many issues of anti-social behaviour. Secondly although I had routinely queried things like licensing conditions at the Paris House, I was never aware of how seriously some residents had been affected because sadly I hadn't received any complaints. As someone who's personally had to deal with long-standing noise problems from a former neighbour, I know how frustrating and exhausting the complaint process can be.

A few initial queries-
Have you asked that the licensing conditions are sent to the pub by the licensing team? If not we can request that. This definitely needs to include things like the conditions listed below. With other venues this has acted as a reminder that the venue is being monitored and it has changed the behaviour of other public houses.
We can ask licensing to make a site visit too.

Paris House
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2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

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4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

It's good to see you have already thought about a deputation to a council committee to raise the issues with the right elected Councillors; or we can help you raise a petition in the immediate area. We have helped many residents do this. It has come to light- again only recently- that licensing issues are affecting other surrounding streets so it is likely affecting other less obvious neighbours too.

There are stronger measures we can request from the licensing authority and police over time but any process needs to be driven by evidence.

Some of this may be guided by the process of mediation eg licensing are unable to take any formal action.

Apologies if any of this duplicates previous advice, I suppose I also just wanted to reiterate to you that we are here to support you if we can.

Yours sincerely
Phélim

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From: [redacted] <[redacted]>
Sent: Friday, August 9, 2019 11:39:29 PM

To: Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]
Subject: Paris House

Dear Hannah,

Thanks for seeing [redacted] and me last Wednesday and apologies for the delay in sending this email ... we are just back from a week's holiday in Germany.

As promised I have attached all key correspondence with, from, and in relation to the Paris House. These include:

1. Email Correspondence August - October 2017
2. Letter 1 to Paris House - 9th August 2018
3. Letter 1 from Paris House - 5th July 2019
4. Letter 2 to Paris House - 28th July 2019
5. Letter dropped into neighbours - 26th July 2019
6. Link to Youtube videos - https://www.youtube.com/playlist?list=[redacted]

Also, for you information, Paris House's live and DJ music is typically comprised of the following weekly schedule, the cumulative total of which is around 50 hours of live music every month.

Mondays: 2 - 5, and 8 - 10
Tuesdays: 8 - 10
Wednesdays: 8 - 10
Thursday: 8 - 10
Fridays: no live music but occasionally a DJ
Saturdays: 4 - 7, and a DJ till late.

Finally, here's a brief summary of where we got to with [redacted] at the council:

After producing a noise diary for [redacted] last year, [redacted] set up a recorder in our flat, which [redacted] picked up two weeks later. After five or so unanswered emails we finally discovered that the ambient noise rendered those recordings unusable. I then gave [redacted] a series of dates to hear the noise from PH. [redacted] didn't get back to me.

[redacted] suggested that we repeat the process again this year. While we've been keeping a noise diary, at this stage we have decided against the same approach for a couple of reasons - in addition to the fact that receiving an email reply from [redacted] is all but impossible, we are unconvinced that further recording will change anything or that anyone will actually come to hear the noise at Paris House. [redacted] The general view, at least among the [redacted] residents I've met, is that there is too much live music at the Paris and it is often too loud. [redacted]

There is, of course, much more to the story than I can set out here, but the above covers most of the central features.

Any help or advice you can offer would be hugely appreciated. As we said, we certainly don't want to see Paris House's licence revoked; we would just like them to have fewer live sessions each week and/or fewer loud bands.

Please do get in touch if you need further information.

All the best,
[redacted] and [redacted]

--
[redacted]
[redacted]
Notice to recipient:
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Thank you in anticipation of your co-operation.

You can visit our website at http://www.brighton-hove.gov.uk

Please consider the environment, only print out this email if absolutely necessary.

Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

--
[redacted]
[redacted]

--
[redacted]
[redacted]

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From: [redacted] <[redacted]>
Sent: Monday, September 9, 2019 9:24:01 PM

B21

To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

Hi Phelim,

Have we heard anything back from licensing? Actually it would be good to see their licence agreement if you a copy.

B21

Paris House have been making very little effort to keep the doors closed, unfortunately.

The evidence suggests that unless we badger them -- and I've run out of energy for that -- they just don't care.

[redacted]

I hope you can help.

Thanks,
[redacted]

On Mon, 2 Sep 2019 at 20:38, [redacted] wrote:
Thanks [redacted].

On Mon, 2 Sep 2019 at 14:05, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
Dear [redacted]

I've raised this with [redacted] for you.

Yours sincerely
Phélim

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All the best,
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A few initial queries-
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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 05.09.2019	Vis Officer: [redacted]
Vis Comments: 05/09/19 at 15:46 by [redacted] Email to Cllr MacCafferty			
Action Info:	Act Type: E-mail sent	Act Date: 05.09.2019	Act Officer: [redacted]
Act Notes:			

From: [redacted]
Sent: 05 September 2019 15:46
To: [redacted] <[redacted]brighton-hove.gov.uk>; Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

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3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

It's good to see you have already thought about a deputation to a council committee to raise the issues with the right elected Councillors; or we can help you raise a petition in the immediate area. We have helped many residents do this. It has come to light- again only recently- that licensing issues are affecting other surrounding streets so it is likely affecting other less obvious neighbours too.

There are stronger measures we can request from the licensing authority and police over time but any process needs to be driven by evidence.

Some of this may be guided by the process of mediation eg licensing are unable to take any formal action.

Apologies if any of this duplicates previous advice, I suppose I also just wanted to reiterate to you that we are here to support you if we can.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

B14

From: [redacted] <[redacted]>
Sent: Friday, August 9, 2019 11:39:29 PM
To: Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]>
Subject: Paris House

Dear Hannah,

Thanks for seeing [redacted] and me last Wednesday and apologies for the delay in sending this email ... we are just back from a week's holiday in Germany.

As promised I have attached all key correspondence with, from, and in relation to the Paris House. These include:

1. Email Correspondence August - October 2017
2. Letter 1 to Paris House - 9th August 2018
3. Letter 1 from Paris House - 5th July 2019
4. Letter 2 to Paris House - 28th July 2019
5. Letter dropped into neighbours - 26th July 2019
6. Link to Youtube videos -
https://www.youtube.com/playlist?list=[redacted]

Also, for you information, Paris House's live and DJ music is typically comprised of the following weekly schedule, the cumulative total of which is around 50 hours of live music every month.

Mondays: 2 - 5, and 8 - 10
Tuesdays: 8 - 10
Wednesdays: 8 - 10
Thursday: 8 - 10
Fridays: no live music but occasionally a DJ
Saturdays: 4 - 7, and a DJ till late.

Finally, here's a brief summary of where we got to with [redacted] at the council:

After producing a noise diary for [redacted] last year, [redacted] set up a recorder in our flat, which [redacted] picked up two weeks later. After five or so unanswered emails we finally discovered that the ambient noise rendered those recordings unusable. I then gave [redacted] a series of dates to hear the noise from PH. [redacted] didn't get back to me.

[redacted] suggested that we repeat the process again this year. While we've been keeping a noise diary, at this stage we have decided against the same approach for a couple of reasons - in addition to the fact that receiving an email reply from [redacted] is all but impossible, we are unconvinced that further recording will change anything or that anyone will actually come to hear

the noise at Paris House. [redacted] The general view, at least among the [redacted] residents I've met, is that there is too much live music at the Paris and it is often too loud. [redacted]

B 14

There is, of course, much more to the story than I can set out here, but the above covers most of the central features.

Any help or advice you can offer would be hugely appreciated. As we said, we certainly don't want to see Paris House's licence revoked; we would just like them to have fewer live sessions each week and/or fewer loud bands.

Please do get in touch if you need further information.

All the best,
[redacted] and [redacted]

--
[redacted]

Notice to recipient:
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If the reader of this message is not the intended recipient, please note that any dissemination, distribution or copying of this
communication is strictly prohibited. If you have received this communication in error please notify the sender immediately.
Thank you in anticipation of your co-operation.
You can visit our website at http://www.brighton-hove.gov.uk
Please consider the environment, only print out this email if absolutely necessary.
Please Note: Both incoming and outgoing Emails may be monitored and/or recorded in line with current legislation

--
[redacted]

--
[redacted]

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 02.09.2019	Vis Officer: [redacted]

Vis Comments:
05/09/19 at 11:06 by [redacted]

See email received by Cllr [redacted] and my response.

Action Info:	Act Type: E-mail sent	Act Date: 05.09.2019	Act Officer: [redacted]

Act Notes:

From: [redacted]
Sent: 05 September 2019 11:05
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: Paris House

B20

Dear [redacted],

Thank you for your email. [redacted] is the [redacted] for this case but [redacted] is away from the office right now. I will find out when [redacted] last wrote and visited the premises but ultimately we know that this is more of a noise issue which is being investigated by the Environmental Protection Team and the mediation process is still underway.

One of the conditions on the licence states that:
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music
But this can only be for any music after 11pm because live and recorded music are not regulated entertainment between the hours of 8am-11pm so any music conditions on a licence cannot be enforced until after 11pm.
The licence does have a sound limiter condition on it and it could be arranged so that music levels can be set between the complainant's properties and the premises, however I am advised by [redacted] that this is not possible for live music.

Thanks you,
[redacted]

[redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: Phelim MacCafferty
Sent: 02 September 2019 14:05
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: FW: FW: Paris House

Dear [redacted]

B18

This one is worth touching in with colleagues on but one of the things I was hoping wasn't trapped by ongoing mediation was that someone from licensing make a visit and outline the current licensing conditions as I have outlined below. There definitely would appear to be an issue esp around keeping the doors closed during sets even though this is one of the conditions.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Leader of the Official Opposition
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council
Opposition Spokesperson on the Policy and Resources Committee
Member of the Tourism Development and Culture Committee and Planning Committee
Greater Brighton Economic Board, Strategic Delivery Board, Board of Trustees Brighton Dome & Festival Limited, Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
Hove Town Hall, Norton Road, Hove BN3 3BQ
@phelimmac
http://www.brighton-hove.gov.uk

Ward surgeries at 7.15pm on last Weds of every month at the Cornerstone Community Centre, Palmeira Square (except August and December)

From: [redacted] <[redacted]
Sent: 27 August 2019 21:44
To: Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Cc: [redacted] Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: FW: Paris House

B17

Many thanks Phelim. Paris House have been making no attempt to keep the doors close during live sets in the evening. This is partly due to the weather I'm sure. I suspect a visit from the licencing team will be useful. Can you arrange this?

Many thanks,
[redacted]

On Thu, 22 Aug 2019 at 13:06, Phelim MacCafferty <Phelim.MacCafferty@brighton-hove.gov.uk> wrote:
That's all fine. Let's all stay in touch. I don't have remote access to the entire licensing conditions but happy to forward them on of course.

Yours sincerely
Phélim

Councillor Phélim Mac Cafferty

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 14.08.2019	Vis Officer: [redacted]

Vis Comments:
14/08/19 at 10:18 by [redacted]

Email to comp.

Action Info:	Act Type: E-mail sent	Act Date: 14.08.2019	Act Officer: [redacted]

Act Notes:

B15

From: [redacted]
Sent: 14 August 2019 10:12
To: [redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House ,Western Road ,Hove

Dear [redacted]

I refer to your recent email about noise from Paris House in particular the external seating area. I

also note that you are disturbed by music and people noise inside the premises due to doors being left open.

The licence for Paris House allows for alcohol to be consumed both on and off the premises. Consumption of alcohol is not a licensable activity and the permission for off sales allows for alcohol sold on the premises to be consumed away from the premises including outside the premises.

A licence holder has a responsibility to comply with the conditions on the licence as well as the Licensing Objectives which are:-

The Prevention of Crime and Disorder
Public Safety
The Protection of Children from Harm and
The Prevention of Public Nuisance

New licence applications are considered and determined having regard to the Licensing Act 2003 and the Councils Statement of Licensing Policy (SOLP) which can be found at https://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/statement-of-licensing-policy-2016-revised-2019-updated.pdf

I note your noise complaint is being dealt with by [redacted] and that the matter is currently being dealt with by way of mediation so [redacted] cannot investigate while the mediation is taking place. I have still copied [redacted] in to this email so [redacted] is aware of the situation.

B15

Each licence is considered on its individual merits and conditions are placed on the licence which the applicant may have offered up in their application, responsible authorities may have requested and/or that have been put on at a licensing panel hearing. The applicant must consider the SOLP and Licensing Objectives when completing the application. The history of this particular licensed premises is that they 'converted' their old Magistrates Court licence in 2005 (when the Licensing Act 1964 moved to the Licensing Act 2003) from the Magistrates Courts to Local Councils. Premises then had the opportunity to 'vary' the licence to extend hours and add other licensable activities (like music and films etc). The Paris House back in 2005 was held by a different 'Premises Licence Holder', InnBrighton Ltd and not [redacted] who took over in 2012. The variation application in 2005 attracted one objection from a local resident and therefore the application went to hearing. The variation applied for included the hours that are on the existing licence so was asking to extend them quite considerably. At the hearing the licence was granted and additional conditions were added (detailed below).

I am not sure about the change in management, the current Designated Premises Supervisor (DPS) - [redacted] has been there since March 2017 and the Premises Licence Holder has been there since 2012. The DPS does not have to be the manager so the management may have changed.

I would like to add that back in 2005 this was new legislation and things have moved on considerably since then, our SOLP is much more robust now and it would be much harder for a pub to get such a late licence now, especially as this premises is in our Cumulative Impact Area. Saying that, Guidance and legislation states that each application must be considered on its individual merits and this has always been the case. I hope this answers some of your queries regarding the history of the licence.

Conditions under the Licensing Objective of the Prevention of Public Nuisance on the Paris House licence include:

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound

generated by recorded or live entertainment is at a level that does not constitute a nuisance.

4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

Additional conditions were added at a hearing of the Licensing Panel on 19th September 2005. These are:-

1. The outside area shall be closed and cleared by 23.00 hours.

3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress

4. The sound attenuator shall be set at a level approved by the licensing authority.

5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

B15

Non-compliance with the licensing objectives, the permitted hours and the conditions on the licence constitutes a breach of the premises licence issued under the Licensing Act 2003. I will write to the premises to advise them that we have received a complaint and that there are allegations they are breaching some conditions and remind them of their responsibilities under the Licensing Act 2003 and that they will be monitored accordingly.

Once a licence has been issued anyone can request a review of the licence if they are concerned that the Licensing Objectives are not being complied with. Details of how to request a review can be found at https://www.brighton-hove.gov.uk/content/business-and-trade/licensing-and-gambling/make-a-complaint-about-a-licensed-premises. Please note that this is a last resort after all other avenues have been explored.

Please do not hesitate to contact me if you would like to discuss this matter. My usual working hours are Monday to Thursday 9:00am until 2:30pm however these may vary during the school holidays

Regards [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

B13

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 07 August 2019 12:04
To: [redacted] <[redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House ,Western Road ,Hove

Dear [redacted]

Thank you for your email below. I have passed this to one of the [redacted] to investigate, [redacted] is on annual leave until next week so [redacted] will get back to you then and respond accordingly. I can see that you have an open complaint with [redacted] in the Environmental Protection Team and that this is in a mediation process at the moment.

Kind regards

[redacted] [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

From: [redacted] [mailto:[redacted]
Sent: 07 August 2019 11:12
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Re: Paris House ,Western Road ,Hove

Dear Licensing Department ,
Thank you very much for your prompt response which is impressive !
I have just phoned your office to try to obtain details of what the licence allows the licensee to do re sales of alcohol for consumption off the premises .I ask that because the Paris House has tables and chairs it puts out each day on the pavement on Western Road ,benches fixed to the pub wall on Brunswick Street East and an area where the pavement on the corner of Western Road and Brunswick Street East is wider and on which more tables and chairs are placed during licensing hours .Apart from the benches ,all the seats and tables are taken back in to the pub at the end of licensing hours .
We have a problem with noise emanating from the pub generally but in particular after 11pm .A lot of this is caused by customers congregating on the seats outside the pub until the early hours of the morning and consuming alcohol as well as the doors of the pub being left open so that any music or customer noise from activities inside becomes more audible .
Are the outside areas designated as part of the licensed premises ? If so ,what is expected of the licensee re compliance with the council's noise nuisance policy which ,as I understand it ,allows no unnecessary noise between 11pm and 7am . If the outside area is not part of the licensed area then am I correct to assume that the sale of alcohol to those who then consume it outside the premises is still lawful - as "off sales" or are such sales meant for people who want to buy alcohol and then consume it somewhere else ?
I explained to your male colleague to whom I have just spoken that the noise nuisance from these premises continues to get worse .Unusually ,last night we were disturbed by live music from there between 8 and 10 pm when the doors were closed ! Our house is about thirty metres away but the noise was loud enough to be heard over our television .
Finally ,I am surprised to see the terms of the licence and the activities covered in to the early hours of the morning .We had no disturbance from this pub until the present licensee took over .Are the conditions typical for a pub in this type of locality within Brighton and Hove ? If so ,what does the licensing authority expect from those running such establishments in relation to their neighbours not being disturbed by their activities ?

I look forward to hearing from you and am grateful for your help so far .

Regards ,

[redacted]

On 6 Aug 2019, at 17:11, EHL Safety <EHL.Safety@brighton-hove.gov.uk> wrote:
Dear [redacted]
Thank you for your email.

Unfortunately, I am unable to issue you with a copy of the premises licence for the above premises as only the Premises Licence Holder is able to do this.
I understand you are having issues with your internet so I have copied the information from our Public Register below and hope it is of some help.
Performance of Dance
Times:
o10:00:00 - 01:00:00 Friday-Saturday
o10:00:00 - 00:00:00 Sunday-Thursday
Dancing
Times:
o10:00:00 - 02:30:00 Friday-Saturday
o10:00:00 - 01:30:00 Sunday-Thursday
Making music
Times:
o10:00:00 - 01:00:00 Friday-Saturday
o10:00:00 - 00:00:00 Sunday-Thursday
Re live/rec music/perf of dance
Times:
o10:00:00 - 01:00:00 Friday-Saturday
o10:00:00 - 00:00:00 Sunday-Thursday
Performance of Live Music
Times:
o10:00:00 - 23:00:00 Every Day
Performance of Recorded Music
Times:
o10:00:00 - 02:30:00 Friday
o10:00:00 - 01:30:00 Monday
o10:00:00 - 02:30:00 Saturday
o10:00:00 - 02:30:00 Thursday
o10:00:00 - 01:30:00 Tuesday
o10:00:00 - 01:30:00 Wednesday
Similar to making music/dancing
Times:
o10:00:00 - 01:00:00 Friday-Saturday
o10:00:00 - 00:00:00 Sunday-Thursday
Opening hours
Times:
o10:00:00 - 02:30:00 Friday-Saturday
o10:00:00 - 01:30:00 Sunday-Thursday
Sale by Retail of Alcohol
Alcohol consumed: Both on and off the premises
Times:
o10:00:00 - 02:00:00 Friday-Saturday
o10:00:00 - 01:00:00 Sunday-Thursday
Regards
Technical Support Officer
Safer Communities
Licensing Team
Bartholomew House
Bartholomew Square
Brighton
BN1 1JE
Email: - ehl.safety@brighton-hove.gov.uk
Telephone: - [redacted]
www.brighton-hove.gov.uk
-----Original Message-----

From: [redacted] [mailto:[redacted]
Sent: 06 August 2019 16:42
To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>
Subject: Paris House ,Western Road ,Hove
Dear Sir/Madam ,
[redacted] have complained a number of times about noise coming from the Paris House pub on Western Road ,Hove which is a short distance from our home .I have spoken to and emailed [redacted] about the problem on various occasions .
[redacted] .It seems sensible to obtain a copy of the licences authorising the sale of alcohol and the playing of music as well as what the "licensed premises " are defined as for this establishment .I have visited the council offices this afternoon to obtain a copy but was told that the information was accessible on line .
On returning home I am experiencing problems with our internet hub and the internet provider is sending someone out to fix it in the next week or so .
When I spoke to a member of the licensing team this afternoon I was told that if I had any difficulty I should write in and request a copy of the licence which ,given what I have just outlined ,I am now doing .
I look forward to hearing from you .
Regards ,
[redacted]
[redacted]
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and may contain information which is privileged and confidential, the disclosure of which is prohibited by law.
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Case notes:

Details Notepad:

IVA Notepad:

Service Request 2020/[redacted]	Public House 21 Western Road Hove BN3 1AE
[redacted]2020/[redacted]	

Visit Info:	Vis Type:	Vis Date:	Vis Officer:
Vis Comments: 26/02/20 at 10:54 by [redacted] See [redacted] for legal interpretation of condition regarding outside area.			
Action Info:	Act Type:	Act Date:	Act Officer:
Act Notes: None			

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 10.03.2020	Vis Officer: [redacted]
Vis Comments: 10/03/20 at 12:55 by [redacted] No diary recd by 6 March so case closed. Warning letter sent and emailed to [redacted] [redacted] on 18 Feb following breach of condition witnessed by [redacted] and the Police Lic Unit			
Action Info:	Act Type: Letter - action	Act Date: 18.02.2020	Act Officer: [redacted]

Act Notes:

[redacted]

Date:
Your Ref:

Contact:

Tel:
Email:

17 February 2020
[redacted] / 2020/[redacted]

[redacted]

[redacted]brighton-hove.gcsx .gov.uk
Dear [redacted]

Licensing Act 2003 - Unauthorised licensable activities.
RE: Paris House 21 Western Road, Hove BN3 1 AE

I am writing to advise you [redacted] visited Paris House, 21 Western Road, Brighton on 15 February 2020 with the Police Licensing Unit. The Officers witnessed the following breach of the licence:

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

At the time of the visit (approximately 11:30pm) there were customers sitting and drinking at the tables and chairs outside on the pavement at the front of your premises. [redacted] spoke with [redacted] who advised [redacted] that [redacted] was the Duty Manager. [redacted] said the reason the outside area had not been cleared was because they were busy inside and [redacted] was about to do it.

May I remind you that non-compliance with licence permissions and conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if -
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Please consider this letter as a warning that a breach of the premises licence has occurred. Further breaches could result in further action being taken. This could include a review of the licence. Following a review, a licensing authority may:

1. Decide that no action is necessary to promote the licensing objectives

2. Modify or add conditions to the licence

3. Exclude a licensable activity from the licence

4. Remove the designated premises supervisor or

5. Suspend the licence for a period (not exceeding 3 months)

6. Revoke the licence

Please ensure that all staff are aware of the licence conditions and the importance of complying with them.

Yours Sincerely

[redacted]
[redacted]

Visit Info:	Vis Type: EH Licensing - Enforcement Visit	Vis Date: 15.02.2020	Vis Officer: [redacted]

Vis Comments:
17/02/20 at 13:01 by [redacted]

OOH visit [redacted] and Police. Outdoor seating area being used at 11:30pm Warning letter to be sent

Action Info:	Act Type: E-mail sent	Act Date: 18.02.2020	Act Officer: [redacted]

Act Notes:

B53

From: [redacted]
Sent: 18 February 2020 09:47
To: [redacted] <[redacted]
([redacted] <[redacted]
Subject: Breach Of Licence conditions

Please find letter regarding a breach of the licence conditions at Paris House

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Please note my working days are Monday to Thursday 9:00am until 2:45pm.

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

Action Info:	Act Type: Letter - action	Act Date: 17.02.2020	Act Officer: [redacted]

Act Notes:

[redacted]

Date:
Your Ref:

Contact:

Tel:
Email:
17 February 2020
[redacted] / 2020/[redacted]

[redacted]

[redacted]

[redacted]
[redacted]brighton-hove.gcsx .gov.uk
Dear [redacted]

Licensing Act 2003 - Unauthorised licensable activities.
RE: Paris House 21 Western Road, Hove BN3 1 AE

I am writing to advise you [redacted] visited Paris House, 21 Western Road, Brighton on 15 February 2020 with the Police Licensing Unit. The Officers witnessed the following breach of the licence:

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

At the time of the visit (approximately 11:30pm) there were customers sitting and drinking at the tables and chairs outside on the pavement at the front of your premises. [redacted] spoke with [redacted] who advised [redacted] that [redacted] was the Duty Manager. [redacted] said the reason the outside area had not been cleared was because they were busy inside and [redacted] was about to do it.

May I remind you that non-compliance with licence permissions and conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if -
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

B53

Please consider this letter as a warning that a breach of the premises licence has occurred. Further breaches could result in further action being taken. This could include a review of the licence. Following a review, a licensing authority may:

1. Decide that no action is necessary to promote the licensing objectives

2. Modify or add conditions to the licence

3. Exclude a licensable activity from the licence

4. Remove the designated premises supervisor or

5. Suspend the licence for a period (not exceeding 3 months)

6. Revoke the licence

Please ensure that all staff are aware of the licence conditions and the importance of complying with them.

Yours Sincerely

[redacted]

cc [redacted]

B53

Paris House
21 Western Road
Hove
BN3 1AE

Visit Info:	Vis Type: EH Licensing - Out of Hours visit	Vis Date: 06.02.2020	Vis Officer: [redacted]

Vis Comments:
10/02/20 at 13:38 by [redacted]

OOH visit [redacted] and [redacted] 10pm - 4 people sitting outside. By 11:10pm the external furniture had been cleared and no one was outside.

Action Info:	Act Type: E-mail received	Act Date: 10.02.2020	Act Officer: [redacted]

Act Notes:
From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 07 February 2020 11:12
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris Ho

Hi, we passed by at 10pm and there were people (4) on the chairs and tables outside. By 11.10pm the external furniture had been cleared and no one was outside. This is not surprising, it was very cold.

Kind Regards,

[redacted]
Brighton & Hove City Council 2nd Floor, Bartholomew House, Bartholomew Square Brighton BN1 1HG T [redacted] E [redacted]brighton-hove.gov.uk

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 06.02.2020	Vis Officer: [redacted]

Vis Comments:
06/02/20 at 10:37 by [redacted]

Letter to comp with diary. Diary to be returned by 6 March

Action Info:	Act Type: Letter - action	Act Date: 06.02.2020	Act Officer: [redacted]

Act Notes:
[redacted]

Date:
Your Ref:

Contact:

Tel:
Email:
6 February 2020
[redacted]/2020/[redacted]

[redacted]
[redacted]

[redacted]
[redacted]brighton-hove.gcsx .gov.uk

Dear [redacted]

Licensing Act 2003
Paris House, 21 Western Road, Hove

Following your recent report of a woman speaking in a loud voice seated in one of the outside table areas outside the Paris House at 2320 on 1st February 2020, I have contacted the owner of The Paris House and advised [redacted] of the date and time of the incident and reminded [redacted] of the importance of complying with the conditions on his licence.

B52

I have opened a new investigation and asked Officers doing out of hours visits to add this to their inspection list next time they are working after 11:00pm. Please could you complete the attached diary detailing dates and times of any further incidents where the seating area is being used after 11:00pm and how it is affecting you in your home. Please return the diary to me by 6 March 2020.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours Sincerely

[redacted]
[redacted]

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 05.02.2020	Vis Officer: [redacted]

Vis Comments:
06/02/20 at 10:15 by [redacted]

Email to and response from [redacted]

Action Info:	Act Type: E-mail received	Act Date: 05.02.2020	Act Officer: [redacted]

B51

Act Notes:

From: [redacted] <[redacted]
Sent: 05 February 2020 17:12
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] ([redacted] <[redacted]
Subject: RE: Paris House

Hi [redacted]

Thank you for your email below - which is: a) appreciated and b) 'noted'.

[redacted] (copied) and I enjoyed meeting you and [redacted] the other week (20 Jan) - and we thought it was both positive and constructive. Positive in that you and [redacted] concluded towards the end that you couldn't think of anything we should actively be doing differently from the way in which [redacted] and I described in detail our current daily operational procedures and monitoring.

B51

You'll recall I asked the question ("what should we do differently or change") - which gave rise to your response.

Regardless - we obviously MUST always adhere to all License Conditions, as you rightly say below. [redacted] has therefore taken your email as a very useful prompt to remind all of our staff that our Conditions are not up for negotiation!

All the best and kind regards

[redacted]

From: [redacted] [mailto:[redacted]brighton-hove.gov.uk]
Sent: 3 February, 2020 10:10 AM
To: [redacted]
Subject: Paris House

Dear [redacted]

I am writing to advise you that we have received an allegation that on 1st February there was a woman speaking in a loud voice seated in one of the outside table areas outside the Paris House at 2320 hours and the security guard started to clear the chairs away from that area at just after 2325 hours.

B50

I am concerned that following our recent meeting that this allegation has been made. Please remind your staff of the importance of complying with all the conditions on the licence and in particular ensuring that the outside area is closed and cleared by 23.00 hours.

As you are aware any person or business can request a review of the licence if they have concerns about any of the licensing objectives:-
The Prevention of Crime and Disorder
The Prevention of Public Nuisance
Public Safety and
The Protection of Children from Harm

We will continue to monitor the premises. Please remember that a breach of conditions is a criminal offence on conviction, and it is your responsibility to comply with all the conditions

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

B50

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Case notes:

Details Notepad:

IVA Notepad:

Service Request 2020/ [redacted] IVA 2020/ [redacted]	21 Western Road Hove [redacted]

[redacted]	[redacted] - Out of Hours visit	Vis Date: 15.02.2020	Vis Officer: [redacted]

Vis Comments:
17/02/20 at 12:23 by dbeard

Email sent to [redacted] and [redacted] with update - see below:

Action Info:	Act Type: E-mail sent	Act Date: 17.02.2020	Act Officer: [redacted]

Act Notes:
Hi Both

Following a referral from [redacted] I conducted an OOH visit on Saturday 15 February 2020 at 23.32hrs. At time of the visit I spoke with [redacted] who advised was the Duty Manager.

[redacted] said the reason the outside area had not been cleared was because they were busy inside and was about to do it. I advised that we had received allegations that the outside area was being used after 11pm and that is why we had visited.

At the time of this visit I witnessed the outside area of the premises being used.

Licence condition states:

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

Attached is a copy of the Police Warning Letter and photos (furthest 23.32hrs closer 23.33hrs).

Kind regards

Case notes:

Details Notepad:

IVA Notepad:

Service Request 2021/[redacted] [redacted]/[redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - initial visit	Vis Date: 01.09.2021	Vis Officer: [redacted]

Vis Comments:
02/09/21 at 09:19 by [redacted]

Visit made to Paris House to speak to DPS about smaller measures of wine needing to be advertised and sold. DPS not on site, he's usually at Three Jolly Butchers. Spoke to Ass Manager, followed up with email sent to DPS (see notepad). Email sent to resident to confirm actions.

Action Info:	Act Type: E-mail sent	Act Date: 02.09.2021	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 02 September 2021 09:23
To: [redacted]
Subject: RE: The Paris House - 125ml measures of wine.

Good Morning,

I'm writing to let you know that I visited the Paris House yesterday afternoon at 4:45pm and spoke to the Assistant Manager and a member of the bar staff there. I reminded them of the condition on their licence relating to smaller measures of wine needing to be advertised and sold (unless the wine is only sold by the bottle) and I explained that they needed to advertise 125ml glasses on the blackboards behind the bar.

I have followed this visit up with an email to the Designated Premises Supervisor, who is the person named as responsible for the sale of alcohol on the premises, and explained that action must be taken to avoid any further feedback of this kind.

May I thank you for bringing this to our attention, and hopefully you will get served a 125ml glass the next time you're in there.

Kind regards

[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted]
Sent: 30 August 2021 13:32
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: The Paris House - 125ml measures of wine.

This email originates from outside of Brighton & Hove City Council. Please think carefully before

opening attachments or clicking on links.

Dear [redacted]

I was with a group of friends on Monday 23rd August in the afternoon. It was [redacted] turn to buy drinks and I asked [redacted] to get me a small glass of white wine. [redacted] said that they won't serve that as they didn't last time. I insisted [redacted] asked for a small wine. [redacted] came back with a 175ml measure and said that was what [redacted] was served.

There is no price for 125ml on the prices above the bar.

Thank you.

[redacted]

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 25 August 2021 16:18
To: [redacted]
Subject: The Paris House - 125ml measures of wine.

B54

Dear [redacted]

I have been passed your email that you sent to Cllr [redacted] and am writing to you in my role as [redacted] for Brighton & Hove City Council.

I understand that you are alleging that the Paris House located at 21 Western Road, Hove BN3 1AE has twice refused to serve 125ml measures of wine.

Please can I ask whether this was to yourself, and if so the dates and times this occurred? I can then follow it up with the Premises Licence Holder.

I look forward to hearing from you.

Kind regards

[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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Action Info:	Act Type: E-mail sent	Act Date: 02.09.2021	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 02 September 2021 09:16
To: [redacted]
Subject: The Paris House, 21 Western Road, Hove - breach of licence condition relating to 125ml measures of wine by the glass

B54

Dear [redacted]
Licensing Act 2003
The Paris House, 21 Western Road, Hove BN3 1AE
Premises Licence Number: [redacted]
I am writing to you to confirm that the Authority has received feedback from a local resident, via a Ward Councillor, that they were refused to be sold a small measure, 125ml, of wine in the above premises on the afternoon of Monday 23rd August 2021. They have also confirmed that this is the second time it has happened here. They also made reference to there not being any prices above the bar for 125ml glasses of wine.
I visited the premises yesterday at 4:37pm and met with the Assistant Manager [redacted] who was very helpful. I pointed out to [redacted] the fact that the blackboards above the bar only showed prices for 175ml and 250ml glasses of wine. When [redacted] explained that some wines aren't sold by the smaller measure, I confirmed that this is a condition on the Premises Licence. We recognise that bottles of wine can be sold, but anything that is sold by the glass MUST be available as a 125ml measure.
I refer to your Premises Licence -
Under Annex 1 - Mandatory conditions
6. The responsible person must ensure that—
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
(i) beer or cider: ½ pint;
(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
(iii) still wine in a glass: 125 ml;
(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
I have written back to the resident to acknowledge their feedback and to let them know that I have made a licensing visit to remind the management of their legal responsibilities under the Licensing Act 2003.
My feedback to [redacted] was to remind all staff of the above condition on the Premises Licence and to amend the blackboards accordingly. Whilst on site, one member of bar staff did admit to telling a customer that the premises doesn't sell a particular wine by the glass in the smaller size, which they now acknowledge was the wrong thing to do.
I explained to [redacted] that I would be writing to you as Designated Premises Supervisor and that further training needs to be carried out with anyone working behind the bar to ensure that they are aware of all conditions attached to the Premises Licence. I also showed [redacted] Part A of the licence which I had on me, [redacted] did confirm that a copy was in a folder somewhere but couldn't find it yesterday afternoon.
Please can you confirm receipt of this by return of email, and also confirm that follow up actions will be carried out to ensure that we don't receive any further feedback on this matter.

Regards,

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 25.08.2021	Vis Officer: [redacted]

Vis Comments:
25/08/21 at 16:19 by [redacted]

Email sent to complainant asking for further details. See notepad

Action Info:	Act Type: E-mail received	Act Date: 30.08.2021	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 30 August 2021 13:32
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Re: The Paris House - 125ml measures of wine.

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear [redacted]

I was with a group of friends on Monday 23rd August in the afternoon. It was [redacted] turn to buy drinks and I asked [redacted] to get me a small glass of white wine. [redacted] said that they won't serve that as they didn't last time. I insisted [redacted] asked for a small wine. [redacted] came back with a 175ml measure and said that was what [redacted] was served.

There is no price for 125ml on the prices above the bar.

Thank you.

[redacted]

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 25 August 2021 16:18
To: [redacted]
Subject: The Paris House - 125ml measures of wine.

Dear [redacted]

I have been passed your email that you sent to Cllr [redacted] and am writing to you in my role as [redacted] for Brighton & Hove City Council.

I understand that you are alleging that the Paris House located at 21 Western Road, Hove BN3 1AE has twice refused to serve 125ml measures of wine.

Please can I ask whether this was to yourself, and if so the dates and times this occurred? I can then follow it up with the Premises Licence Holder.

I look forward to hearing from you.

Kind regards

[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

Action Info:	Act Type: E-mail sent	Act Date: 25.08.2021	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 25 August 2021 16:19
To: [redacted]
Subject: The Paris House - 125ml measures of wine.

Dear [redacted]

I have been passed your email that you sent to Cllr [redacted] and am writing to you in my role as [redacted] for Brighton & Hove City Council.

I understand that you are alleging that the Paris House located at 21 Western Road, Hove BN3 1AE has twice refused to serve 125ml measures of wine.

Please can I ask whether this was to yourself, and if so the dates and times this occurred? I can then follow it up with the Premises Licence Holder.

I look forward to hearing from you.

Kind regards

[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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Case notes:

Details Notepad:

IVA Notepad:

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Service Request 2022/[redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 25.05.2022	Vis Officer: [redacted]

Vis Comments:
26/05/22 at 08:25 by [redacted]

Another email from [redacted] ontact details sent

Action Info:	Act Type:	Act Date:	Act Officer:

Act Notes:
None

Visit Info:	Vis Type: EH No visit	Vis Date: 09.05.2022	Vis Officer: [redacted]

Vis Comments:
09/05/22 at 11:57 by [redacted]

Email from [redacted] Another noise comp but within lic hours.

Action Info:	Act Type: E-mail received	Act Date: 06.05.2022	Act Officer: [redacted]

Act Notes:
From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 06 May 2022 14:17
To: [redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris House, 21 Western Road, Brighton

Dear [redacted]

I am writing to you again, to inform you of two additional complaints in regards of 21 Western Road. The complaints involve the level of live music on Thursday nights, not the time, just the level.

I shall be sending additional diaries to the further two complainants and shall be continuing this investigation. Would you have a DB meter? If so, is this checked regularly. If not, have you considered purchasing one?

Licensing have been copied into this message.

Kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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B56

Visit Info:	Vis Type: Contact	Vis Date: 26.04.2022	Vis Officer: [redacted]

Vis Comments:
26/04/22 at 12:52 by [redacted]

Phoned [redacted]
Background music on Sat night. Have been contacted by Mediation team and wants to know history as last comp [redacted] is aware of was Dec 2021. Comp [redacted]

Action Info:	Act Type:	Act Date:	Act Officer:

Act Notes:
None

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 07.04.2022	Vis Officer: [redacted]

Vis Comments:
07/04/22 at 13:05 by [redacted]

Email to DPS

Action Info:	Act Type: E-mail sent	Act Date: 07.04.2022	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 07 April 2022 12:41
To: [redacted] <[redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris House, 21 Western Road

Dear [redacted]

B55

I have been advised by the Environmental Protection Team that they have received complaints about noise from DJ's and live music which is disturbing them until as late as 02:00. While we have not substantiated these complaints at the moment, the Environmental Protection (EP) Team is investigating. Your premises licence allows for the following however as you know you must promote all the licensing objectives including the prevention of public nuisance and should not be causing a noise disturbance to neighbours. We will be working with EP and ask that you ensure that there is no live music after 23:00 and noise from any events does not impact on neighours and that you comply with all conditions of your licence including those detailed below.

Times the licence authorises the carrying out of licensable activities:-
Performance of Live Music - Indoors
Sunday - Thursday: 10.00 - 23.00
Friday - Saturday: 10.00 - 23.00
Live (acoustic/amplified) music and amplified voice, to finish one hour before the cessation of alcohol service. The use of live music is limited to short sessions at various times on different days throughout the week. The number of musicians may exceed two, subject to risk assessment. Performance of live music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. The sound attenuator shall be set at a level approved by the Licensing Authority.
Performance of Recorded Music - Indoors
Sunday - Wednesday: 10.00 - 01.30
Thursday - Saturday: 10.00 - 02.30
Background music or DJ operated music, amplified and distributed through small speakers throughout the licensed area, volume controlled by the licensee. DJ operated music will cease an hour before closing when recorded music will switch to background level. The playing of recorded

music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. The sound attenuator shall be set at a level approved by the Licensing Authority.
Performance of Dance - Indoors
Sunday - Thursday: 10.00 - 00.00
Friday - Saturday: 10.00 - 01.00
During performances of live music or entertainment of a similar description, performers to be permitted to enhance their act through demonstration or natural movement accompanying their music or act. Performance of dance to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.
Anything of a similar description to live music, recorded music and performance of dance - Indoors
Sunday - Thursday: 10.00 - 00.00
Friday - Saturday: 10.00 - 01.00
Cabaret, comedians, spoken word and similar acts, acoustic or amplified voice. Performances of a similar description to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.
Entertainment of a similar description to making music and dancing - Indoors
Sunday - Thursday: 10.00 - 00.00
Friday - Saturday: 10.00 - 01.00
Entertainment facilities to be provided from the start time on New Year's Eve until the finish time on the morning following New Year's Day. Microphone and jack input to sound system. All other equipment to be provided by the performers(s) subject to risk assessment. There will be no permanent, specified stage area for the performers(s).

B55

Sale by Retail of Alcohol
Sunday - Thursday: 10.00 - 01.00
Friday - Saturday: 10.00 - 02.00
Sale of alcohol for consumption on the external seating will cease at 23.00.
Sale of alcohol to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. On the occasion of a televised major live sporting event falling outside the hours granted to the premises licence, to have the option to open for the sale of alcohol one hour prior to the start of the event and to close one hour after the event finishes.

The following conditions relating to the Prevention of Public Nuisance must be complied with.

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

Regards,

[redacted]
[redacted] Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
[redacted] / [redacted] brighton-hove.gov.uk

My working hours are Monday to Thursday mornings

IVA Screen



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[redacted]

From: [redacted]
Sent: 18 February 2020 09:47
To: [redacted]
Subject: Breach Of Licence conditions
Attachments: Paris House Warning Letter.doc

Please find letter regarding a breach of the licence conditions at Paris House

Regards, [redacted]

[redacted] **(Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP**
T [redacted] **|** [redacted] **brighton-hove.gov.uk**

Please note my working days are Monday to Thursday 9:00am until 2:45pm.

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Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

This is my request under the Freedom of Information Act 2000 for the following information held by the Brighton and Hove City Council ('the Council') in relation to the premises at Paris House, 21 Western Road, Hove, East Sussex BN3 1AE, which are licensed for various activities under the Licensing Act 2003.

The information I require is as follows -

1. A full copy of the current licence governing the activities authorised by the Council which was issued in 2005 and including the copy of any plan submitted with the application for such licence and any other plan(s) subsequently submitted for any purpose .

- *Attached in folder*

2. Details of any amendments made to that licence since it was granted.

- *No variations or minor variations have been applied for since the variation was granted on 19.09.2005*

3. A full record of all decisions made by the licensing authority re hours ,conditions and restrictions imposed including any records of submissions made by applicant(s) and/or objectors/representors to the licensing panel.

- *Panel decision letter attached. 1 x representation attached. Original conversion & variation applications received 28.07.2005.*

4. Full details of any reasons given by the licensing panel for the imposition of conditions and any notes of their reasoning in formulating the words of those conditions.

- *minutes from panel hearing attached.*

5. A full record of correspondence to/from the licensee and/or the designated premises supervisor to/from the licensing authority or the Council's enforcement staff in relation to licensing conditions and/or noise nuisance.

6. A full record of all visits paid to the subject premises by the Council's enforcement staff to include the reasons for such visits,what issues were discussed with the management (licensee, DPS - Designated Premises Supervisor or their representative) and what response they gave.

- 20.01.20 [redacted] and [redacted] met [redacted] and [redacted] to discuss complaints and licence conditions **NOTES ATTACHED IF NEEDED**
- 15.02.2020 Out of hours visit [redacted] and Police. Outdoor seating area being used at 11:30pm Warning letter to be sent
- 06.02.2020 Out of hours visit [redacted] and [redacted] 10pm - 4 people sitting outside. By 11:10pm the external furniture had been cleared and no one was outside.

Full records of any follow up action taken including checks by enforcement staff to ensure compliance with licensing conditions and especially those aimed at preventing public nuisance.

7. Full details of all complaints received by the Council from members of the public and especially those relating to non compliance with licensing conditions and noise - or any other - nuisance relating to these premises.

Regarding questions 5, 6 & 7:

All information is requested from the current DPS's appointment in 2017 to now.

For the earlier period - ie between the grant of the existing licence in 2005 to the date of the current DPS's appointment - I would be content to be told how many items of correspondence, records of visits, follow up visits and complaints relating to the issues raised in questions 5,6 and 7 exist WITHOUT being provided with copies of them at this stage.

B56

Licensing Act 2003
Inspection Report

Licensing Department
Environmental Health & Licensing
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

Tel: 01273 294429
Email: ehl.safety@brighton-hove.gov.uk

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B1

Person spoken to and position: [redacted]

Is the person a Personal licence holder? Yes ☐ No ☐

Changes:

Premises Name and Address: Paris House

Telephone number: 21 Western Road 01292 724195 **CIZ / SSA / Outside**

Premises Licence number: [redacted]

Part A (site) Yes ☐ No ☐ **B displayed** Yes ☐ No ☐ SOS ☐ 6% ABV cond ☐ Challenge 25 ☐

DPS: [redacted]

Authority: Written ☐ Verbal ☐ None ☐

CCTV: Installed ☐ Working ☐

Gaming Machines No of M/C No & CAT

Capacity: 180

Plans ok? Yes ☐ No ☐

Doorstaff: No ☐ Yes ☐ Company: Conser

S.I.A. **MSU** **BCRP**

External windows & doors Open ☐ Closed ☐

Noise Limiter Yes ☐ No ☐

Forecourt / Beer Garden In use: Yes ☐ No ☐

Smoking shelter: Yes ☐ No ☐

Cond Licensable activities taking place:

Mandatory Annex 1:

Initiatives / Promotions

Annex 2/3: CD: Have CCTV, Door Staff, Mobile Supply

PS:

PN:

CH: Challenge 21

Advice given / comments / further action required:

x re comp - nothing more received - 5 doing diaries but

10.45 last orders called - music goes off then Mon-1 am Thurs Sat/Sun

x send challenge 25 posters

Annex 2 (1) - Signage

Concept support - Security - Always fri + sat 8 until close

10.45 outside seating stacked (Fri - Sat)

Windows stay at 9pm

- need signs seating children welcome up to 8pm

- Sign for leaving premises quietly needed.

Date & time: 10/5/16 14:15

Officer: [redacted]

Brighton & Hove City Council

Brighton & Hove City Council

Regulatory Services
Bartholomew House
Bartholomew Square
Brighton BN1 1JP

237

B2

[redacted]
Paris House
21 Western Road
Hove
BN3 1AE

Date: 11th May 2016
Our Ref: [redacted]
Your Ref:
Phone: 01273 [redacted]

e-mail: [redacted]

Dear Tina

Licensing Act 2003 – Paris House 21 Western Road Hove BN3 1AE

Licence reference: [redacted]

I am writing to you in your capacity as the Designated Premises Supervisor following my visit on the 10th May 2016. I have enclosed a Challenge 25 poster as discussed and have listed below the Premises Licence Conditions regarding signage;

Annex 2
Prevention of Crime and Disorder

1. Signage to be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder cased by drug use, intoxication, underage drinking and disorderly behaviour.
7. Signage must be clearly positioned on the premises informing customers of a driver's shelf for customers driving and public transport arrangements for customer's onward journey.

Public Safety

1. Signage must be clearly positioned on the premises to communicate to customers the services available to maintain the comfort and safety of customers with disabilities.

Prevention of Public Nuisance

3. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.

Protection of Children from Harm

3. Signage must be clearly displayed informing customers of the premises policy on protection of children from harm and what action will be taken if the policy is breached.

23f
B2

In regard to the Public Safety condition above I have discussed with my colleagues and have agreed that as this was placed on the licence by the previous Premises Licence Holder who had in place 'customer care kits', a Minor Variation to remove this condition would be appropriate if Rowbell Leisure were to consider this.

Please let me know if you have any further questions.

Yours Sincerely

[redacted]
Fair Trading Officer
Trading Standards and Licensing

Brighton & Hove City Council

Regulatory Services
Environmental Protection
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

239
B3

The Designated Premises Supervisor
Paris House
21 Western Road
Hove
BN3 1AE

Date: 29th April 2016
Our Ref: [redacted]
Phone: (01273) 292130
e-mail: alun.cance@brighton-hove.gcsx.gov.uk

Dear Sir/Madam

Environmental Protection Act 1990 & Licensing Act 2003
Noise Complaints Re. Paris House, 21 Western Road, Hove

I refer to a complaint received regarding the above premises.

The complainant alleges:

'Noise disturbance from recorded amplified music played from speakers at an hour that the residents agree is unsociable. The Paris House claim online to close at 11:00pm and one would assume that this is when the music would stop. Unfortunately they consistently play said music further into the night sometimes until 12:45-1:00am which Mon-Thurs I don't find to be acceptable.'

I am unable to confirm if the complaints are justified. and will inform the complainant about permitted opening hours and times for the performance of recorded music that are stipulated on the premises licence for Paris House.

However, I would ask that you carefully monitor music volumes and think about what you could do differently to manage and where necessary reduce noise levels. Please take any appropriate steps to ensure that local residents are not unreasonably disturbed.

We have asked those affected to keep noise diaries detailing the dates, times and the exact type of noise causing them a disturbance. To investigate further, we may install noise recording equipment.

Under the provisions of the **Environmental Protection Act 1990**, noise can be classed as a statutory nuisance at any time of the day or night.

To establish whether or not a statutory noise nuisance is occurring, we take into account the frequency, duration, and character of the noise.

Using this information, we then have to assess how much the noise is disturbing someone in their home, and crucially, how it is affecting the normal level of comfort and enjoyment that the average person can reasonably expect of that home.

If a statutory noise nuisance is established, I am duty bound to serve a noise abatement notice under the provisions of the Environmental Protection Act 1990.

Separate from the Environmental Protection Act are the provisions which exist under the **Licensing Act 2003.**

In line with the act I would draw you attention to the following conditions that exist on the premises licence for Paris House that must be adhered to:

For the Prevention of Public Nuisance:

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

2. On any day, the provision of live music shall be limited to 10.00 – 23.00 hours.
3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress
4. The sound attenuator shall be set at a level approved by the licensing authority.

It is extremely important that you and your staff operate in accordance with your licence and all the conditions attached to it.

To help prevent the possibility of further noise complaints, in line with the above condition I suggest you contact me in order to arrange re-setting of the noise limiter.

Yours faithfully,

Alun Cance BSc (Hons) Environmental Health

C.C.
Rowbell Leisure LTD
Skid Mill House
Skid Mill Lane
Chrisham
Warlingham
Surrey
CR6 9PP

*If requested by a third party under the provisions of the **Freedom of Information Act 2000** the contents of this letter may be disclosed by Brighton & Hove City Council. Search our website on* www.brighton-hove.gov.uk/foi

BRIGHTON & HOVE CITY COUNCIL LICENSING PANEL 2003 (Licensing Act 2003 Functions)

2.00PM – 19 SEPTEMBER 2005 BRIGHTON TOWN HALL MINUTES

Present: Councillors [redacted]

191. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 – THE JUGGLER

191.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation to a Premises Licence already granted under "grandfather rights" at The Juggler, 21 Western Road, Hove (see Minute Book).

191.2 The Panel noted that an objection had been received concerned that an extension of hours would lead to nuisance from and outside the premises.

191.3 The applicant said that [redacted] had written to the complainant and also to environmental health. As a result [redacted] had agreed to install and set a sound limiter at a level agreed with environmental health; live music would terminate at 23.00 hours; the outside area would be closed and cleared by 23.00 hours; all windows and doors would be closed after 23.00 hours; and air conditioning would be installed. [redacted] indicated that noise from outside of the premises was from other establishments and not his licensed premises.

191.4 RESOLVED – That the application for a variation for the premises licence already granted under "grandfather rights" be granted subject to the following conditions:

1. The amplified sound equipment shall be governed by a sound limiting device set at a level approved by the licensing authority.

2. The licensee to ensure that live music terminates no later than

23.00 hours.

3. The licensee shall ensure that the outside area is closed and cleared no later than 23.00 hours.

4. The licensee shall ensure that all windows and doors are closed no later than 23.00 hours except for ingress and egress.

5. The licensee to ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Reasons for conditions:

To ensure that there is no public nuisance to local residents.

20.01.20 and met and to discuss complaints and licence conditions

Meeting with (and DPS. The area is cleared and tables folded at 11pm. Drinks are still taken outside by smokers. No condition on licence

claimed that some of the problems reported by comp occured while the premises was closed.

Next mediation session is in March. The formal mediation process has finished but they are keeping in touch with residents. felt did not want to engage from the start.

Customers are mainly over 40s and not particularly noisy.

Following complaints they have stepped up door closing policy. Customers are aware and close doors as well. No live music after 10pm. DJ Fri and Sat 9pm until close. Sound limiter was set when operating as Jugglers.

Serious homeless/ drug problems in the area and hostel opposite.

Smokers usually wait on Western Road by front door as ash tray kept there.

MN

Brighton & Hove City Council

07 JUL 2005

Health Safety & Licensing

[redacted]

244

4th July 2005

Licensing Department
Brighton & Hove County Council
2nd Floor
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

VAuD

B57

R.e. The Juggler Pub, Western Road

Dear Mr Geddings

As a resident of the Old Market area of Hove I would like to register my concern at the growing problem which is being caused to residents by local pubs, in particular The Juggler on Western Road. I would ask you to consider this information carefully when responding to requests for increased licensing hours made by The Juggler and any other pubs in the area (The Old Market Bar, The Conqueror and The Iron Duke), I believe they are all applying for extended licenses under the recent changes in the Law.

Over the last two years the level of noise coming from The Juggler has got markedly worse, the pub regularly has Disco nights and Live bands (3-4 nights a week) where music is played so loud we can hear it clearly in every room or our house which is 20 metres away and has no direct connecting walls. When we ring to complain it results in no action being taken so we have taken the matter up with your colleague in Divisional Environmental Health, Annie Sparks. This level of regular noise pollution is unacceptable close to residential housing; it causes distress to all of our family including our two young infants who are regularly woken up by the noise. The other aspect of The Juggler which is causing concern is their contribution to anti-social behaviour which regularly spills onto the streets and results in fighting, shouting, swearing, broken bottles and vandalism. I have personally witnessed patrons of the Juggler pushing industrial wheelie bins up and down Brunswick Street East and littering glasses and bottles in the road and even on our window sills. I believe there is much that the management of The Juggler could do to discourage this behaviour but they consistently choose not too; in fact with their well promoted drinks promotions I believe they actually encourage anti-social behaviour. The problems of contributing to anti-social behaviour are not exclusive to The Juggler and I believe to a lesser degree the other pubs in the area also compounding the problem and I hope this is taken into account when you consider applications for extended licensing in the Old Market area.

245

B57

With respect to The Juggler's application for extended licensing, I would strongly encourage you to deny this request as I believe the current management of the pub have consistently demonstrated a lack of sensitivity to the area in which they operate and particularly the residents of the area. I also believe there is strong evidence to suggest that many of their patrons are causing the type of anti-social behaviour which is becoming an ever increasing problem for Brighton and Hove.

Finally, I am aware that this letter may come across as being written by someone who disagrees with pubs and drinking in general, this is far from the case! I am 35 and enjoy going to pubs in the area and in the city centre, I have also lived near to pubs in London and Brighton and have never experienced these problems before. I fully recognise that the Old Market area has a rich tradition of coexistence of commercial and residential properties and this is part of the attractiveness of the area, however it was never designed to be an extension of the type of nightlife which can be found in the city centre, for example our house is grade 2 listed and can therefore not be fitted with double glazing to stop noise pollution.

Please contact me to discuss further, I look forward to hearing from you

Thank you

Yours sincerely

[redacted]

Copied to AS 05/7

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Zelgrain Limited

apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Juggler, 21 Western Road

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENTAL HEALTH & LICENSING
DATE RECEIVED
28 JUL 2005

Post town	Hove	**Post code**	BN3 1AE

Telephone number of premises (if any)	01273 724195
Non-domestic rateable value of premises	**£15000**

Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

		Please tick	
a)	An individual or individuals	☐	please complete section (A)
b)	a person other than an individual		
	i. as a limited company	☒	please complete section (B)
	ii. as a partnership	☐	please complete section (B)
	iii. as an unincorporated association or	☐	please complete section (B)
	iv. other (for example a statutory corporation)	☐	please complete section (B)
c)	a recognised club	☐	please complete section (B)

d)	a charity	☐ please complete section (B)
e)	the proprietor of an educational establishment	☐ please complete section (B)
f)	a health service body	☐ please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital	☐ please complete section (B)
h)	the chief officer of police of a police force in England and Wales	☐ please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ Please tick yes	
Current postal address if different from premises address					
Post Town				**Postcode**	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr ☐	Mrs ☐	Miss ☐	Ms ☐	Other Title (for example, Rev)	
Surname				**First names**	
I am 18 years old or over				☐ Please tick yes	
Current postal address if different from premises address					
Post Town				**Postcode**	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Zelgrain Ltd
Address 50 West Street, Farnham, Surrey GU9 7DX
Registered number (where applicable) 3235178
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01273 550000
E-mail address (optional)

Part A3 - Operating Schedule

General description of premises (please read guidance note 1)

Small, single bar public house located on a main road on the boundary between Brighton and Hove, bordered by shops, restaurants and other licensed premises, arranged on a split level floor, bar servery on the upper level, toilets in the basement, with patio seating on the highway, supplying all the traditional facilities of a public house, including hot drinks and snacks from the bar.

If 5,000 or more people attend the premises at any one time, please state the number

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment		**Please tick Yes**
a)	plays	☐
b)	films	☐
c)	indoor sporting events	☐
d)	boxing or wrestling entertainment	☐
e)	live music	☐
f)	recorded music	☒
g)	performances of dance	☐
h)	anything of a similar description to that falling within (e), (f) or (g)	☐
Provision of entertainment facilities for:		
i)	making music	☐
j)	dancing	☐
h)	entertainment of a similar description to that falling within (i) or (j)	☐
Provision of late night refreshment		☐
Sale by retail of alcohol		
a)	for consumption on the premises	☒
b)	for consumption off the premises	☒

Please state who you wish to be specified to be the premises supervisor under the new licence

Name

Katherine Joyce

Address

Flat 2, The Red House, 21 Lansdowne Road, Hove BN3 1FE

Personal Licence number, if known,

2005/01066/LAPERN.

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

10.00 to 23.00 Monday to Saturday
12.00 to 22.30 Sunday and Good Friday
12.00 to 15.00 and 19.00 to 22.30 Christmas Day
Permitted opening on New Year's Eve to Permitted closing on New Year's Day

20 minutes drinking-up time in addition to all the above timings
2 x AWP gaming machines permitted under Section 34 of the Gaming Act 1968

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

a) General – all four licensing objectives (b,c,d,e)

The conditions currently imposed by the 1964 Licensing Act and all other legislation impacting the operation of a licensed retail business including regulations under Health & Safety and Fire legislation.

b) The prevention of crime and disorder

As contained above in a)

c) Public safety

As contained above in a)

d) The prevention of public nuisance

As contained above in a).

e) The protection of children from harm

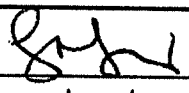
As contained above in a)

	Please tick Yes
• I have made or enclosed payment of the fee	☒
• I have enclosed my existing licence(s) or a certified copy of each licence	☒
• I have enclosed a plan of the premises	☒
• I have sent copies of this application to the chief officer of police (please read guidance note 3)	☒
• I have enclosed the consent form completed by the proposed premises supervisor, if relevant	☒
• I have enclosed the consent of the justices' licence holder to my application, if relevant	☒
• I understand that if I do not comply with the above requirements my application will be rejected	☒

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part A4 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	27/07/05
Capacity	Director - Zelgrain Limited

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)
Simon Walker, Head of Operations, Zelgrain Limited, 146 Springfield Road

Post town	Brighton & Hove	**Post code**	BN1 6BZ
Telephone number	01273 550000		
E-mail address (optional)	swalker@zelnet.com		

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.

LICENSING WORKSHEET

Case Ref: 2005/02456/LAPREV **Date Received:** 28th July 2005 **Worksheet printed:** 08.08.2005 **Allocated to:** Martin New	

Applicant Details		Licence Details	
Name:	Zelgrain Limited	**Tradename:**	Juggler
Address:	The Jugglers 21 Western Road Hove East Sussex BN3 1AE	**Address:**	The Jugglers 21 Western Road Hove East Sussex BN3 1AE
		Details:	Premises Licence
Tel:	01273 724195		

PART B - Application to vary a premises licence under the Licensing Act 2003

I/We Zelgrain Limited
[Insert name of applicant]

being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 of the Licensing Act 2003 (delete as applicable) **for the premises described in Part A above.**

Part B1 - Variation

	Please tick
Do you want the proposed variation to have effect from the second appointed day?	☒

If not when do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)

1. To permit the sale of alcohol on or off the premises from 10:00 to 01:00 the following morning on Sunday through to Thursday and from 10:00 to 02:00 the following morning on Friday and Saturday.
2. To permit live music, the performance of dance, anything of a similar description, the facilities for making music and the facilities for anything of a similar description until an hour before the cessation of alcohol sales.
3. To be permitted to remain open to the public up to half an hour after the cessation of alcohol sales for drinking-up, recorded music and the facilities for dancing.
4. To permit the above variations from the start time on New Year's Eve to the various finish times on the morning following New Year's Day.
5. On the occasion of televised major live sporting events taking place outside the hours granted to the premises licence, to be permitted to open for the sale of alcohol, hot drinks and snacks one hour prior to the start of the event, to cease sales one hour after the event finishes and to close to the public half an hour after the cessation of sales.
6. To be released from the current restrictions on live music, dancing, permitted hours, drinking-up time and the presence of children under 14.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Provision of regulated entertainment		Please tick Yes
a)	plays (if ticking yes, fill in box A)	☐
b)	films (if ticking yes, fill in box B)	☐
c)	indoor sporting events (if ticking yes, fill in box C)	☐
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	☐
e)	live music (if ticking yes, fill in box E)	☒
f)	recorded music (if ticking yes, fill in box F)	☒
g)	performances of dance (if ticking yes, fill in box G)	☒
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	☒
Provision of entertainment facilities:		
i)	making music (if ticking yes, fill in box I)	☒
j)	dancing (if ticking yes, fill in box J)	☒
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	☒
Provision of late night refreshment (if ticking yes, fill in box L)		☐
Sale by retail of alcohol (if ticking yes, fill in box M) **Please complete Part B3 on this form!**		☒

A

Plays Standard days and timings (please read guidance note 8)			**Will the performance of a play take place indoors or outdoors or both** – please tick (please read guidance note 9)		
				Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish	**Please give further details here** (please read guidance note 10)		
Mon					
Tue					
Wed			**State any seasonal variations for performing plays** (please read guidance note 11)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list** (please read guidance note 12)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			**Will the exhibition of films take place indoors or outdoors or both** – please tick (please read guidance note 9)		
Day	Start	Finish		Indoors	☐
				Outdoors	☐
				Both	☐
Mon			**Please give further details here** (please read guidance note 10)		
Tue					
Wed			**State any seasonal variations for the exhibition of films** (please read guidance note 11)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list** (please read guidance note 12)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			**Please give further details** (please read guidance note 10)
Day	Start	Finish	
Mon			
Tue			**State any seasonal variations for indoor sporting events** (please read guidance note 11)
Wed			
Thur			**Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list** (please read guidance note 12)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			**Will the boxing or wrestling entertainment take place indoors or outdoors or both –** please tick (please read guidance note 9)		
				Indoors	☐
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon			**Please give further details here** (please read guidance note 10)		
Tue					
Wed			**State any seasonal variations for boxing or wrestling entertainment** (please read guidance note 11)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			**Will the performance of live music take place indoors or outdoors or both** – please tick (please read guidance note 9)		
				Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon	10:00	00:00	**Please give further details here** (please read guidance note 10) Live (acoustic/amplified) music and amplified voice, to finish one hour before the cessation of alcohol service. The use of live music is limited to short sessions at various times on different days throughout the week. Number of muscians may exceed two, subject to risk assessment.		
Tue	10:00	00:00			
Wed	10:00	00:00	**State any seasonal variations for the performance of live music** (please read guidance note 11)		
Thur	10:00	00:00			
Fri	10:00	01:00	**Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list** (please read guidance note 12) Performance of live music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sat	10:00	01:00			
Sun	10:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 8)			**Will the playing of recorded music take place indoors or outdoors or both** – please tick (please read guidance note 9)		
				Indoors	☒
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	10:00	01:30	**Please give further details here** (please read guidance note 10) Background music or DJ operated music, amplified and distributed through small speakers throughout the licensed area, volume controlled by the licensee.		
Tue	10:00	01:30			
Wed	10:00	01:30	**State any seasonal variations for playing recorded music** (please read guidance note 11)		
Thur	10:00	01:30			
Fri	10:00	02:30	**Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12) DJ operated music will cease an hour before closing when recorded music will switch to background level. The playing of recorded music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sat	10:00	02:30			
Sun	10:00	01:30			

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G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 9)		
				Indoors	☒
				Outdoors	☐
				Both	☐
Day	Start	Finish			
Mon	10:00	00:00	**Please give further details here** (please read guidance note 10) During performances of live music or entertainment of a similar description perfomers to be permitted to enhance their act through demonstration or natural movement accompanying their music or act.		
Tue	10:00	00:00			
Wed	10:00	00:00	**State any seasonal variations for the performance of dance** (please read guidance note 11)		
Thur	10:00	00:00			
Fri	10:00	01:00	**Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12) The performance of dance to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sat	10:00	01:00			
Sun	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			**Please give a description of the type of entertainment you will be providing** Cabaret, comedians, spoken word and similar acts, acoustic or amplified voice.		
Day	Start	Finish	**Will this entertainment take place indoors or outdoors or both – please tick** (please read guidance note 9)	Indoors	☒
Mon	10:00	00:00		Outdoors	☐
				Both	☐
Tue	10:00	00:00	**Please give further details here** (please read guidance note 10)		
Wed	10:00	00:00			
Thur	10:00	00:00	**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)** (please read guidance note 11)		
Fri	10:00	01:00			
Sat	10:00	01:00	**Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list** (please read guidance note 12) Performances of a similar description to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sun	10:00	00:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 8)			**Please give a description of the facilities for making music you will be providing** Microphone and jack point to sound system. All other amplification/instrumentation to be provided by the performer(s) subject to risk assessment. There will be no permanent, specified stage area for the performer(s) since the performance of live music is intended to be part of the premises' ambience and not a stage focused concert.	
			Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 9)	Indoors ☒ Outdoors ☐ Both ☐
Day	Start	Finish	**Please give further details here** (please read guidance note 10)	
Mon	10:00	00:00		
Tue	10:00	00:00		
Wed	10:00	00:00	**State any seasonal variations for the provision of facilities for making music** (please read guidance note 11)	
Thur	10:00	00:00		
Fri	10:00	01:00	**Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12) Music making facilities to be provided from the start time on New Year's Eve until the finish time on the morning following New Year's Day.	
Sat	10:00	01:00		
Sun	10:00	00:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			**Will the facilities for dancing be indoors or outdoors or both** – please tick (please read guidance note 9)		
				Indoors	☒
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon	10:00	01:30	**Please give further details here** (please read guidance note 10) The premises is not a dance venue and therefore a dance floor area will not be provided to encourage dancing. However it is recognised that customers may move in a rhythmic manner where they stand which could be interpreted as dance and so should not be prohibited.		
Tue	10:00	01:30			
Wed	10:00	01:30	**State any seasonal variations for providing dancing facilities** (please read guidance note 11)		
Thur	10:00	01:30			
Fri	10:00	02:30	**Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12) DJ operated recorded music will cease an hour before the premises closes to the public. Limited dancing to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sat	10:00	02:30			
Sun	10:00	01:30			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 8)			**Please give a description of the type of entertainment facility you will be providing** Microphone and jack input to sound system. Turntables and mixer. All other equipment to be provided by the performer(s) subject to risk assessment. There will be no permanent, specified stage area for the performer(s).		
Day	Start	Finish	**Will the entertainment facility be indoors or outdoors or both – please tick** (please read guidance note 9)	Indoors	☒
Mon	10:00	00:00		Outdoors	☐
				Both	☐
Tue	10:00	00:00	**Please give further details here** (please read guidance note 10)		
Wed	10:00	00:00			
Thur	10:00	00:00	**State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j** (please read guidance note 11)		
Fri	10:00	01:00			
Sat	10:00	01:00	**Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list** (please read guidance note 12) Entertainment facilities to be provided from the start time on New Year's Eve until the finish time on the morning following New Year's Day.		
Sun	10:00	00:00			

L

Late night refreshment Standard days and timings (please read guidance note 8)			**Will the provision of late night refreshment take place indoors or outdoors or both –** please tick (please read guidance note 9)		
				Indoors	☐
				Outdoors	☐
Day	Start	Finish		Both	☐
Mon			**Please give further details here** (please read guidance note 10)		
Tue					
Wed			**State any seasonal variations for the provision of late night refreshment** (please read guidance note 11)		
Thur					
Fri			**Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list** (please read guidance note 12)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 8)			**Will the supply of alcohol be for consumption (Please tick box)** (please read guidance note 13)		
				On the premises	☐
				Off the premises	☐
Day	Start	Finish		Both	☒
Mon	10:00	01:00	**State any seasonal variations for the supply of alcohol** (please read guidance note 11)		
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	**Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list** (please read guidance note 12) Sale of alcohol for consumption on external seating will cease at 00.00. Sale of alcohol to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. On the occasion of a televised major live sporting event falling outside the hours granted to the premises licence, to have the option to open for the sale of alcohol one hour prior to the start of the event and to close one hour after the event finishes.		
Fri	10:00	02:00			
Sat	10:00	02:00			
Sun	10:00	01:00			

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)
2 x gaming machines, 1 x cigarette machine

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)		
Day	Start	Finish
Mon	10:00	01:30
Tue	10:00	01:30
Wed	10:00	01:30
Thur	10:00	01:30
Fri	10:00	02:30
Sat	10:00	02:30
Sun	10:00	01:30

State any seasonal variations (please read guidance note 11)

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)
To be open to the public from the start time on New Year's Eve until the finish time on the morning following New Year's Day.
On the occasion of a televised major live sporting event falling outside the hours granted to the premises licence, to have the option to open to the public one hour prior to the start of the event and to close one and a half hours after the event finishes.

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking
Restrictions imposed on current permitted hours and drinking-up time
Restrictions on live music with no more than two musicins
Restrictions on the playing of recorded music as a combination with live music
Restrictions on dancing
Restrictions on the presence of children under the age of 14

All other embedded restrictions inherent in the Licensing Act 1964

Q Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 15)

The common thread running through the additional steps being taken to promote the four licensing objectives described in boxes b, c, d, e is "communication", namely communication with (a) the licensees and staff and (b) the public. The expectations of the authorities (i.e. the law) and of the premises operator (i.e. policy) plus the relevant methods employed to meet those expectations (e.g. risk assessment, refusal of service) will be communicated to (a) the licensees via on-going training and (b) the public through signage and communication from staff. Details of the training programme provided by the premises operator are given in the Information Supplemental to the Application to Vary the Licence (attached). It is hoped that the variations sought for this premises licence, the diversity of the cultural activities that the premises promotes and the emphasis on and investment in communication with staff and customers will give the City Council confidence that in granting this application the issue of cumulative impact is diminished and that cultural diversity is being balanced with safety.

b) The prevention of crime and disorder

Signage will be clearly positioned on the premises to communicate with the public in a polite but firm way that they will be refused service if they breach the key policies of the premises relating to the prevention of crime and/or disorder caused by drug use, intoxication, underage drinking and disorderly behaviour. Licensees and staff will monitor customer behaviour at all times to ensure that these key policies are not being breached and that there is the minimum potential for breach. They will undertake regular walkarounds of the premises to monitor areas not visible from the bar servery. Particular attention will be paid to the toilets, the access to which is not visible from the bar servery. To avoid the potential for binge drinking, controlled drinks discounting will be operated which will ensure that prices are not reduced by more than 33% off the premises' retail price and that reductions do not occur in periods of less than 4 consecutive hours in any day. If a situation indicates the need for controlled customer access and/or egress, this will be carried out by SIA registered door staff stationed on 24 hour emergency mobile support. A record of refusals of service will be kept in the premises' incident book. The premises will support a local crime prevention programme and pub watch scheme (details in Information Supplemental to Application). Signage will be clearly positioned on the premises to communicate the preventative services available to customers e.g. the availability of a driver's shelf for customers who are driving and public transport details for customers who are not. Where practicable, the location of the public transport dispersal points least used by other licensed venues will be communicated to customers in order to avoid risk through cumulative impact. Illumination will be maintained to the exterior areas of the pub after the premises closes to the public.

c) Public safety

Signage will be clearly positioned on the premises to communicate with the public in a polite but firm way that they will be refused service if they breach the key policies of the premises aimed at maintaining public safety i.e. by behaving in a manner deemed unacceptable by the licensee (having given regard to the wellbeing of staff and customers and the potential for health & safety risk). Expectations of licensees in the adherence to health & safety policy, legislation and risk assessment will be communicated by the premises operator through ongoing training. A new generic site risk assessment (including fire risk) will be carried out by the Designated Premises Supervisor to account for any variations granted to the premises and this will be reviewed on a regular basis. If a situation indicates the need for controlled customer access and/or egress to maintain public safety, this will be carried out by SIA registered door staff stationed on 24 hour emergency mobile support. Where practicable the location of the public transport dispersal points least used by other licensed premises will be communicated to

customers in order to avoid risk to public safety through cumulative impact. Signage will be clearly positioned on the premises to communicate the services available to maintain the comfort and safety of customers with disabilities i.e. the availability of customer care kits. The premises operator's expectations of licensees and staff in matters of disability and access will be communicated through on-going training. The implementation of the company's access policy for the premises (relating to compliance with the Disability Discrimination Act) will be monitored to ensure colour contrasts and support rails are in operation where applicable. On the occasion of live music, similar entertainment, or any non-standard event taking place, a risk assessment will be carried out to assess and remedy the risk posed by musicians, performers and equipment. Live music will cease an hour before the cessation of alcohol sales. Standard glassware will be replaced, where practicable, with toughened and/or shatterproof glassware. Cleaning rotas and hygiene reporting will be reviewed and enhanced to account for variations granted to the premises licence. Maintenance agreements in place for extractors, fire detection, fire alarm, emergency lighting, illuminated signs, fire fighting equipment and pest control will be reviewed and, if necessary, enhanced to take account of variations to the premises licence. Evidence of up-to-date gas, electrical and portable appliance tests are maintained at the premises operator's head office.

d) The prevention of public nuisance

All reasonable steps will be taken to ensure that any accumulation of the public awaiting entry to the premises will occur for the minimum time possible and with the minimum amount of noise. Any person who is or appears to be intoxicated will be refused service and asked to leave the premises and the area. Licensees and staff will undertake regular walkarounds inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance. Live music will cease an hour before the cessation of alcohol sales. DJ operated music will cease an hour before the premises closes to the public. Relationships and communication will be maintained with residents local to the premises to gauge whether nuisance is occurring. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music. Other non-structural action to reduce noise egress could include fitting a timer to the cooling equipment to turn it off after service, setting the AVC on the background music system to attenuate at a lower level than is currently agreed with City Council, mounting the speakers on rubber and pointing them away from points of sound egress, such as windows. Service to customers occupying the external seating area will cease at midnight thus allowing an earlier, gradual and non-forced cessation of customer noise and an opportunity for the staff to clean down and hence stop any cleaning noise in advance of the pub closing. Signage will be clearly positioned on the premises to communicate the location of public transport dispersal points. Where practicable these will be the points least used by other licensed premises so that the extra noise of cumulative impact is avoided. Customers will be asked to leave the premises quietly and sensibly. Communication of this wish will be carried out verbally via the bar staff and visually via signage at the exit.

e) The protection of children from harm

No children, except those of personal licence holders engaged at the premises, will be allowed on the premises after 20:00. All children must be accompanied by an adult. Signage will communicate the conditions under which children are welcome. If a child's behaviour causes a nuisance to customers and/or staff and remains unchecked by the accompanying adult, the licensee will assume that the child's wellbeing is also going unnoticed by the adult and will reserve the right to refuse further service to the adult. Licensees and staff will operate a "Think 21" policy so that any person attempting to purchase alcohol who appears under the age of 21 will be asked to produce I.D. If unable to do so they will be refused service and a record will be kept in the premises' incident book. Acceptable I.D. will be a passport, photocard driving

licence, Pass Scheme photographic I.D. or other photographic I.D approved by the authorities. Signage will be clearly positioned on the premises to communicate with the public that they will be refused service if they breach the key policies of the premises relating to the protection of children, namely by being unable to produce I.D. if appearing under the age of 21, by attempting to purchase an alcoholic drink for consumption by a person under the age of 18, by behaving in a manner deemed unacceptable by the licensee (having given due regard to the wellbeing of a child in the care of an accompanying adult). A copy of the leaflet "What to do if you are worried a child is being abused" will be made available on the premises for staff reference. The premises will support the Portman Code of Practice on the naming, packaging and promotion of alcoholic drinks and will adhere to recommendations made in the Group's product bulletins. Music with explicit lyrical content will not be played on the music system before 20:00. Any other entertainment taking place before 20:00 will be vetted prior to commencement to ensure the content is not unsuitable for children. Cigarette machines will be positioned in view of the bar servery so that staff can monitor their use. Expectations of licensees and their staff in the adherence to the law, the premises operator's policies and general good practice relating to age restricted sales will be communicated through on-going training.

* Personal licence holders engaged at the premises will be expected to ensure that their children are not exposed to moral or psychological harm due to their proximity to licensed activities taking place. Non adherence to this expectation could result in the immediate termination of the management contract with the premises operator.

Part B3 – Premises Supervisor

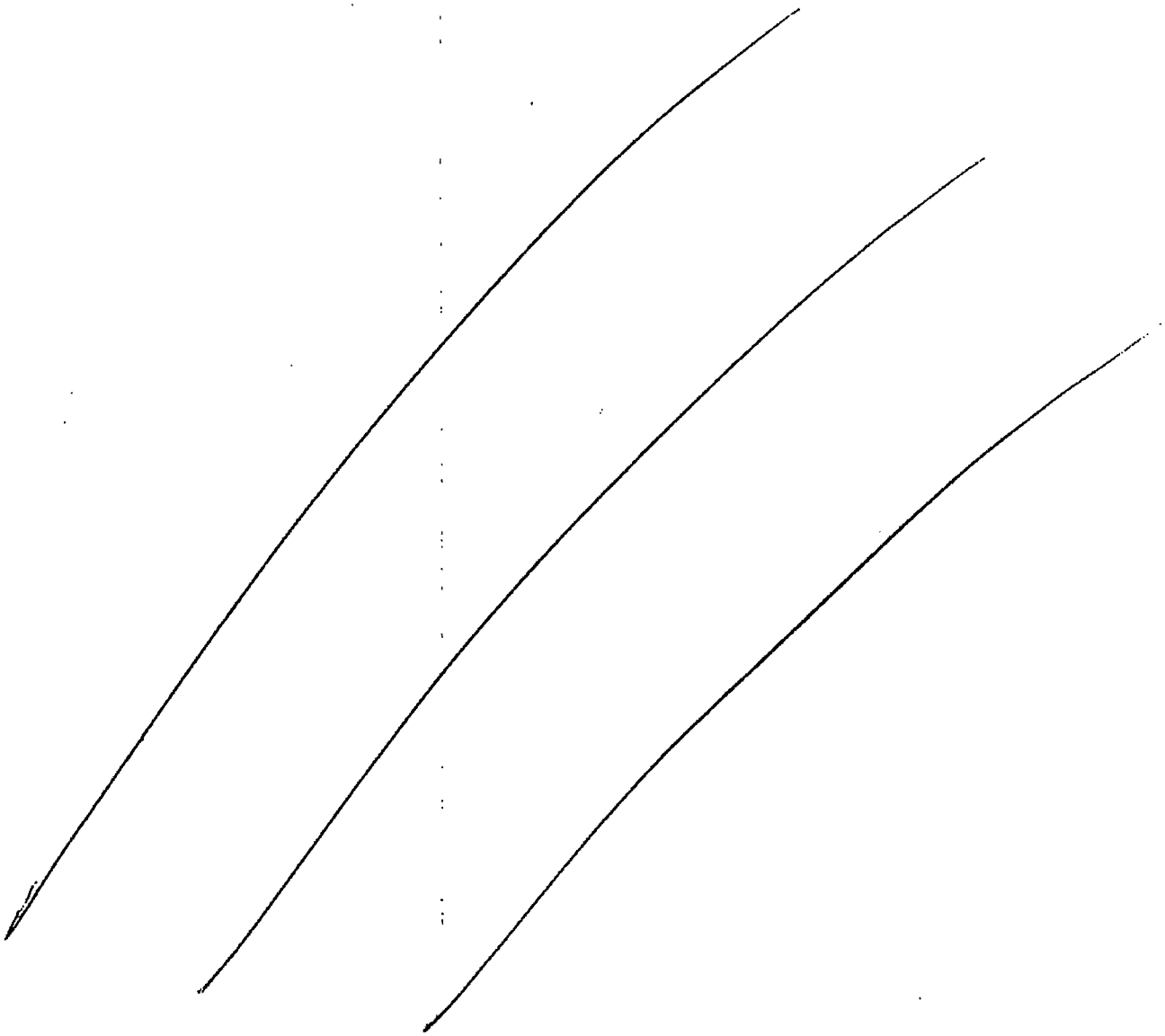
Full name of proposed designated premises supervisor
Katherine Joyce

Address of proposed designated premises supervisor
Flat 2, The Red House, 21 Lansdowne Road, Hove BN3 1FE

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

Please tick Yes

- I enclose the consent form completed by the proposed premises supervisor ☒
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003) ☒
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003) ☒
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003) ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒



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Part B4 – Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature	[redacted]
Date	27/07/05
Capacity	Director - Zelgrain Limited.

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note18) **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)
Simon Walker, Head of Operations, Zelgrain Limited, 146 Springfield Road,

Post town	Brighton & Hove	**Post code**	BN1 6BZ

Licensing Act 2003

Information Supplemental to Application to Vary the Licence

Introduction

Zelgrain Limited is the premises operator applying to vary the license of the premises detailed in the attached application form. Zelgrain operates 29 other licensed premises in the Brighton & Hove area and this document details some of the generic information relevant to all its applications.

Background

Zelgrain is a multiple licensed retailer, incorporated in 1996, that has pioneered a style of pub that has become synonymous with the culture of Brighton & Hove. This is because, right from its very beginnings with its first pub - The Mash Tun in Church Street - Zelgrain recognised the creative potential of the people of the city and wanted to deliver a pub environment that promoted this creativity. From the single premises of the Mash Tun, with its poetry readings and improvised performances, the company grew in physical size and cultural stature, mirroring in many ways the city's development into the cultural capital of the South. With an estate that includes mini theatres, art galleries, music venues, dance venues and cabaret venues all focused around the traditional pub offering and appealing to a complete cross section of the community including all age groups, genders, preferences and nationalities, Zelgrain is a microcosm of the creative and inclusive community that Brighton & Hove is famous for.

Examples

There are many examples of where Zelgrain's desire to be more than simply a commercial organisation engaged in the sale of alcohol have added to the colour of the community rather than to the bottom line of the business, not least in the joint restoration with English Heritage of the domed Sassoon mausoleum at the Hanbury Ballroom; the joint funding with Beck's Bier of Brighton Futures Art and the Brighton Artist's Gallery; financial support for the Five Ways Open Houses; the return of the Nightingale Theatre; the challenging task of operating the loss making Freebutt music venue - a launch pad for the careers of many successful bands and the catalyst for the burgeoning music industry; the running of the annual St Patrick's Day Street Festival; Pride in Brighton & Hove street party; and early support of groups such as the Brighton Music Network, HUB 100 and the recent Grass Roots Arts Committee.

And Zelgrain's ethical objectives are not just focused on the cultural. With climate featuring at the top of the company's concerns, Zelgrain became the first Brighton company to carbon neutralise its operation through annual tree planting in Uganda, launched the city's first eco-pub in conjunction with an unprecedented move by the City Council to allow its pub solar panels in the North Laine conservation area and won the award for most environmentally aware company in the Sussex Business Awards.

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Information Supplemental to Application to Vary the Licence,
Continued

Relevance to application

But whether the reviewer of this licensing application believes Zelgrain's pioneering approach, longevity, sustainability, creativity, diversity of venues, philanthropy, ethics, inclusiveness and cultural/climatic focus have contributed to or have developed as a result of Brighton & Hove becoming the "Place To Be", it is hoped that what is clear is that the company is already a positive exponent of the City Council's aim to create an attractive, safer and more internationally competitive city centre through licensed activities.

Because of the creative nature of the activities that take place in its pubs, the company's environmental awareness and the way the pubs are managed and looked after, it may not be completely coincidental that the Zelgrain estate does not have a high incidence rate of violence, disorder and nuisance. And any problems that do arise are dealt with quickly by adherence to the suggestions and directions of the local enforcement agencies, with whom Zelgrain believes it has a positive working relationship.

Management

Each pub in the Zelgrain estate is uniquely managed. The company found that the nature of true public houses is such that diversity suffers when their operation is homogenised through central control. But homogenisation is the only likely result if a central infrastructure is managing everything. Good pubs are not like shops or national High Street pub chains, they thrive on personality and individuality. And individuality brings diversity but along with that comes a range of different challenges because premises are all differently shaped, sized, furnished and themed. Sales generation techniques are unique in each as are the challenges presented by the issues of safety, noise, hygiene etc. Homogenisation is the only likely result if responsibility for meeting these challenges is taken solely by the centre and this can result in gaps appearing because responsibility for the day-to-day challenges of running a specific pub are not taken by the people running it.

Not so with Zelgrain's licensees.

Zelgrain contracts out the management of its pubs to individual management contractors who are small limited companies in their own rights, employing their own staff and being paid a fee by Zelgrain based on the sales they achieve. By engaging this type of management the company has been able to have serious business builders running its pubs who are also willing and able to take ownership and responsibility for all that building a solid business entails, i.e. regulatory compliance as well as sales generation. The contractor manager takes the role of Designated Premises Supervisor and engages the other licensees and staff for the premises.

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Information Supplemental to Application to Vary the Licence,
Continued

Training

Licensees are contractually obliged to meet the expectations of both the law, as enforced by the local authorities, and the company policies, as laid down by the premises operator, Zelgrain. But they are not left on their own to get on with it. Zelgrain's Head of Operations will personally induct all new Designated Premises Supervisors in Licensing law, associated legislation and each of the company's relevant policies. Zelgrain also provides instruction in meeting both law and policy that the licensees are contractually obliged to attend, pass on to their staff and keep records of. The instruction takes the form of a modular training course, with one module taking place on average every month.

Module	Main Features
Health & Safety (incl. Fire and Food Hygiene)	Current legislation and company policy, how to risk assess, how to remedy risks, reporting faults, required staff training, minimum standards, producing statutory documentation and reports, techniques for fire evacuation and prevention, use of fire fighting equipment.
Disability and Access	Current legislation and company policy, statistics, customer and staff profiles, reasonable adjustments, etiquette, required documentation, disability awareness
Crime and disorder	Current legislation and company policy, how to prevent crime taking place on the premises i.e. drug use and underage drinking; pub watch, use of the radio, use of doorstaff, conflict resolution, when to call mobile support, when to call the Police.
Employment	Current legislation and company policy, recruitment, induction and training, keeping records, production of statutory policies and procedures, discipline.
CIEH foundation certificate in food hygiene	All licensees in addition to food handlers are required to take this basic food hygiene course, so that food safety regimes and a culture of hygiene and cleanliness are promoted on the premises.

Trainers and advisors

Zelgrain recognises that its key knowledge area is in frontline retailing and that its success has stemmed from identifying the unique desires of the Brighton & Hove customer and from meeting them. It also recognises however, that being a successful retailer means meeting the needs of customers, staff and the community at large in ways that extend beyond good products and service. And to help it be successful in all areas such as health, safety, security and wellbeing it calls upon associates whose knowledge base is focused on these fields of business practice. Its associates are all experts in their respective fields and they are retained by the company to provide specific advice, training and bespoke deliverables aimed at ensuring the licensees meet the expectations of the authorities (i.e. legislation) and the company (i.e. policy).

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Information Supplemental to Application to Vary the Licence,
Continued

Trainers and advisors (continued)

The experts who advise the company in the key non-retail areas of business practice and whom lead the training for licensees and staff are shown below. These experts act for the company when necessary and are happy to be called by the authorities to discuss specific issues relating to the company.

Module	Advisor/Trainer	Comments
Health & Safety (incl. Fire)	[redacted] GHSC Health & Safety. [redacted] [redacted] E&E Fire Protection. [redacted]	John Gridley formerly worked in Environmental Health and now provides Health & Safety advice to commercial organisations, including a number of larger retailers in the Brighton & Hove area. He is well versed in the relevant legislation and works with Zelgrain on an ongoing basis to devise and deliver company policy. He is well known to the local authority and will often invite a senior EHO to present with him at his training sessions. John also carries out the Health & Safety audits of Zelgrain's premises on an ongoing basis, helping each DPS improve standards and advising Zelgrain when they do not. Mervin Edmunds runs E&E Fire Protection which supplies Zelgrain's fire fighting equipment. Mervin provides training to the company's licensees in the use of fire extinguishers.
Disability and Access	[redacted] Freeney Williams Ltd (formerly Access Matters). 01722 782825.	Rick Williams runs a very incisive and progressive course on the subject of access which, on the previous occasions he has given the training to Zelgrain's staff, has demystified disability and has left delegates with a completely different and positive view of the potential custom and the specific needs of members of the community with disabilities.
Crime and disorder	[redacted] Mark Eteen, Security and Safety Solutions Company (SASSCO). 08707 666999.	Doug Simmonds is a former Police Inspector who headed the licensing division for Brighton. Doug is now a licensing consultant who trains licensees in the National Licensee's Certificate for the Bll. All Zelgrain's personal licensees are trained by Doug to achieve the NLC. Additionally, using his vast knowledge of licensing legislation and his wealth of experience in the prevention of crime and disorder, Doug is developing a bespoke course for Zelgrain staff which will deliver an effective mix of legislation, company expectations and best practise methods. Mark Eteen has advised Zelgrain on matters of security since 1997. His company provides all Zelgrain's SIA registered doorstaff and gives Zelgrain's estate of pubs 24 hour emergency mobile support seven days a week. Mark trains Zelgrain's licensees to make best use of the door staff, mobile support unit, pub watch and two-way radios.

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Information Supplemental to Application to Vary the Licence,
Continued

Trainers and advisors (continued)

Module	Advisor/Trainer	Comments
Employment	Ian Wilson, DWL Solicitors. 01273 249200.	Ian Wilson is a senior partner at DWL, a County Court Judge and an employment law specialist. He and his team are retained by Zelgrain to advise on all matters of employment legislation and to provide a hotline for specific problems and questions. They also provide training to the company's licensees, many of whom have not employed staff before and are not aware of the reasons for record keeping, policy documenting and training. Since the DPS of a Zelgrain pub is also likely to be Zelgrain's lead management contractor and therefore an employer in his or her own right, DWL's training is invaluable in ensuring that statutory requirements outside Zelgrain's remit are being met in each premises.
Basic Food Hygiene	John Taylor Brighton & Hove City Council (Mitzi Pateman 01273 295890)	In order to promote health and hygiene, Zelgrain has decided to build a food handling element into its bespoke training programme. Zelgrain's kitchens are all franchised out to individual operators and previously it has been the responsibility of the franchisee (with some persuasion from Zelgrain) to ensure that all his or her staff have a basic food hygiene certificate. The company will now be offering its own food hygiene course, taught by the Council that franchisee's staff can attend free of charge and that licensees with a kitchen operating in their pub must also attend for awareness purposes.

Records, documents and inspections

The minimum records and documents that a DPS is expected to keep are as follows:

- Generic risk assessment (for the site)
- Fire risk assessment (may be included with above)
- Specific risk assessments (for events planned and unplanned)
- Fire log (for testing equipment, keeping exits clear etc)
- Staff training records for instruction in:
  - Fire and other emergency situations
  - Age related sales (including refusals of service0
  - COSHH
  - Disability and access
  - Weights and measures
  - Health & safety (including manual handling)
  - Zelgrain company policy and minimum standards

Continued on next page

Information Supplemental to Application to Vary the Licence,
Continued

Records, documents and inspections (continued)

The minimum records and documents that a DPS is expected to keep (continued):

- Health and safety policy
- Food hygiene records (for premises with commercial kitchens)
- Accident book
- Incident book
- 6 monthly building inspection

These records are audited on average twice a year by Zelgrain's Health & Safety advisor during his inspection of the entire premises, and on a more regular basis by the company's internal operations staff.

Crime reduction programme and pub watch scheme

Zelgrain fully supports the Brighton & Hove Crime Reduction Partnership. Zelgrain's pubs are members of the B&HCRP "Night Safe" scheme which operates a radio link, joint exclusion notice scheme, intelligence sharing and formal representation of the night time economy on the local Crime And Disorder Reduction Partnership board. All premises have a radio handset linked to both the company's security provider (SASSCO) and other licensed premises, Sussex Police and the CCTV control room. All licensees are actively encouraged to report any incidents to the B&HCRP via SASSCO. This is achieved by the full utilisation of the radio link scheme and the intelligence sharing forms which generate the monthly intelligence bulletins. Zelgrain supports the "banned from one banned from all" scheme and its licensees have access to an emergency mobile support security team, licensed by the Security Industry Authority, to assist in any removal or refusal to serve. Zelgrain has a positive prosecution policy and actively supports the police in prosecutions for criminal acts or anti-social behaviour which occur in, or immediately in the vicinity of, Zelgrain's premises.

First aid

All Zelgrain's pubs have one or more fully stocked first aid kits, the locations of which are clearly marked on the premises with a green cross. For very minor injuries, the first aid kit is available for licensees and staff to use. For injuries requiring a first-aider, the emergency mobile support unit operated by SASSCO is manned with a first-aider and this can be called at any time night or day by the licensee and staff. All licensees are expected to call the emergency services for more serious injuries and to report to the EHO those necessary under RIDDOR. The DPS undertakes the role of Appointed Person

Continued on next page

Information Supplemental to Application to Vary the Licence,
Continued

Summary

The aim of this short document is to back up the information supplied in the premises licence application by highlighting tangible aspects of the way Zelgrain runs its business. The directors of the company are committed equally to both the cultural and the statutory objectives of the business and believe that in the Zelgrain estate of pubs, bars and venues the balance between culture and safety is right. On June 10th 2005, Zelgrain purchased the majority of the remaining pub estate from C-Side Limited, bringing the number of premises operated by Zelgrain to 30. Zelgrain will work on these new pubs to bring out the diverse cultural personality of each whilst integrating them into the Zelgrain communication infrastructure. Because of the number of premises the company operates in Brighton & Hove incidents will occasionally occur that highlight issues that need to be reviewed. It is in the unpredictable nature of licensed retail and the ever changing legislation surrounding it, that this be the case. However, Zelgrain will demonstrate the same willingness to work with enforcing authorities that it always has, and will ensure that efficient and effective remedies are always taken.

The directors of Zelgrain view their business in cultural, climatic and community terms as much as in commercial terms. This view has an almost totally Brighton & Hove bias and impact, since the city is where the company's premises are located and the city is where the directors and senior managers live and work. Zelgrain is not a pub chain. It is a diverse group of pubs, bars and venues which forms part of the economy and life of Brighton & Hove.

The directors of Zelgrain believe the variations applied for in the attached application meet the objectives set out in the Brighton & Hove City Council Statement of Licensing Policy.

Contact

For questions regarding any aspect of the content in this document or the premises licence application, please use the following contact details:

Detail	Description
Contact	Simon Walker
Title	Head of Operations
Company	Zelgrain Limited
Address	Open House, 146 Springfield Road, Brighton BN1 6BZ
Telephone	01273 550000
Fax	01273 550123
Mobile	07974 985917
email	swalker@zelnet.com

Brighton & Lewes Magistrates Court

Licensing Act, 1964

TRANSFER OF JUSTICES' 'ON' LICENCE

AT THE LICENSING SESSIONS For the Local Justice Area of Sussex (Central)

held on the **8th day of June 2005**

The Licensing Justices for the said area hereby grant, by way of transfer, to

[redacted]

this Justices' 'On' Licence authorising him/her, in substitution for

[redacted]

who holds a licence in respect of the premises mentioned below, authorising him/her to sell by retail at the premises situated at

The Juggler, 21 Western Road, Hove, East Sussex

intoxicating liquor of all descriptions for consumption either on or off the premises.

The owners of the premises in respect of which this licence is granted are

Scottish & Newcastle Retail

This licence is granted subject to any conditions/undertakings endorsed on the justices' licence hereby transferred and shall have effect from the date hereof until and including the

4th day of April 2007

or earlier upon implementation of Licensing Act 2003

GIVEN under the official seal of the Licensing Justices which is hereto affixed under their authority by me,

Sussex Area Central Licensing Justices

Clerk to the Licensing Justices.

I hereby certify this to be a true and complete copy of the original

[redacted] Solicitors

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Brighton & Lewes Magistrates Court

Gaming Act, 1968, Section 34

PERMIT FOR THE PROVISION OF AMUSEMENT GAMING MACHINES

AT THE LICENSING SESSIONS For the Local Justice Area of Sussex (Central)

held on the **8th day of June 2005**

The Licensing Justices for the said area hereby grant to

[redacted]

being the holder of a Justices' On-Licence in respect of the premises situated at

The Juggler, 21 Western Road, Hove, East Sussex

this permit authorising him/ her/ them to provide on the said premises slot machines for gaming for amusement purposes in accordance with Section 34 and Schedule 9 of the Gaming Act, 1968.

The number of machines which may be made available on the premises is: **2**

This permit shall have effect from the **8th day of June 2005**
and shall cease to have effect on the **7th day of June 2008**

Sussex Area Centre

GIVEN under the official seal of the Licensing Justices which is hereto affixed under their authority by me,

I hereby certify this to be a true [redacted] nal

Clerk to the Licensing Justices.

Form of consent given by the person who holds the existing licence

I/We, Peter Bennett, Katherine Joyce

[insert full name(s) of existing licence holder(s)]

being the holder of an existing licence/existing licences

Justices "On" Licence granted on 8th day of June 2005 by the Licencing Justices of the Local Justice Area of Sussex Central
Permit for the provisions of amusement gaming machines granted on 8th day of June 2005 by the Licensing Justices of the Local Justice Area of Sussex (Central)

[insert name of licence(s), the date of grant of the licence(s) and by whom the grant(s) was/were made]

hereby consent(s) to the application by Zelgrain Limited

[insert full name or names of applicant]

under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that Schedule to succeed the said existing licence(s) held by me in respect of

Juggler, 21 Western Road, Brighton BN3 1AF

[insert name and address of premises]

Signed [redacted]

Dated 8/6/05. 16/6/05

Date: 17 November [redacted]
Our Ref: [redacted]
Your Ref:
Phone: [redacted]
Fax: [redacted]
e-mail: Ehl.safety@brighton-hove.co.uk

Dear Sir or Madam:

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

Licensing Panel hearing held on Monday 19th September 2005 in respect of the application for variation of the premises licence for the Juggler, 21 Western Road, Hove

Having considered a written report from the Assistant Director - Public Safety and oral submissions on behalf of the applicant, the Panel decided to grant the application as submitted subject to the following conditions: -

1. The outside area shall be closed and cleared by 23.00 hours.
2. On any day, the provision of live music shall be limited to 10.00 to 23.00 hours.
3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress.
4. The sound attenuator shall be set at a level approved by the Licensing Authority.
5. The Licensee shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

The above conditions were proposed by the applicant following consultation with the Council's Environmental Health Department. The Panel considered that they would help to ensure that local residents did not suffer noise nuisance.

The minutes of the panel will be available on the Council's web-site under the rubric 'Your Council'.

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Appeal Rights

(Section 181 and Schedule 5 of the Licensing Act 2003)

1. The applicant may appeal against any decision to modify the conditions of the licence.

2. A person who has made relevant representation may appeal against any variation made, or any condition attached.

All appeals must be made to Magistrates' Court, Edward Street, Brighton, within 21 days of deemed delivery of this letter. Delivery will be deemed to have been effected on the second working day after posting.

Yours faithfully

Brighton & Hove City Council

Schedule 12
Part A

Regulation 33, 34

Premises Licence
Brighton and Hove City Council

Premises Licence Number

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Paris House
21 Western Road
Hove
BN3 1AE

Telephone number

Licensable activities authorised by the licence

Performance of Live Music
Performance of Recorded Music
Performance of Dance
Anything of a similar description to live music, recorded music and performance of dance
Entertainment of a similar description to making music and dancing
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities:-

Performance of Live Music - Indoors
Sunday – Thursday: 10.00 – 23.00
Friday – Saturday: 10.00 – 23.00

Live (acoustic/amplified) music and amplified voice, to finish one hour before the cessation of alcohol service. The use of live music is limited to short sessions at various times on different days throughout the week. The number of musicians may exceed two, subject to risk assessment. Performance of live music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. The sound attenuator shall be set at a level approved by the Licensing Authority.

Brighton & Hove City Council

Performance of Recorded Music - Indoors
Sunday – Wednesday: 10.00 - 01.30
Thursday – Saturday: 10.00 - 02.30
Background music or DJ operated music, amplified and distributed through small speakers throughout the licensed area, volume controlled by the licensee. DJ operated music will cease an hour before closing when recorded music will switch to background level. The playing of recorded music to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. The sound attenuator shall be set at a level approved by the Licensing Authority.

Performance of Dance - Indoors
Sunday – Thursday: 10.00 – 00.00
Friday – Saturday: 10.00 – 01.00
During performances of live music or entertainment of a similar description, performers to be permitted to enhance their act through demonstration or natural movement accompanying their music or act. Performance of dance to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.

Anything of a similar description to live music, recorded music and performance of dance - Indoors
Sunday – Thursday: 10.00 – 00.00
Friday – Saturday: 10.00 – 01.00
Cabaret, comedians, spoken word and similar acts, acoustic or amplified voice. Performances of a similar description to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day.

Entertainment of a similar description to making music and dancing - Indoors
Sunday – Thursday: 10.00 – 00.00
Friday – Saturday: 10.00 – 01.00
Entertainment facilities to be provided from the start time on New Year's Eve until the finish time on the morning following New Year's Day. Microphone and jack input to sound system. All other equipment to be provided by the performers(s) subject to risk assessment. There will be no permanent, specified stage area for the performers(s).

Sale by Retail of Alcohol
Sunday – Thursday: 10.00 – 01.00
Friday – Saturday: 10.00 – 02.00
Sale of alcohol for consumption on the external seating will cease at 23.00.
Sale of alcohol to be permitted from the start time on New Year's Eve until the finish time on the morning following New Year's Day. On the occasion of a televised major live sporting event falling outside the hours granted to the premises licence, to have the option to open for the sale of alcohol one hour prior to the start of the event and to close one hour after the event finishes.

Brighton & Hove City Council

The opening hours of the premises

Sunday – Thursday: 10.00 –01.30

Friday – Saturday: 10.00 – 02.30

PLUS: To be open to the public from the start time on New Year's Eve until the finish time on the morning following New Year's Day. On the occasion of a televised major live sporting event falling outside the hours granted to the premises licence, to have the option to open to the public one hour prior to the start of the event and to close one and a half hours after the event finishes.
The outside area shall be closed and cleared by 23:00. The external doors and windows shall be kept shut after 23:00, except for access and egress. The Licensee shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

[redacted]

Registered number of holder, for example company number, charity number (where applicable)

Registered Business Number [redacted]

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Name and address of designated premises supervisor where the premises licence authorises for the supply of alcohol

[redacted]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

Party Reference: [redacted] Licensing Authority: Lewes District Council

Brighton & Hove City Council

Annex 1 - Mandatory conditions

S 19; mandatory conditions where licence authorises supply of alcohol

1. No supply of alcohol may be made under the premises licence
   a) at a time when there is no designated premises supervisor in respect of the premises, or
   b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
   (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises-
      (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to–
         (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
         (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
      (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
      (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
      (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
      (e) dispensing directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
   (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

Brighton & Hove City Council

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

6. The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 —

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979:

(b) "permitted price" is the price found by applying the formula—

$$P=D+(DxV)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

S 21; mandatory condition: door supervision

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
a) Be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001: or
b) Be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:
a) In respect of premises within paragraph 8 (3)(a) of Schedule 2 to the Private Security Industry act 2001 (c12) (premises with premises licences authorising plays or films): or

b) In respect of premises in relation to:
I. Any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence) or

II. any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:
a) "Security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for purposes of that Act, (see Section 3(2) of that Act) and

b) Paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

Embedded Conditions: None

Variations to Embedded Conditions: All embedded restrictions removed

Brighton & Hove City Council

Annex 2 - Conditions consistent with the Operating Schedule:

For the Prevention of Crime and Disorder:

1. Signage to be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder cased by drug use, intoxication, underage drinking and disorderly behaviour.
2. Licence holders and staff must monitor customer behaviour for breaches of policy and undertake regular walkarounds of the premises not visible to the bar area.
3. Price reductions on drink must be not more than 33% off the premises retail price and will not occur in periods of less than 4 consecutive hours in any day to address binge drinking.
4. SIA registered door staff must be available on a 24 hour emergency basis.
5. A record of refusals of service must be kept in the premises incident book.
6. The Licence holder must support a local crime prevention programme and pub watch scheme.
7. Signage must be clearly positioned on the premises informing customers of a driver's shelf for customers driving and public transport arrangements for customers onward journey.
8. Illumination must be maintained to the exterior areas of the pub after the premises closes to the public.

For Public Safety:

1. Signage must be clearly positioned on the premises to communicate to customers the services available to maintain the comfort and safety of customers with disabilities.
2. Standard glassware will be phased out and replaced with toughened and/or shatterproof glassware.

For the Prevention of Public Nuisance:

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

For the Protection of Children from Harm:

1. No children except those of personal licence holders engaged at the premises are to be allowed on the premises after 20.00 hours.
2. Licence holders and staff must operate a 'Think 21' policy in that any person attempting to purchase alcohol who appears under the age of 21 will be asked to produce photographic identification.

Brighton & Hove City Council

3. Signage must be clearly displayed informing customers of the premises policy on protection of children from harm and what action will be taken if the policy is breached.
4. Music with explicit lyrical content or any other entertainment taking place before 20.00 hours will be vetted prior to commencement to ensure the content is not unsuitable for children.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel 19th September 2005:

1. The outside area shall be closed and cleared by 23.00 hours.

2. On any day, the provision of live music shall be limited to 10.00 – 23.00 hours.

3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress

4. The sound attenuator shall be set at a level approved by the licensing authority.

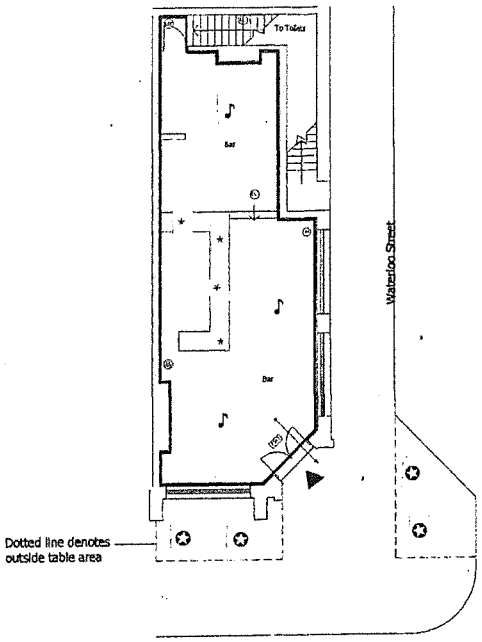
5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Brighton & Hove City Council

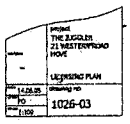
Annex 4 – Plans

KEY TO LICENSED AREAS

* Sale and Supply of Alcohol – on and off sales
♪ Regulated entertainment
⊖ Hot food after 23.00
✪ Areas made available for consumption outside the premises



01 Ground Floor Plan



Issued Date: 24.03.2017

From: [redacted]
To: [redacted]
Subject: Paris House
Date: 03 February 2020 10:09:32

Dear [redacted]

I am writing to advise you that we have received an allegation that on 1st February there was a woman speaking in a loud voice seated in one of the outside table areas outside the Paris House at 2320 hours and the security guard started to clear the chairs away from that area at just after 2325 hours.

I am concerned that following our recent meeting that this allegation has been made. Please remind your staff of the importance of complying with all the conditions on the licence and in particular ensuring that the outside area is closed and cleared by 23.00 hours.

As you are aware any person or business can request a review of the licence if they have concerns about any of the licensing objectives:-
The Prevention of Crime and Disorder
The Prevention of Public Nuisance
Public Safety and
The Protection of Children from Harm

We will continue to monitor the premises. Please remember that a breach of conditions is a criminal offence on conviction, and it is your responsibility to comply with all the conditions

Regards, [redacted]

[redacted] (Licensing & Trading Standards) Safer Communities, Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

Please note my working days are Monday to Wednesday 9:00am until 2:45pm.

Our customer promise to you
We will make it clear how you can contact or access our services | We will understand and get things done | We will be clear and treat you with respect

Rate your experience
We are committed to providing you services in accordance with our Customer Promise.
Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

Brighton & Hove City Council

Regulatory Services
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

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[redacted]

Date: 16 October 2019
Your Ref: [redacted]

Contact: [redacted]

Tel: [redacted]
Email: [redacted]brighton-hove.gcsx .gov.uk

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

I refer to my letter of 13 May 2019 sent to you following a noise complaint being investigated by our Environmental Protection (EP) Team. In January 2019 my colleague also wrote to you to remind you of you responsibilities under the Licensing Act 2003.

May I remind you again that all licensed premises are required to operate with regard to the conditions on their licence as well as the four licensing objectives, which are;

- The Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

The complainant advises me that they are still being disturbed by noise from music being played in the premises but also noise from people outside the premises. I have met with the complainant and [redacted] from the EP team and discussed the continuing problems [redacted] has been experiencing.

Conditions were added to the licence after a hearing of a Licensing Panel on 19 September 2005. Condition 1 states:-

1. **The outside area shall be closed and cleared by 23.00 hours.**

The complainant alleges that there have been 14 occasions since July where this condition has been breached. [redacted] also alleges incidents where glass bottles are being emptied in the recycling bins at midnight and that they are being regularly disturbed by customer outside of the premises.

If requested by a third party under the provisions of the **Freedom of Information Act 2000** the contents of this letter may be disclosed by Brighton & Hove City Council. For further advice please contact [redacted] or search our website on www.brighton-hove.gov.uk/foi

bsi. ISO 9001 Quality Management

Condition 1 under the Licensing Objective of the Prevention of Public nuisance states:-

1. **The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.**

The complainant says [redacted] has seen the Designated Premises Supervisor carrying out inspections outside the premises but did not feel that the noise issues were being addressed. [redacted] did not feel the premises was always managed well when the DPS was not on site. [redacted] also claimed that there were occasions when Door Supervisors were outside but they seemed to be ignoring noisy customers.

It is a condition of your licence that
:- **prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.**

The complainant suggested that these signs should also be visible to customers using the outdoor seating area.

We will continue to consult with the Environmental Protection team who will continue to pursue their investigations under the Environmental Protection Act 1990.

Non-compliance with the licensing objectives, the permitted hours and the conditions on your licence constitutes a breach of the premises licence issued under the above legislation. Please ensure that all conditions and hours on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if –
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

At any stage following the grant of a premises licence, a responsible authority, such as the Environmental Health, Police or persons such as a business or a resident living in the vicinity of the premises, may ask the Licensing Authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

Please ensure that all staff are aware of and understand the conditions, and operate the premises licence having regard to all four of the licensing objectives and the conditions attached to it.

Yours Sincerely

[redacted]

300

Paris House
21 Western Road
Hove
BN3 1AE

[redacted]
EP Team

[redacted]

Brighton & Hove City Council

Regulatory Services
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

301

[redacted]

Date: 17 February 2020
Your Ref: [redacted]

Contact: [redacted]

Tel:
Email: [redacted]brighton-hove.gcsx .gov.uk

Dear [redacted]

Licensing Act 2003 – Unauthorised licensable activities.
RE: Paris House 21 Western Road, Hove BN3 1 AE

I am writing to advise you [redacted] visited Paris House, 21 Western Road, Brighton on 15 February 2020 with the Police Licensing Unit. The Officers witnessed the following breach of the licence:

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

At the time of the visit (approximately 11:30pm) there were customers sitting and drinking at the tables and chairs outside on the pavement at the front of your premises. [redacted] spoke with [redacted] who advised [redacted] that [redacted] was the Duty Manager. [redacted] said the reason the outside area had not been cleared was because they were busy inside and [redacted] was about to do it.

May I remind you that non-compliance with licence permissions and conditions constitutes a breach of the Premises Licence issued under the above legislation. Please ensure that all conditions on the licence are adhered to. It is an offence under the Licensing Act 2003, S136(1) and (4) to carry on unauthorised licensable activities. The legislations states that:-

(1) A Person commits an offence if –
he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
he knowingly allows a licensable activity to be carried on.
(4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine, or to both.

Please consider this letter as a warning that a breach of the premises licence has occurred. Further breaches could result in further action being taken. This could include a review of the licence. Following a review, a licensing authority may:

If requested by a third party under the provisions of the **Freedom of Information Act 2000** the contents of this letter may be disclosed by Brighton & Hove City Council. For further advice please contact [redacted] or search our website on www.brighton-hove.gov.uk/foi

Telephone: [redacted]
www.brighton-hove.gov.uk

1. Decide that no action is necessary to promote the licensing objectives
2. Modify or add conditions to the licence
3. Exclude a licensable activity from the licence
4. Remove the designated premises supervisor or
5. Suspend the licence for a period (not exceeding 3 months)
6. Revoke the licence

Please ensure that all staff are aware of the licence conditions and the importance of complying with them.

Yours Sincerely

[redacted]

cc [redacted]

Paris House
21 Western Road
Hove
BN3 1AE

Brighton & Hove City Council

Regulatory Services
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

303

Rowbell Leisure LTD
Skid Mill House
Skid Mill Lane
Chrisham
Warlingham
Surrey
CR6 9PP

Date: 7 March 2018
Your Ref: [redacted]

Contact: [redacted]
Licensing Officer

Tel:
Email: [redacted]@brighton-hove.gcsx.gov.uk

Conversation with [redacted] 12 March

Dear Sir/Madam

Licensing Act 2003
Paris House, 21 Western Road, Hove, BN3 1AE

4/6/18 1pm

I am writing regarding a routine licensing inspection on 6 March 2018 at the Paris House, 21 Western Road, Hove, BN3 1AE. I met with [redacted] During the visit the following non-compliances with the licence conditions were noted:-

Part A still displayed.

Part A and Part B of the licence were displayed next to the bar. You only need to display Part B. Part A should be kept on site for inspection by any authorised officer.

For the Prevention of Crime and Disorder:

✓ **1.Signage to be clearly positioned on the premises informing customers that they will be refused service if they breach the key policies of the premises relating to the prevention of and/or disorder cased by drug use, intoxication, underage drinking.and disorderly behaviour.**
Will put in place Beside unit where cutlery / nuts etc stored.

✓ **5. A record of refusals of service must be kept in the premises incident book.**
Will put in place Seen.

6. The Licence holder must support a local crime prevention programme and pub watch scheme.
Member of BCRP and Concierge are back up security on Fri and Sat.
I draw your attention to condition 6 above and I understand from [redacted] that you have contracted the services of a mobile support unit. Please provide details of this and/or confirm you support a local crime prevention programme.

✓ Seen **7. Signage must be clearly positioned on the premises informing customers of a driver's shelf for customers driving and public transport arrangements for customers onward journey. Will put in place**

If requested by a third party under the provisions of the **Freedom of Information Act 2000** the contents of this letter may be disclosed by Brighton & Hove City Council. For further advice please contact (01273) 291207 or search our website on www.brighton-hove.gov.uk/foi

bsi. ISO 9001 Quality Management

Telephone: 01273 290000
www.brighton-hove.gov.uk

For Public Safety:

1. Signage must be clearly positioned on the premises to communicate to customers the services available to maintain the comfort and safety of customers with disabilities.
No disabled provisions.
2. Standard glassware will be phased out and replaced with toughened and/or shatterproof glassware.
They have this

For the Prevention of Public Nuisance:

3. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
Will put in place

For the Protection of Children from Harm:

3. Signage must be clearly displayed informing customers of the premises policy on protection of children from harm and what action will be taken if the policy is breached.
Think 21 posters Under 25 - asked for ID.

Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress They do this

4. The sound attenuator shall be set at a level approved by the licensing authority.
Been Set

5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
Will put in place

Please ensure all these conditions are complied with.

I also noted that there are 2 conditions which give conflicting information. These are Condition 2 under the licensing objective for the Prevention of Public Nuisance:

2. Service to customers occupying the external seating area must cease at midnight

And condition 1 under Annex 3 - Conditions Attached after a hearing of a Licensing Panel:

1. The outside area shall be closed and cleared by 23.00 hours.

You should comply with the condition attached at the licensing panel hearing as this is the more restrictive of these conditions. [redacted] advised me that the external seating area is

usually cleared by 10:30pm. I will arrange for condition 2 under the licensing objective for the Prevention of Public Nuisance to be removed

I would appreciate the opportunity to meet with the DPS, [redacted] to discuss this letter. Please contact me at the above office to arrange a convenient time. I am usually available between 9:30am and 2:30pm Monday to Wednesday.

Yours Sincerely

[redacted]
Licensing Officer

[redacted]
Paris House
21 Western Road
Hove
BN3 1AE

From: [redacted]
To: [redacted]
Subject: FW: Paris House
Date: 03 August 2022 14:39:48

307

As discussed

[redacted]

B38

From: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 02 August 2022 22:24
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Really good point raised by resident this evening:
I do not think we should lose sight of the existing conditions which if observed and properly enforced would put a stop to most of what we have suffered .We are asking the licensee to realise they are fortunate to have such a licence and simply observe the condition imposed for our protection . That isn't unreasonable.

Yours sincerely

Councillor Phélim Mac Cafferty
Leader of the Council
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Chair, Policy and Resources Committee & Covid-19 Recovery Sub-Committee
Chair, City Leadership Covid Briefing
Co-Chair, 2030 Carbon Neutral Member Working Group
Chair, Strategic Delivery Board
Member, Greater Brighton Economic Board and Coast 2 Capital Local Enterprise Partnership
Board member Brighton Dome & Festival Limited and Royal Pavilion and Museums Foundation
Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
https://twitter.com/Phelimmac https://www.facebook.com/CllrPhelim
https://www.brighton-hove.gov.uk/coronavirus-covid-19

From: Cllr Phelim Mac Cafferty
Sent: 02 August 2022 22:03
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

B39

That's fine but you'll see the resident request was to now consider options for further action- highlighted below. I think they feel a little uncared for. B59

Yours sincerely

Councillor Phélim Mac Cafferty
Leader of the Council
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Chair, Policy and Resources Committee & Covid-19 Recovery Sub-Committee
Chair, City Leadership Covid Briefing
Co-Chair, 2030 Carbon Neutral Member Working Group
Chair, Strategic Delivery Board
Member, Greater Brighton Economic Board and Coast 2 Capital Local Enterprise Partnership
Board member Brighton Dome & Festival Limited and Royal Pavilion and Museums Foundation
Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
https://twitter.com/Phelimmac https://www.facebook.com/CllrPhelim
https://www.brighton-hove.gov.uk/coronavirus-covid-19

-----Original Message-----
From: [redacted]
Sent: 02 August 2022 13:46
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

B59

Thanks for the e mail [redacted] I think we will need to involve licensing colleagues as well. [redacted] the reg services manager responsible for licensing is on leave until the middle of next week. I will find out which officers have been involved and organise something in the next couple of weeks

Regards [redacted]

-----Original Message-----
From: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 02 August 2022 13:39
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House

All

B59

Are you able to help with a meeting with resients. This would be to run through our options eg

license review/ challenging the licence.

I am still to hear back when the licensing conditions are going to be updated.

Yours sincerely

Councillor Phélim Mac Cafferty
Leader of the Council
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Chair, Policy and Resources Committee & Covid-19 Recovery Sub-Committee Chair, City Leadership Covid Briefing Co-Chair, 2030 Carbon Neutral Member Working Group Chair, Strategic Delivery Board Member, Greater Brighton Economic Board and Coast 2 Capital Local Enterprise Partnership Board member Brighton Dome & Festival Limited and Royal Pavilion and Museums Foundation Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
https://twitter.com/Phelimmac https://www.facebook.com/CllrPhelim
https://www.brighton-hove.gov.uk/coronavirus-covid-19

-----Original Message-----
From: [redacted] <[redacted]
Sent: 02 August 2022 12:53
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Paris House

B59

Good afternoon all !

I have just sent a chasing email to Head of the Environmental Health Department because the complaint form I submitted hasn't even been acknowledged yet which ,again ,doesn't give me much confidence that council staff will either take our concerns seriously or do anything to enforce the relevant law .

My complaint to them was on the 25 July but I first wrote to Phelim and Hannah on 18 July ,since when Phelim has referred to a meeting including enforcement staff and the management of the pub [redacted] .

However ,we DO think a meeting with enforcement staff would help considerably and would welcome one .

I do not know to what extent Phelim has spoken to the relevant officers since my email of 18 July .If [redacted] has been in contact it may be they haven't acknowledged our complaint because they have discussed it with Phelim who ,I have no doubt ,is extremely busy on other matters .

I have just received an automatic response to my chasing email which states that an officer will be in contact with us within ten days !!! In other words ,up to twenty five days after my first email to Phelim (18 July - 12 August) !!!How much more nuisance will we have to suffer in the meantime ?

B59

Can I please urge you request the officers to make contact with us within the next few days ?

Yours in frustration !

[redacted]

[redacted]

311

From: [redacted]
To: [redacted]
Subject: FW: PARIS HOUSE FLYER
Date: 04 August 2022 10:19:33
Attachments: Screenshot [redacted] png

FYI

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 04 August 2022 09:25
To: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: FW: PARIS HOUSE FLYER

FYI

From: [redacted] <[redacted]
Sent: 04 August 2022 07:32
To: [redacted] <[redacted]
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Re: PARIS HOUSE FLYER

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Good morning all!

As some of you already know , [redacted] but remain very concerned about the apparent inaction despite our complaints and those of others .

Please consider the following-

B60

1.Whilst I don't have my file with me , we complained about noise nuisance from these licensed premises over many months before lockdown. Many examples were given and video footage supplied .I was told that whilst the times of that footage were clearly visible on my IT equipment they weren't on what council staff received so they were dismissed without any further regard ,

despite my supplying a log of incidents about which [redacted] could give evidence (on oath) if required..
Some of these recordings were later shown to Phelim MacCafferty , our local councillor, who could see the times and was concerned that they hadn't been treated more seriously .

[redacted]

B60

3. Whilst I was told visits would be made by council staff to the premises and letters sent reminding the management of their obligations, I was never told if such letters or visits had been sent or made and , if so, with what result.Could we please have details?

4. The same situation has now arisen again . There have been other incidents apart from the ones I have mentioned in recent correspondence but , having spent so much time to so little effect previously, I was reluctant to become involved again and hoped that these were just isolated incidents..

5.Sadly, they were not! One particularly was an event to celebrate Bastille Day in early July - which is relevant to our neighbour [redacted] recently expressed concerns. The pub management have events to celebrate whatever they can , no doubt to make up for financial losses incurred during lockdown.I well understand [redacted] concerns for the coming weekend because, given the good weather forecast , the pub's advertised celebration of Pride should be a good example of what the residents have to put up with and why enforcement staff ,police and councillors should witness it for themselves.

6. I set out our complaints in emails on 18 July and subsequently to Phelim , including video clips to show what was happening. Shortly after [redacted] said they'd been passed to council staff , none of whom have made any contact with me to discuss them or say why , if it is the case, they can't be used. I have since sent [redacted] four more of 30-31 July but I don't know whether they have also been passed to enforcement or not or,if they have, what view is taken .

7. I am concerned at the view taken that it is better for council staff to witness the problem which implies their evidence is better than the residents or at least carries more weight . With all due respect , they are not living with this !
[redacted] Other residents are complaining. The noise nuisance occurs now before and after 11pm yet it seems as though we must wait for a council official to witness it before ANY action is taken .Why !
I am sure the police and Crown Prosecution Service would like most crimes to be witnessed by police officers, a judge and the local doctor but it isn't always possible and they react in the vast majority of cases to complaints by members of the public which are taken seriously and lead to discussions with those complained of and action taken as necessary. What's the difference here ?
The impression currently given is that only council officers' evidence of actually witnessing a nuisance can provoke action . The council's own policy on noise at night states there should be no unnecessary noise between 11pm and 7am , Yet it seems that it is difficult to arrange for even one officer to attend ! This is another example of the "treacle like" process I endured before .

We have been told there could be a problem; we can't rely on or take any action on residents' evidence because we prefer for an officer to witness it; but we can't get officers to witness it after 8pm
(when the noise is just starting to become louder) for whatever reason; so we can't do anything!!
Please tell me if that is unfair but that is my understanding of what's being said .

8. When the previous licensing regime ie when the Magistrates' Court was the licensing authority operated a leading legal case stated "The police are the eyes and ears of the licensing justices." I don't know what role they play now but I have also complained to the police licensing unit (and, yet again, await a response) and presume the council and police work together to enforce the law in this area . If so , have council officers asked them to take any action? If so , what ?

9. Phelim has recently mentioned an out of hours noise service to which we might complain. Not only have we not complained to them because we didn't know of its existence but we have specifically been told previously that the council's own similar service was ending and that nothing could be done about officers - or any other enforcement personnel visiting outside normal working hours - which is odd considering their importance referred to above evidentially !!

B60

10. I have been requesting a meeting with enforcement staff since writing to Phelim on 18 July . I understand [redacted] is willing to meet us and local residents to discuss this further . May we please have some suitable dates so we can arrange one as soon as possible?

11. Just what are the enforcement officials going to do to stop this nuisance ? We don't ask for special treatment but just a proper reaction to genuine concerns repeatedly expressed . If such action had been taken previously none of us would be having to waste time on reading and writing all of this and , more importantly, we could get on with our lives in what still is - apart from these increasing disturbances- a friendly and pleasant neighbourhood.

Yours sincerely

[redacted] on behalf of himself and [redacted]

[redacted]

On 4 Aug 2022, at 06:11, [redacted] < [redacted] wrote:

Hi
Looking more closely at the flier from the Paris House, this Saturday will be terrible and im dreading it. I have a long walk planned on Sunday but expect to have another sleepless night on Saturday and to be very tired on Sunday..

314

B61

Surely ticket sales for pride allow you to police that without needing Field officers on call. Would you please send someone this Saturday night to witness the hell the residents are going through on "club nights" until 2am!!!
Kind regards
[redacted]

From: [redacted] <[redacted]
Sent: Wednesday, 3 August 2022, 21:41
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted] [redacted]
<[redacted]
Subject: PARIS HOUSE FLYER

Hi Council team

See attached flyer advertising their club nights on Saturday 9pm until 2am. You need to come on a Saturday. You try and sleep nearby!!

Kind regards
[redacted]

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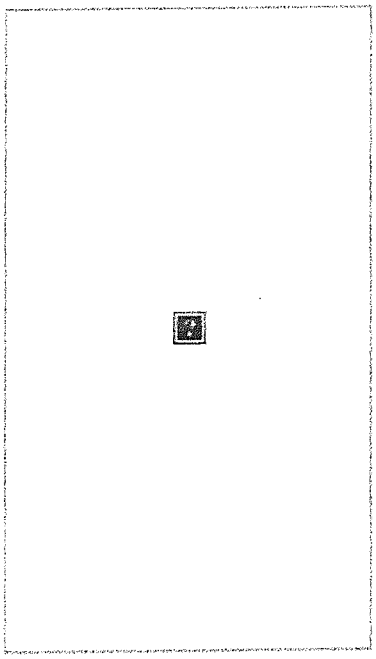

From: [redacted]
To: [redacted]
Subject: FW: Paris House Pub - Noise Disturbance
Date: 03 August 2022 16:06:28

Sorry, there may be a few of these!

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 03 August 2022 15:49
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
Subject: RE: Paris House Pub - Noise Disturbance

B6J

Thanks [redacted] will also be pulling together a multiteam meet to work this one out (after pride).
Regards
[redacted]

From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 03 August 2022 14:41
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted]>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House Pub - Noise Disturbance

Hello Everyone,

I am happy to carry out some later visits past 8pm. This weekend is Pride Weekend and as a team we are busy with that so it's unlikely we will be able to attend this Saturday or Sunday.

I will email [redacted] separately to suggest some dates and times for the next few weeks.

Kind Regards

[redacted] | Brighton & Hove City Council
Unit 11, New England House, New England Street, Brighton BN1 4GH
T [redacted] | **M** [redacted] | brighton-hove.gov.uk

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316

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Please tell us about your experiences of using Brighton & Hove City Council services. It will take no longer than 5 minutes to complete.

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 01 August 2022 14:46
To: [redacted] <[redacted]
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House Pub - Noise Disturbance

Dear [redacted]
It is possible to arrange for recording equipment and it would be [redacted] who can arrange this on their return.
However, with these type of issues it is more effective for an officer to witness an incident as it happens with all the contextual information that would provide, rather than a machine picking up sound levels.
I appreciate that the field officers do not ordinarily work beyond 8pm usually and I think it could be possible for a field officer or the case officer (or both) to arrange with you to visit to assess one evening.
Please can you liaise with [redacted] on [redacted] return next week?
Regards
[redacted]

B61

[redacted] (Environmental Protection & Emergency Planning)
Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] brighton-hove.gov.uk

From: [redacted] <[redacted]
Sent: 01 August 2022 14:29
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; 101@sussex.pnn.police.uk; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
Subject: Re: Paris House Pub - Noise Disturbance

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317

Dear [redacted]

We have asked [redacted] if [redacted] can visit much later in the evening to assess. [redacted] said [redacted] did not have the authority to make that decision and would ask his manager. Please let me know if that would be possible.

These site visits are very hit or miss, especially before 8pm. I would prefer a more structured approach and have requested sound monitoring equipment to attach to my house so i can take regular readings and videos as evidence if required. [redacted] said [redacted] would ask you whether you could provide this. If you can't or won't then I asked if you would be able to specify equipment acceptable to the enforcement agencies that me and my neighbours can consider jointly purchasing. Please tell me what the options are.

B61

Many thanks
[redacted]

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: Monday, 1 August 2022, 13:41
To: [redacted] <[redacted]>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; 101@sussex.pnn.police.uk <101@sussex.pnn.police.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
Subject: RE: Paris House Pub - Noise Disturbance

Dear [redacted]
[redacted] the Environmental Protection officer is on leave this week, but I had an update from [redacted] on Friday.
I was advised that Statutory Nuisance had not been witnessed by the Field Officers, but [redacted] from that service was due to visit again over this weekend.
I have copied [redacted] into this email and [redacted] may be able to give more information on his findings.
[redacted] the case officer returns next week hence this holding reply.

[redacted] (Environmental Protection & Emergency Planning)
Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] brighton-hove.gov.uk

From: [redacted] <[redacted]>
Sent: 01 August 2022 13:08
To: 101@sussex.pnn.police.uk
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>

Subject: Paris House Pub - Noise Disturbance

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Hi

I am writing this note, hoping you can help.

I am finding the noise created by the Paris House intolerably loud. Some of my neighbours feel the same, [redacted]

I have written to Environmental Health, completing the form provided by [redacted] a Council Field Officer, https://www.brighton-hove.gov.uk/environment/noise-pollution-and-air-quality/report-noise-problem but have had no information or advice about any follow up action. I have only received an email receipt notification 21.07.2022 case reference [redacted]

I have lived at [redacted] it was built in 2004. The Juggler Pub was here when I moved in, and has since been changed to the Paris House. It started a relatively quiet and very nice Jazz venue but now it's turned into a club. I am making a complaint about the Paris House because I can no longer sleep, even with silicone ear plugs which usually muffle noise well enough. The really loud speakers, wide open doors, shouting and drinking and dancing on the pavement and sometimes the road is beyond a joke. They are treating the pavement like part of a club. After speaking to at least 6 neighbours (from Cambridge Road, Upper Street, and Brunswick Street East), we agree the situation has reached boiling point. I am a sea swimmer and I like to be up at 5.30am to swim. Other neighbours work in London and need to get up at 5am. This extreme noise until past 11pm in the week and past 1am on Saturday night is unbearable. Even if I was a night owl I still don't want the noise of the Paris House taking over my home.

B61

The Paris House was asked about their Sound Management Policy (SMP) during the most recent mediation process but their management gave a vague response. [redacted] was not able to follow up because a request to see the Policy was outside the remit of the mediation process. Nobody from Environmental Health has mentioned monitoring a SMP or even the existence of one. Field Officers have also been to visit (unfortunately always before 8pm) to witness the Paris House, but with no sound equipment and without requesting a copy of the SMP from the Paris House to assess against.

I would appreciate your help to understand if the Paris House is complying with their licence, which I believe requires them to have a SMP and a noise attenuator, and to maintain sound levels accordingly?

We are very much hoping that the Police and other enforcement bodies (Environmental Health and Licensing) will work together to investigate the situation fully to stop this serious noise nuisance.

Many thanks

[redacted]

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From: [redacted]
To:
Subject: Paris House - Police
Date: 08 August 2022 13:09:04
Attachments: image001.png

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] **On Behalf Of** Brighton [redacted]
Sent: 08 August 2022 12:49
To: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

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Just FYI, we visited it last night and was closed at midnight.

From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 05 August 2022 15:59
To: Brighton Licensing <Brighton [redacted]
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

B62

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Hi [redacted]

Thanks, don't worry too much at the moment, we were hoping to get you along for a joint visit but if you're going separately Sunday that's fine. Despite there not being many complaints to us recently, this premises has a long history of noise complaints and alleged breach of licence conditions. I know that the Field Officers have 8 noise complaints at the moment and there are Cllrs involved so we are going to visit the comps and the premises and go from there.

There was a mediation process that was followed which included meetings with the premises management etc and the comps but this was a while ago and didn't go very well as far as I can

tell. This was orchestrated by Env Protection not licensing.

B62

Many thanks
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] **On Behalf Of** Brighton [redacted]
Sent: 05 August 2022 11:50
To: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

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Hi [redacted]

Just sent an e-mail to EHL re this. The caller says [redacted] has been in contact with council licensing and that there has been mediation? We are going to try and pop over on Sunday to have a look. If you can let me know what you have and can raise when we pop over.

We have only had one complaint and that is from the same person complaining to the councillors ([redacted]

Cheers

[redacted]

From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 05 August 2022 11:47
To: Brighton Licensing <Brighton [redacted]
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
Subject: FW: Paris House

B63

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Hi,

In respect of the below, please can you liaise with [redacted] when [redacted] is back from leave as we are hoping to arrange a joint visit to the premises with Police Licensing and EP/[redacted] in light of all the complaints we are receiving about the premises? I'll get [redacted] to contact you next week to discuss.

B63

Many thanks
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 05 August 2022 11:33
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
Subject: FW: Paris House

FYI

From: [redacted] <[redacted]
Sent: 05 August 2022 11:28
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: RE: Paris House

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Dear All,

I am forwarding this to the police licensing department, in which to raise and review the reported customer behaviour with the premises management.

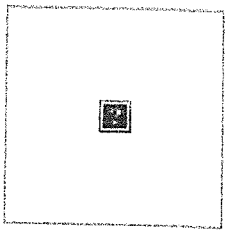
Kind regards,

[redacted]

[redacted]
Neighbourhood Policing Team – Brighton & Hove
Force Anti-Social Behaviour Lead

John Street Police Station | Brighton | East Sussex | BN2 0LA

www.sussex.police.co.uk



B63

From: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 05 August 2022 10:35
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: RE: Paris House

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Hello [redacted]
My understanding is that public urination is an offence the issue will be catching the offender.
I've copied in the Sussex Police PCSO for the neighbourhood [redacted] and [redacted] who's responsible for neighbourhood policing who may be best to advise.

Yours sincerely

Councillor Phélim Mac Cafferty
Leader of the Council
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Chair, Policy and Resources Committee & Covid-19 Recovery Sub-Committee
Chair, City Leadership Covid Briefing

[redacted]

https://www.brighton-hove.gov.uk/coronavirus-covid-19

From: [redacted]
Sent: 05 August 2022 07:02
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: RE: Paris House

B63

Hi Phelim
I forgot to mention that a customer had a pee against the wooden lean-to by to the Paris House. Saves battling through the crowds to get to the loo. What are the Council's rules on this?
Regards
[redacted]

From: [redacted]
Sent: 04 August 2022 22:24
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: Re: Paris House

10.20 leaning on the parked car

Get Outlook for Android

From: [redacted]
Sent: Thursday, August 4, 2022 9:26:34 PM
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; [redacted] brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: Re: Paris House

B64

9.15 someone was leaning on the car parked on the road. Now more are on the road 9.25. Waiting for the next song...

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B64

From: [redacted] <[redacted]>
Sent: Thursday, 4 August 2022, 20:50
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]> [redacted] <[redacted]>
Subject: Paris House

B64

Customers dancing round cars on the road outside the licensed area. And just a quiet Thursday night 8.50pm!! Imagine Saturday.

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326

From: [redacted]
To: [redacted]
Subject: FW: Paris House - corner Western Road and Brunswick Street East ,Hove BN3
Date: 03 August 2022 14:43:18

-----Original Message-----
From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 02 August 2022 13:57
To: [redacted]
Subject: FW: Paris House - corner Western Road and Brunswick Street East ,Hove BN3

FYI The complaint referred to - it looks like they have been complaining to licensing primarily.

-----Original Message-----
From: EHL Environmental Protection <EHL.EnvironmentalProtection@brighton-hove.gov.uk>
Sent: 02 August 2022 13:29
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House - corner Western Road and Brunswick Street East ,Hove BN3

Hey,

Regarding the below, [redacted] currently has this case. The contact below is named on [redacted] case, but as far as I can tell, has only made a handful of complaints over the last few years and most of them have been to licencing, and not us.

[redacted] case has 8 comps on it. [redacted] made his complaint after another comp had returned a diary. Full details on uniform under case: 2022/[redacted]

Obviously the issue here is that [redacted] is away, which we can relay, but that is likely to cash another backlash.

As they have asked for you directly and there are councillors involved, can I leave this with you to draft a response?

Thank you.

[redacted]| Technical Support Officer, Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP T [redacted] (Mon, Tues & Fri) / [redacted] (Weds & Thurs)| dan.cabanillas-brown@brighton-hove.gov.uk

-----Original Message-----
From: [redacted] <[redacted]
Sent: 02 August 2022 12:37
To: EHL Environmental Protection <EHL.EnvironmentalProtection@brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Paris House - corner Western Road and Brunswick Street East ,Hove BN3

B65

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

For the attention of The Head of Department

Dear Sir/Madam.

I sent you a complaint form regarding noise nuisance from the above licensed premises on 25 July but so far have received not even an acknowledgment ,let alone a reply .

This nuisance was the subject of repeated complaints from [redacted] in the period 2018 -2020 which was never resolved to our satisfaction .The noise only stopped with the arrival of lockdown due to the pandemic in March 2020.

[redacted]

Since lockdown ceased the problem has become worse and there were a number of incidents last month which were comparable to any about which we had previously complained.

Because of previous discussions I wrote to Councillors MacCafferty and Clare on 18 July setting out the details of the latest nuisance and in the hope that something could be achieved quickly - given the ongoing nature of this problem and the degree of nuisance caused .

Other residents have also been disturbed [redacted] in the last few weeks because of noise emanating from these premises but ,once more,nothing was achieved and [redacted] particularly on the night of 30/31 July the noise was almost as bad as it has ever been.

B65

Apart from the noise nuisance ,you will be aware that when this licence was varied to increase the licensing hours a number of conditions were put on the licence to ensure that public nuisance was significantly minimised - if not prevented .In my view ,many of these conditions are simply not being observed or enforced and have not been for a long time .

I am not sure how your department is structured but I wish to make it clear that there is both an environmental noise nuisance problem here - both before and after 11pm AND a liquor licensing problem so that ,if different people deal with these two aspects ,I should be grateful if you would ensure all the relevant people are involved to address these issues .

I do not know to what extent Councillor MacCafferty has already liaised with you about our concerns .I first wrote to him and Ms Clare on 18 July and there had been talk of a meeting .We would welcome such a meeting with the relevant officers to discuss what can be done to put a stop to this .

I have also written to the Sussex Police Licensing Unit in the last few days to set out some of the salient details and asking for their help.

Given the previous history (when we felt that your staff did not treat our concerns properly) it is more than a little galling not even to receive an acknowledgment of our complaint let alone action .

I should be grateful if you would look into the history. liaise with Councillor MacCafferty to whom I have sent some video evidence of what is happening and then contact other residents [redacted] or complained to you recently) and [redacted] to arrange a meeting as soon as possible .

Yours sincerely ,

[redacted]

[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: RE: Paris House
Date: 03 August 2022 14:15:54

Hello [redacted]

I would just like to add to [redacted] email that a visit was carried out to the complainants property between 19.20 and 19.45 on Sunday 31st July.

B66

We noticed that the Paris House door was open when we arrived and when we left. While in the complainants property the noise from the live music was audible but not a statutory nuisance.

Kind Regards

[redacted] | Brighton & Hove City Council
Unit 11, New England House, New England Street, Brighton BN1 4GH
T [redacted] | **M** [redacted] | brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 03 August 2022 10:58
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <FieldOfficers@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Hi all,

I've got a meeting later with [redacted] about this one, Field Officers or [redacted] do you have any updates since the below?

Thanks
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd

Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

329

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 27 July 2022 13:23
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

Dear All,

Just to update you further, [redacted] (FO) has carried out two visits to the establishment. His findings are below;

17/6 @ 20.00 to 20.30 – Unable to visit comps property but noise witnessed from street. Observed door being kept closed during performances.

19/7 @ 19.20 to 19.40 – Visited friend of comp at [redacted] as comp unavailable. No noise audible despite an open mike night being listed at that time.

[redacted] has attempted to make two appointments to visit the main complainant, but has been told that this would not be convenient on both occasions.

[redacted] intends to visit the complainant next weekend (30/31/07) and has viewed the live music schedule to ensure music will be being played on this weekend.

At this time, there is no evidence to support a noise nuisance. Also, the door was closed when [redacted] visited.

A further update will be received after this weekend.

Kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted] brighton-hove.gov.uk

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From: [redacted]
Sent: 27 July 2022 10:06
To: [redacted] <[redacted]
[redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Good morning,

I am currently investigating several complaints (8) in regards of this establishment. Currently, the Field Officers are conducting late night visits to establish whether a noise nuisance exists. So far, there has not been a nuisance established. However, I have not received an update from last weekends visits.

The investigation continues. The DPS has been informed of the complaints which exist.

Kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 25 July 2022 08:36
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Hello

There is a considerable history at this premises prior to Covid. [redacted] was the EP officer. Recently the [redacted] ([redacted] has been involved from EP.

I emailed [redacted] the owner of the premises in April and had a conversation with [redacted] (Email is attached) I received an email from [redacted] on 25 May where [redacted] said [redacted] had other complaints about noise after 11pm (also attached) but nothing since.

[redacted]

[redacted] Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
[redacted] / [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 22 July 2022 14:29
To: [redacted]
<[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

I'm sketchy about the history, but I'm not sure we have the evidence. I know there's been a lot of complaints, predominantly from one resident (?), but not sure if it's substantiated. Let's see what [redacted] reports regarding history/actions.

[redacted] can you identify a EP officer to help [redacted] with this (I think [redacted] might have been involved).

Thanks, [redacted]

[redacted] (Licensing & Trading Standards)|
Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | brighton-hove.gov.uk

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From: [redacted]
Sent: 22 July 2022 14:00
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Thanks both could we consider a license review?

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 22 July 2022 13:59
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Hi [redacted]

[redacted] has asked [redacted] (previous case officer) to report on the history but there is no current issue. It will need input from EP as they have dealt with a fair number of noise complaints.

[redacted] (Licensing & Trading Standards)|
Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | brighton-hove.gov.uk

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From: [redacted]
Sent: 21 July 2022 16:07
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House

Hi all please see below I am not aware of these issues is there any background and some definitive action we can take

[redacted]

From: [redacted]brighton-hove.gov.uk>
Sent: 21 July 2022 16:02
To: Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted]

[redacted]

Subject: RE: Paris House

Hannah,

Thanks for this. I'm not familiar with the issues at these premises but understand the frustration & will look into this .

[redacted]

[redacted] | [redacted] Neighbourhoods and Communities | Brighton & Hove City Council

[redacted]

Room 157, Hove Town Hall, Norton Road, Hove BN3 3BQ
Telephone [redacted] | brighton-hove.gov.uk

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From: Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Sent: 20 July 2022 16:12
To: [redacted]@brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: FW: Paris House

Hi [redacted] & [redacted]

This one, as I'm sure you're aware, is fairly long running!

Phélim has admittedly been more on top of this than me so keen to get his insight – but would be good to understand what more we can do to help here?

Councillor Hannah Clare

Green Party Councillor for Brunswick and Adelaide
Deputy Leader, Brighton & Hove City Council
Chair, Children Young People and Skills Committee

My pronouns are she/her
@Hannalytical | Cllr Hannah Clare
@BHGreenCllrs | Brighton and Hove Green Councillors

For any diary queries, please do contact Bethan Walker, Executive Assistant. She can be contacted on Bethan.Walker@brighton-hove.gov.uk

The nature of my role means I am on call 24/7. If I send you an email outside of working hours, please don't feel you need to respond.

My standard working hours are Monday 2pm – 6pm, Wednesday 2pm – 6pm, Thursday 2pm – 6pm and Friday 9am – 3pm.

From: [redacted] <[redacted]>
Sent: 19 July 2022 12:15
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Paris House

Good morning Phelim ,

Further to my email yesterday I have now found the email from [redacted] dated 3 June 2022 and to which was attached your email to us dated 21 January 2020 with responses to our licensing queries .I don't recall seeing that in 2020 but if I did it was at a time when I felt frustrated by the apparent unwillingness of the enforcement staff to get involved .The pandemic shortly after meant there was no cause to complain because the pub was shut.

I have now read it in full and make the following comments for your assistance (these are from answers given to your questions in an email to [redacted] and others of 9 January 2020 sent at 1641) - my comments follow the order of the officers' responses -

B67

1.The point is made that only music after 11pm is enforceable under the licensing conditions so ,given our complaints ,what has been done to enforce it ? We have certainly been disturbed in the past by music and other noise from customers outside the premises well after 11pm .
We know the Environmental Protection Act 1990 applies ! The incident last Friday was one of the occasions when music so loud has been played before 9pm - let alone
11pm !! Apart from the music the noise from customers creates a nuisance after 11pm - again what do the enforcement team intend to do about it ?

2.Reference is made to visits to the premises.I'm sure the enforcement staff are sufficiently able to understand that the management there may be "playing "them .It is the easiest thing in the world to promise not to do something which has caused complaints ,keep that up for a few weeks and then just start all over again in the hope the residents will give up complaining [redacted] ,it is obvious they think they can do whatever they want ,need to make as much money as possible to make the business viable and have little or no regard for residents who they simply view as moaners and kill joys .We are not - but would just like them to consider us AND simply comply with the relevant legal provisions **which should be property enforced** .

3.Reference is made to the difficulties of enforcing the law due to the smoking ban imposed in public places in 2007 so that public premises have to make allowances for customers who smoke outside .It was said that one of the enforcement officers would look into the issue of whether the outside area was "licensed" with the Highways Team and revert to you .I have heard nothing about this but I previously suggested that clearing the outside area by/at 11pm was what the licence required.As a matter of common sense I believe that is what the licensing authority had in mind when granting the licence in 2005 .
However ,I was told the "outside area" meant just the two areas marked with tables on the plan .It makes no reference at all to the two benches at the side of the pub on Brunswick Street East where customers regularly sit drinking so they are NOT within the licensed areas. These are regularly used throughout all licensing hours and beyond by non smokers .IF they are not part of the "outside area" then why are they available at all ?

Even IF the tables and chairs are cleared by 11pm the areas where they stood AND the general outside area - benches ,pavements, the road surface at the top or Brunswick Street East just before the junction with Western Road - have customers outside drinking and making a noise .On warm nights ,such as those recently ,there must have been forty or fifty people outside after 11pm and very few were smoking .
The interpretation advanced simply can't be correct ! If it is ,it means that no matter what a condition restricting outside use might say I ,as a customer ,can circumvent it by saying I am going outside to smoke with the drink I have just bought - whether anyone watches me or not and no matter how many times I might return for another drink !
Over this last weekend there were far more people outside the premises than the inside could ever accommodate! If the smoking excuse is advanced seriously then what are the staff meant to do to see it is being enforced ie only smokers can be in the "outside area" after 11pm ? Ask every person who buys a drink after 11pm if they are going outside and will they be smoking continuously whilst they drink ? How long can customers be outside with a drink when not smoking ?
This would be an absolute nightmare for staff to enforce ! The condition was originally imposed to preserve the residents' peace and quiet after 11pm.What about the outside areas within the licence ?When the tables are gone is it not effectively no longer licensed - in which case ,apart from smokers ,why is anyone outside drinking after 11pm ?
B67
As for the area not within the "outside area" as currently defined is it seriously being suggested that the pub management has no responsibility for that - even when the benches are attached to the pub walls and can be locked so as to prevent their use but are currently not ?The benches are actually on the pavements of either Western Road or Brunswick Street East so presumably are part of the highway .On last Friday and Saturday night the only way past those benches or on any parts of the pavements outside the pub was to walk in the roadway itself from about 7pm onwards until well after 11pm .Effectively they have become an enlarged licensing area which the management are content to exploit in the absence of proper enforcement !

4.There is a reference in your email to repeat breaches of conditions .The officers' response is that it is difficult to do much more when they have visited the premises and written to them and reference is also made to mediation taking place then .
Well ,mediation is no longer taking place ,
Gallingly ,reference is then made to intelligence from residents not witnessed by enforcement staff being difficult to rely on and the need for more concrete evidence before formal enforcement action can occur .
The ability to call on a night duty enforcement team or officer at weekends no longer exists - as I understand it -so all residents can do is keep a log of incidents ,record video evidence and ,perhaps , record the noise on mobile phones .When I complained prior to the mediation I had a log and lots of video footage (some of which I showed you) but the enforcement team felt they couldn't use it because the date on my system was not shown on their's when it was sent to them .Evidentially, this was a poor excuse because the evidence **was** there with the relevant time shown and could have been used **IF** enforcement action had resulted in a hearing before the licensing panel.

I have now set out all my concerns and hope that some of the other residents who are upset by what is happening write to express their views too- as I am told they will think the

time is now ripe for proper action from the enforcement team.

Reluctantly ,we would be willing to collect evidence again but only if it will actually be used for enforcement purposes and not viewed as something to pick apart - for no good reason - so as not to take action .

B67

Best wishes ,

[redacted]

[redacted]

From: [redacted]
To: [redacted]
Subject: FW: Paris House
Date: 04 August 2022 10:17:48

FYI

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 04 August 2022 09:26
To: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: FW: Paris House

FYI

From: [redacted] <[redacted]
Sent: 04 August 2022 08:49
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
Subject: RE: Paris House

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Hi [redacted] and [redacted]

B68

After swimming in the sea very early this morning I saw a neighbour, [redacted] watering his plants and asked [redacted] about the Paris House. [redacted] is a runner and likes to get up early too. [redacted] said [redacted] is finding it impossible to sleep with the noise and said [redacted] had been meaning to complete the EH form and will now do so. There can a gap between feelings and action, particularly when action (completing the form) is possibly a waste of time anyway!! [redacted] did say [redacted] would complete it so you get the numbers you ask for .. without saying what overall number you need, or what you will do with the information ... the goal posts keep moving for the residents!! It is no surprise that the Paris House director, and manager, have treated my neighbours with such arrogance during mediation! They know that that the Council will talk and offer meaningless and time-

consuming processes to residents but will actually do nothing to the Paris House.

B68

I ask you again to send someone on Saturday to monitor the noise.

Due to my lack of confidence in the Council I will do my best to contact the police licensing unit to request that they monitor the Paris House this Saturday night.

Kind regards
[redacted]

From: [redacted] <[redacted]
Sent: 02 August 2022 22:23
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted]
<[redacted] Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Re: Paris House

Dear [redacted]
Would you tell me how many would be considered a lot?
There are some who not want to be seen to be complaining. Can you provide assurance that they will be heard but not named?
Many thanks
[redacted]

Get Outlook for Android

From: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: Tuesday, August 2, 2022 10:06:31 PM
To: [redacted] <[redacted] Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: RE: Paris House

B69

[redacted]

I have flagged this evening with council enforcement and explained the rationale for meeting. [redacted] who's the senior council official in this area is ok with this.

I also think we need to broaden who is saying the noise represents a problem-if we want to push for things like a licence review we would need to be able to say there's a lot of concerned people. So I think we may need to go door to door around the immediate neighbourhood and just touch in with neighbours and see where they are. Thoughts?

Yours sincerely

Councillor [redacted]
[redacted]
[redacted]
[redacted]

[redacted]

[redacted]

https://www.brighton-hove.gov.uk/coronavirus-covid-19

-----Original Message-----
From: [redacted] <[redacted]
Sent: 02 August 2022 12:53
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Paris House

Good afternoon all !

I have just sent a chasing email to Head of the Environmental Health Department because the complaint form I submitted hasn't even been acknowledged yet which ,again ,doesn't give me much confidence that council staff will either take our concerns seriously or do anything to enforce the relevant law .

My complaint to them was on the 25 July but I first wrote to Phelim and Hannah on 18 July ,since when Phelim has referred to a meeting including enforcement staff and the management of the pub .[redacted]

However ,we DO think a meeting with enforcement staff would help considerably and would welcome one .

I do not know to what extent Phelim has spoken to the relevant officers since my email of 18 July .If he has been in contact it may be they haven't acknowledged our complaint because they have discussed it with Phelim who ,I have no doubt ,is extremely busy on other matters .

I have just received an [redacted] response to my chasing email which states that an officer will be in contact with us within ten days !!! In other words ,up to twenty five days after my first email to [redacted] (18 July - 12 August) !!!How much more nuisance will we have to suffer in the meantime ?

Can I please urge you request the officers to make contact with us within the next few days ?

Yours in frustration !

[redacted]

[redacted]

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From: [redacted]
To: Brighton.Licensing@sussex.pnn.police.uk
Cc: [redacted]
Subject: FW: Paris House
Date: 05 August 2022 11:46:52
Attachments: image001.png

Hi,

In respect of the below, please can you liaise with [redacted] when [redacted] is back from leave as we are hoping to arrange a joint visit to the premises with Police Licensing and EP/[redacted] in light of all the complaints we are receiving about the premises? I'll get [redacted] to contact you next week to discuss.

Many thanks
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 05 August 2022 11:33
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
Subject: FW: Paris House

FYI

From: [redacted] <[redacted]
Sent: 05 August 2022 11:28
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: RE: Paris House

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Dear All,

I am forwarding this to the police licensing department, in which to raise and review the reported customer behaviour with the premises management.

Kind regards,

[redacted]

[redacted]
Neighbourhood Policing Team – Brighton & Hove
Force Anti-Social Behaviour Lead

John Street Police Station | Brighton | East Sussex | BN2 0LA

www.sussex.police.co.uk

From: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Sent: 05 August 2022 10:35
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted]
Subject: RE: Paris House

****External Email- Think before you click. If you do not trust the sender, do not click on any links or open any attachments. Further information can be found here.****

Hello [redacted]
My understanding is that public urination is an offence the issue will be catching the offender. I've copied in the Sussex Police PCSO for the neighbourhood [redacted] and [redacted] who's responsible for neighbourhood policing who may be best to advise.

Yours sincerely

Councillor Phélim Mac Cafferty
Leader of the Council
Green Party Councillor for Brunswick and Adelaide, Brighton and Hove City Council

Chair, Policy and Resources Committee & Covid-19 Recovery Sub-Committee
Chair, City Leadership Covid Briefing
Co-Chair, 2030 Carbon Neutral Member Working Group
Chair, Strategic Delivery Board
Member, Greater Brighton Economic Board and Coast 2 Capital Local Enterprise Partnership
Board member Brighton Dome & Festival Limited and Royal Pavilion and Museums Foundation
Representative to the Local Government Association

phelim.maccafferty@brighton-hove.gov.uk
https://twitter.com/Phelimmac https://www.facebook.com/CllrPhelim
https://www.brighton-hove.gov.uk/coronavirus-covid-19

From: [redacted] <[redacted]>
Sent: 05 August 2022 07:02
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]> [redacted] <[redacted]>
Subject: RE: Paris House

Hi Phelim
I forgot to mention that a customer had a pee against the wooden lean-to by to the Paris House. Saves battling through the crowds to get to the loo. What are the Council's rules on this?
Regards
[redacted]

From: [redacted] <[redacted]>
Sent: 04 August 2022 22:24
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]> [redacted] <[redacted]>
Subject: Re: Paris House

10.20 leaning on the parked car

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From: [redacted] <[redacted]>
Sent: Thursday, August 4, 2022 9:26:34 PM
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>

Cc: [redacted] <[redacted]> [redacted] <[redacted]>
Subject: Re: Paris House

9.15 someone was leaning on the car parked on the road. Now more are on the road 9.25. Waiting for the next song...

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From: [redacted] <[redacted]>
Sent: Thursday, 4 August 2022, 20:50
To: 'Cllr Phelim Mac Cafferty' <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: [redacted] <[redacted]> [redacted] <[redacted]>
Subject: Paris House

Customers dancing round cars on the road outside the licensed area. And just a quiet Thursday night 8.50pm!! Imagine Saturday.

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From: [redacted]
To:
Cc:
Subject: RE: Paris House, Western Rd
Date: 08 August 2022 11:07:57

Hi [redacted]

Please bare with me, I've just returned from leave, to 50 emails regarding this establishment. I'm happy to work late Friday, probably be better for me actually. I'll happily meet you at the venue/addresses at 10pm. We can wait until Wednesday to hear from [redacted] regarding the licensing aspects.

B770

Many thanks for your help with this.

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 08 August 2022 11:04
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi [redacted]

Thanks for your email, good to hear from you! I am actually off this weekend, which is why I've suggested Friday at 10pm rather than Saturday.

If you and licencing are able to visit on Saturday I can contact the comp and postpone Friday, or I could do overtime on Saturday if that's easier.

Just to let you know I have made the comp aware of my shift pattern and that I can't do weekends for the rest of this month but have offered Thursday and Fridays as an alternative when I am working.

But now a few of us are tasked with visiting/monitoring it should be easier to coordinate and cover most days!

Kind Regards

[redacted] | Brighton & Hove City Council
Unit 11, New England House, New England Street, Brighton BN1 4GH
T [redacted] | **M** [redacted] | brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 08 August 2022 10:42
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi [redacted]

I have requested that I work overtime on Saturday to cover this. I await confirmation from [redacted] who is on leave today. I'll let you know and can meet you at the location around 10pm. It would be good if licensing were also present to assess things from their angle.

Thank you,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 08 August 2022 10:40
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-

hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi [redacted]

Thanks for this. I have arranged to visit the comp [redacted] at 10pm on Friday. I do need another person to visit with me and rather than ask another member of my team would [redacted] or [redacted] be available for this?

Kind Regards

[redacted] | Brighton & Hove City Council
Unit 11, New England House, New England Street, Brighton BN1 4GH
T [redacted] | **M** [redacted] | brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 08 August 2022 09:59
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted]
<[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi both,

[redacted] and Councillors have got involved with this one (which I'm sure you've seen). [redacted] has arranged to visit the comp I think and [redacted] from Licensing is going to take over from [redacted] as [redacted] lives near so its easier to orchestrate monitoring and visiting.

[redacted] and [redacted] please liaise with [redacted] on Wednesday to arrange this?

Thanks
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP

T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 08 August 2022 09:41
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi [redacted]

I can't do Sat night but I will email them about the noise, the condition re closing the door and people outside.
[redacted] – anything else you think I should do?

[redacted]

[redacted] Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
[redacted] / [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 08 August 2022 09:30
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted]
<[redacted] brighton-hove.gov.uk>
Subject: Paris House, Western Rd

Morning [redacted]

Hope you are well?

I've just returned from leave and have around 50 emails regarding the above establishment. I have 8 complainants regarding the noise of the music from Paris House. The FO's were tasked with trying to witness the noise on a weekend evening. However, at this time, no noise nuisance has been proven. Interestingly, when the FO's visited, the premises door was open (despite there being a condition to have the door remaining closed, I believe). From the videos received,

B71

there are a large crowd of people lingering around the front of the premises, also causing noise.

I plan to request that I work late this Saturday so I can visit to assess the noise (around 10pm, when apparently the music is at its loudest). I wandered if you would like to join me on the visit, or what, if any action is planned for this venue. Unfortunately, without the evidence of an existing nuisance, there is little further action I can take at this time.

B71

Many thanks and kind regards,

[redacted]

[redacted]

Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]brighton-hove.gov.uk

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From: [redacted]
To: [redacted]
Subject: RE: Paris House, Western Rd
Date: 10 August 2022 09:21:37
Attachments: image001.jpg

Hi [redacted]

No worries. The comp will be happy if we attend Saturday anyway. Saturday at 10pm it is.

Many thanks. I'll head straight there. Shall we meet at the latest complainants house, [redacted] so we can assess the noise before heading to the venue.

Many thanks again,

[redacted]

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 10 August 2022 09:15
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Hi [redacted]

No problem re: emails just hard to pick up the thread. Holiday was good thanks.

Unfortunately I can't do Thursday due to childcare arrangements. I am also due to go on leave again from Friday lunchtime and am away for 2 weeks. However I don't fly till Monday, so I can do Saturday if needed, really sorry but that's the only day I can do at this short notice.

B72

I would just be doing a routine licensing inspection to ensure compliance with the premises licence and conditions. I would be looking for compliance with any conditions noise related in particular and advise of complaints etc. It's not necessary for police licensing to attend, I believe they did go there on Sunday after allegation of public urination and the pub was shut. I can ask them if they could attend on Saturday with me as I can't go alone, but I'm not sure they will have

the capacity.

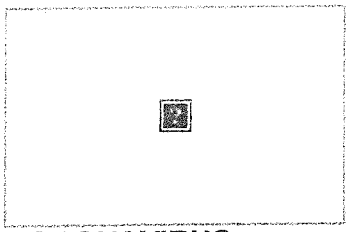
Let me know how you want to proceed.

B72

Thanks
[redacted]

Kind regards

[redacted] Safer Communities | Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk
Please note my working days are Monday – Thursday 9am to 5pm



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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 10 August 2022 08:32
To: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

Morning [redacted]

Sorry for all the emails. Hope you had a good holiday?

B73

I would rather do a visit on Thursday if that is OK with you? I am due to go on leave after Friday. There is live music on Thursday, so we should be able to gauge the situation then. We can then reassess whether there is need for a visit Saturday?
Please excuse my ignorance, but what do you do on such visits? Do the Police licensing need to be in attendance?

Many thanks,

[redacted]

[redacted]

[redacted]

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B73

[redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted] brighton-hove.gov.uk>
Sent: 09 August 2022 19:54
To: [redacted] <[redacted] brighton-hove.gov.uk>
Cc: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Subject: RE: Paris House, Western Rd

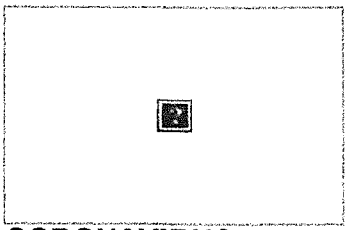
Hi [redacted]

I've been on leave and have many emails regarding this premises. I can meet you to do a visit this Saturday 13th at 10pm if that is still the plan, let me know. I will then the let the complainant know I will also be attending.

Thanks
[redacted]

Kind regards

[redacted] Safer Communities | Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk
Please note my working days are Monday – Thursday 9am to 5pm



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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 08 August 2022 09:50
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House, Western Rd

Hi [redacted]

I believe you may be the correct person to contact regarding this. Would you be available next Saturday for a joint visit?

Many thanks and kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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From: [redacted]
Sent: 08 August 2022 09:30
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: Paris House, Western Rd

Morning [redacted]

Hope you are well?

I've just returned from leave and have around 50 emails regarding the above establishment. I

have 8 complainants regarding the noise of the music from Paris House. The FO's were tasked with trying to witness the noise on a weekend evening. However, at this time, no noise nuisance has been proven. Interestingly, when the FO's visited, the premises door was open (despite there being a condition to have the door remaining closed, I believe). From the videos received, there are a large crowd of people lingering around the front of the premises, also causing noise.

I plan to request that I work late this Saturday so I can visit to assess the noise (around 10pm, when apparently the music is at its loudest). I wandered if you would like to join me on the visit, or what, if any action is planned for this venue. Unfortunately, without the evidence of an existing nuisance, there is little further action I can take at this time.

Many thanks and kind regards,

[redacted]

[redacted]

Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]

[redacted]brighton-hove.gov.uk

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From: [redacted]
To: [redacted]
Cc: [redacted] Cllr Phelim Mac Cafferty; Cllr Hannah Clare; [redacted]
Subject: Re: Paris House ,Western Road. Hove
Date: 11 August 2022 15:27:23

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear [redacted] ,

Thanks for your response .

If you have read my emails of 4 & 6 August you will have an outline of what I have to say about the conditions on the licence . [redacted] will be at home at 10pm this coming Saturday evening the 13th August .We could discuss them then but I have more I wish to look into so it might be better if [redacted] and I met sometime next week to discuss the history of the licence and enforcement steps taken - which includes what the records which the council hold say about hearings when conditions were imposed ,submissions made to the licensing panel etc .I am willing to meet [redacted] at council offices to save [redacted] time .

There have been a number of actions suggested - a meeting with enforcement staff, visiting local residents to gauge the depth of the problem etc (all covered in my two emails referred to above).I should be grateful for a response to those specific points soon please .

Finally ,Phelim did tell me he had forwarded the four video clips I sent him to enforcement officers with the council .Have either you or [redacted] seen those and ,if so ,what do you say about them ?

Thanks for your help .

Best wishes ,

[redacted]

On 11 Aug 2022, at 08:48, [redacted] <[redacted] brighton-hove.gov.uk> wrote:

Dear [redacted]

Thank you for the email and offer for assistance. [redacted] is best placed to provide you with advice regarding the license at Paris House. As suggested, we can pop into you on Saturday after making our first visit at 10pm. However, we only really need assess the noise from one address, but can pop by regarding the license conditions (if [redacted] is happy to do this, or perhaps [redacted] could advise you prior to this time, so we need not disturb you so late at night).

Many thanks again and kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 10 August 2022 15:55
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Fwd: Paris House ,Western Road. Hove

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear [redacted] and [redacted]

I have been writing to Phelim MacCafferty about noise nuisance problems from the Paris House since mid July and understand that some of what I have sent to [redacted] - including four video clips - was sent to your licensing department .

B74

[redacted] has also recently been copied in on emails I have sent to [redacted] (4 & 6 August to name two) and my neighbour [redacted] ,had also been writing to you and copying me in .

This afternoon I left a phone message for [redacted] asking [redacted] to contact me about this problem and confirmed that you are both very welcome to listen from inside our home when you visit this area at 10pm next Saturday night to hear the noise for yourselves .

However ,my point has been for a long time that it isn't just action under the environmental health noise nuisance laws that should be considered.There are

conditions attached to the licence which are specifically designed to prevent noise nuisance and if these had been observed or properly enforced in the past I doubt that much of this problem would exist .

I have been examining your authority's Licences Register this afternoon and have tried to send the below inquiry twice - once using an incomplete email address (!!) and secondly a complete one .Unfortunately, I received a reply saying my message had been blocked for technical reasons and hence my writing to you now .

B74

I gather one of the management of this public house said at a recent mediation that the licence conditions are "something of a grey area " .My view is the conditions are clear and can be interpreted to give effect to the concerns the licensing panels had when imposing them .My inquiry is an attempt to see if there is any other information which can be used to show us exactly what was said ,heard and done at the panels imposing the conditions so we can better understand their intentions and meaning .

I appreciate you are both busy but would appreciate hearing from you re my phone message today ;the points requiring a response in my emails of 4 & 6 August which I know were copied to [redacted] ;and my query regarding available information re the conditions on the licence .

Regards ,

[redacted]

[redacted]

Begin forwarded message:

From: [redacted] <[redacted]
Date: 10 August 2022 at 15:30:06 BST
To: ehlsafety@brighton-hove
Subject: Paris House ,Western Road. Hove

Dear Sir/Madam ,

I have been looking at your online Licence Register regarding the above named public house in Hove .

Unfortunately ,whilst the register refers to a map of the premises ,it is not possible to see it online .

From the history of the licence since 2005 it is plain that various conditions have been imposed at different times .Is it possible to discover the nature of any representations made by the licensee and/or local residents which led to conditions being imposed or modified ?

Is there any record of the decisions made by the licensing panel which give their reasons for the imposition of conditions or modifications of them or any information about their deliberations which led to their decisions .

Having previously been involved in the previous liquor licensing regime ie when the Magistrates'Court was the licensing authority ,I am aware that notes were usually kept of any reasons given when decisions were given after conflicting submissions had been made and also of the views of members of the licensing panel about particular aspects of cases .

If any of this information is available would it be possible for me to examine it or would I only be able to see it after a Freedom of Information Act request ?

I look forward to hearing from you .

Regards ,

[redacted]

[redacted]

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From: [redacted]
To: [redacted]
Cc: Cllr Phelim Mac Cafferty; Cllr Hannah Clare; [redacted]
Subject: RE: Paris House ,Western Road. Hove
Date: 11 August 2022 10:31:35

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Hi [redacted]

I have asked my neighbours if they would stand in for me, so would you please go to [redacted] house, [redacted] on Saturday at 10pm, instead of mine?

I should be home well before 10pm but I am in Eastbourne early evening, so just in case trains stopped due to heat or any other reason..

I expect to be back well before 10pm and do plan to be there when you arrive.

Many thanks
[redacted]

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 11 August 2022 08:48
To: [redacted] <[redacted] [redacted] <[redacted]brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: RE: Paris House ,Western Road. Hove

Dear [redacted]

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Many thanks again and kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted]brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 10 August 2022 15:55
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Fwd: Paris House ,Western Road. Hove

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[redacted] has also recently been copied in on emails I have sent to [redacted] (4 & 6 August to name two) and my neighbour [redacted] ,had also been writing to you and copying me in .

This afternoon I left a phone message for [redacted] asking [redacted] to contact me about this problem and confirmed that you are both very welcome to listen from inside our home when you visit this area at 10pm next Saturday night to hear the noise for yourselves .

However ,my point has been for a long time that it isn't just action under the environmental health noise nuisance laws that should be considered.There are conditions attached to the licence which are specifically designed to prevent noise nuisance and if these had been observed or properly enforced in the past I doubt that much of this problem would exist .

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I appreciate you are both busy but would appreciate hearing from you re my phone message today ;the points requiring a response in my emails of 4 & 6 August which I know were copied to [redacted] ;and my query regarding available information re the conditions on the licence .

Regards ,

[redacted]

[redacted]

Begin forwarded message:

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Date: 10 August 2022 at 15:30:06 BST
To: ehlsafety@brighton-hove
Subject: Paris House ,Western Road. Hove

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Is there any record of the decisions made by the licensing panel which give their reasons for the imposition of conditions or modifications of them or any information about their deliberations which led to their decisions .

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If any of this information is available would it be possible for me to examine it or would I only be able to see it after a Freedom of Information Act request ?

I look forward to hearing from you .

Regards ,

[redacted]

[redacted]

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From: [redacted]
To: [redacted]
Cc: [redacted]
Subject: Paris House - [redacted]
Date: 11 August 2022 16:56:40
Attachments: image001.jpg

Dear [redacted]

I am writing to advise you that we have recently received some complaints about Paris House particularly in relation to noise outside the Premises. There are a number of conditions on your licence around this as follows:

For the Prevention of Public Nuisance:

B75

1. The Licence holder and staff must undertake regular inspections inside and outside the premises in order to monitor noise levels and ensure that both ambient sound and sound generated by recorded or live entertainment is at a level that does not constitute a nuisance.
2. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. This will also be communicated verbally.
3. All reasonable steps will be taken to ensure that the accumulation of the public awaiting entry to the premises will occur for the minimum time possible with the minimum amount of noise.
4. An additional method of ventilation will be installed to allow for the doors and windows of the pub to remain shut during live music and DJ operated music

Annex 3 - Conditions Attached after a hearing of a Licensing Panel 19th September 2005:

1. The outside area shall be closed and cleared by 23.00 hours.

2. On any day, the provision of live music shall be limited to 10.00 – 23.00 hours.

3. All external doors and windows shall be kept shut after 23.00 hours, except for access and egress

4. The sound attenuator shall be set at a level approved by the licensing authority.

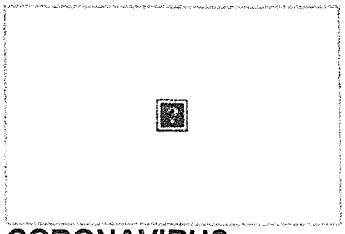
5. The licence holder shall ensure that prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

As a result of these allegations I have opened a new case and will be monitoring the Premises for compliance with the licence and conditions therein.

Please don't hesitate to contact me if you have any questions regarding this email.

Kind regards

[redacted] [redacted] Safer Communities | Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk
Please note my working days are Monday – Thursday 9am to 5pm



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From: [redacted]
To:
Cc:
Subject: RE: Paris House jobsheet
Date: 11 August 2022 14:20:22

From: [redacted]
Sent: 20 February 2020 16:11
To: [redacted] brighton-hove.gov.uk
Cc: [redacted] brighton-hove.gov.uk
Subject: Re: Paris House -URGENT

Dear [redacted] ,

Thank you for your email enclosing the advice of your legal department .I will consider their advice carefully and ,if I have any further queries ,will contact you again in due course .

Regards ,

[redacted]

On 19 Feb 2020, at 16:03, [redacted] brighton-hove.gov.uk wrote:
Dear [redacted]
This is the response we have received from our legal department regarding the interpretation of the condition:
I have read and considered the further emails sent by [redacted] regarding the interpretation of the condition relating to the outside area of the Paris House. I have consulted my senior licensing colleague. Our interpretation of the condition has not changed. In licensing terms 'outside area' does not mean the whole of the area outside a premises as indeed this is difficult to define and potentially includes a space which is beyond the direct control of the licensee. In this case and in common with most of the other conditions relating to outside (garden or terrace) areas, it means a dedicated external seating area which is shown on the plan to the premises licence. Statutory S182 guidance to the Licensing Act 2003 (which has been through many versions) refers to such areas at 8.35. I appreciate that some conditions for other premises may have more specific wording especially more recent ones and those after the smoking ban, but that does not alter the fact that in this case the intention was to ensure that the outside table/seating area (as shown on the plan) was cleared and closed to customers after 11pm. This is the only 'common sense' interpretation of the condition, and it is one that is endorsed by the senior lawyer who advised the panel at the time.
It does leave the possibility of people standing outside smoking and drinking on the pavement outside the pub after 11pm as the pavement is not part of the 'outside area'. Customers should not be congregating within the table area after 11pm as this area should be closed off. As previously advised, if customers are standing outside on the pavement by the entrance to the pub causing a nuisance and disturbance then this should be investigated.

Regards
[redacted] Safer Communities | Brighton & Hove City Council,

2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk
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From: [redacted]
Sent: 11 February 2020 06:19
To: [redacted]brighton-hove.gov.uk
Subject: Re: Paris House -URGENT
Dear [redacted]
Thank you for your reply.
In both my long emails I suggested they be passed to a licensing lawyer and I am pleased you have now done that . They were detailed because I wanted to set out the legal arguments in favour of my conclusion so anyone looking at them could follow my reasoning .
[redacted] has sent us diary sheets to record any concerns we have over the next two weeks or so .Most of the problems we have had have occurred on Friday, Saturday and Sunday evenings but not exclusively so . Given the recent weather there have been far fewer customers outside the Paris House at any time but the problem did get worse last year once better weather arrived and hence our concern to ensure this licensee complies with the licensing conditions which protect us .
I look forward to hearing from you once your legal team has responded.
Regards,
[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted]brighton-hove.gov.uk

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From: [redacted]
Sent: 11 August 2022 14:05
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>

Subject: Paris House jobsheet

[redacted]

[redacted] | [redacted] Safer Communities | Brighton & Hove City Council, 2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk

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From: [redacted]
To: [redacted]
Cc: [redacted] Cllr Phelim Mac Cafferty; Cllr Hannah Clare; [redacted]
Subject: RE: Paris House ,Western Road. Hove
Date: 11 August 2022 16:02:56
Attachments: image001.jpg

Dear [redacted]

Thank you for your emails.

As you aware I will be attending with [redacted] on Saturday at 10pm, I will be carrying out a full licencing inspection and will discuss the complaints that have been made with the Premises.

With regard to the licence itself and the conditions therein I am happy to discuss these with you on Saturday.

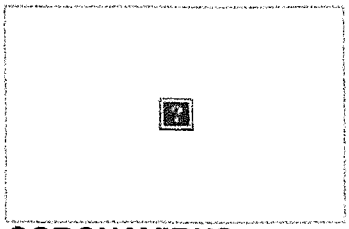
This premises has previously been allocated to other officers and it has now been assigned to me so that I can come at with a fresh pair of eyes. As you know there is a considerable amount of history with the premises and I agree the best thing would be for me to meet with you so I can full understand your concerns and discuss everything in more detail. This will also enable me to compile as much of the information you have asked for as possible, I expect it may be limited due to the hearing being in 2005, but I will do what I can.

The only issue is that I am on leave for 2 weeks from Monday, so I will not be able to meet with you next week, but am happy to meet you on my return.

If that's ok for you we can talk a bit more on Saturday and make arrangements.

Kind regards

[redacted] [redacted] Safer Communities | Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | [redacted] brighton-hove.gov.uk
Please note my working days are Monday – Thursday 9am to 5pm



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370

From: [redacted] <[redacted]
Sent: 11 August 2022 15:27
To: [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>; Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted] <[redacted]
Subject: Re: Paris House ,Western Road. Hove

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Dear [redacted] ,

Thanks for your response .

If you have read my emails of 4 & 6 August you will have an outline of what I have to say about the conditions on the licence . [redacted] will be at home at 10pm this coming Saturday evening the 13th August .We could discuss them then but I have more I wish to look into so it might be better if [redacted] and I met sometime next week to discuss the history of the licence and enforcement steps taken - which includes what the records which the council hold say about hearings when conditions were imposed ,submissions made to the licensing panel etc .I am willing to meet [redacted] at council offices to save [redacted] time .

There have been a number of actions suggested - a meeting with enforcement staff, visiting local residents to gauge the depth of the problem etc (all covered in my two emails referred to above).I should be grateful for a response to those specific points soon please .

Finally ,Phelim did tell me he had forwarded the four video clips I sent him to enforcement officers with the council .Have either you or [redacted] seen those and ,if so ,what do you say about them ?

Thanks for your help .

Best wishes ,

[redacted]

On 11 Aug 2022, at 08:48, [redacted] <[redacted] brighton-hove.gov.uk> wrote:

Dear [redacted]

Thank you for the email and offer for assistance. [redacted] is best placed to provide you with advice regarding the license at Paris House. As suggested, we can pop into you on Saturday after making our first visit at 10pm. However, we only really need assess the noise from one address, but can pop by regarding the license conditions (if [redacted] is happy to do this, or perhaps [redacted] could advise you prior to this time, so we need not disturb you so late at night).

Many thanks again and kind regards,

[redacted]

[redacted]
Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]
[redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted]
Sent: 10 August 2022 15:55
To: [redacted] <[redacted] brighton-hove.gov.uk>; [redacted] <[redacted] brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>; [redacted]
<[redacted]
Subject: Fwd: Paris House ,Western Road. Hove

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Dear [redacted] and [redacted]

I have been writing to Phelim MacCafferty about noise nuisance problems from the Paris House since mid July and understand that some of what I have sent to [redacted] - including four video clips - was sent to your licensing department .

[redacted] has also recently been copied in on emails I have sent to [redacted] (4 & 6 August to name two) and my neighbour [redacted] ,had also been writing to you and copying

me in .

This afternoon I left a phone message for [redacted] asking [redacted] to contact me about this problem and confirmed that you are both very welcome to listen from inside our home when you visit this area at 10pm next Saturday night to hear the noise for yourselves .

However ,my point has been for a long time that it isn't just action under the environmental health noise nuisance laws that should be considered.There are conditions attached to the licence which are specifically designed to prevent noise nuisance and if these had been observed or properly enforced in the past I doubt that much of this problem would exist .

I have been examining your authority's Licences Register this afternoon and have tried to send the below inquiry twice - once using an incomplete email address (!!) and secondly a complete one .Unfortunately, I received a reply saying my message had been blocked for technical reasons and hence my writing to you now .

I gather one of the management of this public house said at a recent mediation that the licence conditions are "something of a grey area " .My view is the conditions are clear and can be interpreted to give effect to the concerns the licensing panels had when imposing them .My inquiry is an attempt to see if there is any other information which can be used to show us exactly what was said ,heard and done at the panels imposing the conditions so we can better understand their intentions and meaning .

I appreciate you are both busy but would appreciate hearing from you re my phone message today ;the points requiring a response in my emails of 4 & 6 August which I know were copied to [redacted] ;and my query regarding available information re the conditions on the licence .

Regards ,

[redacted]

[redacted]

Begin forwarded message:

From: [redacted] <[redacted]
Date: 10 August 2022 at 15:30:06 BST
To: ehlsafety@brighton-hove
Subject: Paris House ,Western Road. Hove

Dear Sir/Madam ,

I have been looking at your online Licence Register regarding the above named public house in Hove .

Unfortunately ,whilst the register refers to a map of the premises ,it is not possible to see it online .

373

From the history of the licence since 2005 it is plain that various conditions have been imposed at different times .Is it possible to discover the nature of any representations made by the licensee and/or local residents which led to conditions being imposed or modified ?

Is there any record of the decisions made by the licensing panel which give their reasons for the imposition of conditions or modifications of them or any information about their deliberations which led to their decisions .

[redacted] I am aware that notes were usually kept of any reasons given when decisions were given after conflicting submissions had been made and also of the views of members of the licensing panel about particular aspects of cases .

If any of this information is available would it be possible for me to examine it or would I only be able to see it after a Freedom of Information Act request ?

I look forward to hearing from you .

Regards ,

[redacted]

[redacted]

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375

From: [redacted]
To: Cllr Phelim Mac Cafferty; [redacted]
Cc: [redacted]
Subject: Paris House, Western Road
Date: 15 August 2022 09:08:17

Good morning,

Just to update you regarding the above alleged noise nuisance at Paris House.

Myself and [redacted] visited [redacted] property at 10 pm on Friday evening to assess the noise level from the premises. There was no live music being played this evening, but the establishment was busy with people both inside and out. There was no noise nuisance proven at this time, as anticipated. People could be heard in the lounge area with the windows wide open. However, it could not be determined if the people noise was emanating from Paris House customers or generally from the lively street.

B76

At 10pm on Saturday night, myself and [redacted] from licensing visited [redacted] (and [redacted] who was also present). I stood outside of the premises for ten minutes before attempting to witness the noise from inside of the premises. The establishment was busy with people sitting outside and a DJ was playing music with the front door open. The noise was not excessive for a licensed premises.
After entering [redacted] premises, I sat in the lounge area of the dwelling for approximately 30 minutes. The noise could be heard from the open back door, but again, this would not constitute a noise nuisance. All parties present, including the complainants agreed that the noise was quieter and would not constitute a nuisance. [redacted] continued to claim that the establishment had been 'tipped off' of the council's visit, hence why the noise was quieter. We discussed the licensing conditions and noise nuisance procedure. It was agreed that I would attend today and install recording equipment into the property for initially a week, then reassess if a second week was required.

A full licensing visit was then conducted. The manager, [redacted] was spoken to about all aspects contained in the license. To say the manger was vague on certain aspects of the license would be understated. The establishment does possess sound monitoring equipment, but 'nobody knows how to use' this equipment. Paper trails for different checks were non existent. Signage was present, but not adequate (new signs and paperwork given). [redacted] is organising council training for staff, as this was again, highly inadequate.

[redacted] is on holiday for two weeks, but was compiling a report before [redacted] left to trave abroad. An update from [redacted] shall follow in due course.

Considerations moving forward;
[redacted] to make proposals to the establishment regarding their breaches of conditions ([redacted] to update further on these aspects).
I shall be installing recording equipment into [redacted] property. I need to establish if a E/Health officer is aware of sound monitoring equipment, to possibly attend Paris House and provide advice on the systems usage.

Hopefully, our action will go some way to resolving the issues with this premises. The licensing

intervention will greatly assist with the running of this establishment, which currently, appears to not be adequate enough.

B76

Kind regards,

[redacted]

[redacted]

Environmental Protection, Regulatory Services | Brighton & Hove City Council, 2nd Floor, Bartholomew House, Bartholomew Square, BN1 1JP

[redacted]brighton-hove.gov.uk

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377

From: [redacted]
To:
Cc: [redacted]

Subject: Complaint - Stage 2
Date: 14 August 2022 08:18:21

This email originates from outside of Brighton & Hove City Council. Please think carefully before opening attachments or clicking on links.

Dear [redacted]

Thank you for your response to [redacted] but for the records my name is [redacted]

[redacted] and [redacted] from licensing visited on Friday 12th and Saturday 13th August at 10pm, as exceptional out of hours visits. With such limited resource I asked several times if they would change the 12th to a music night rather than a quiet one. [redacted] had already visited when it was quiet at the authorized times up to 8pm. [redacted] advised that [redacted] wanted to be there on a quiet night as a comparison, which makes no sense to me. [redacted] advised *'If it is convenient for you, [redacted] and I would still appreciate visiting you tonight at 10pm. This way, we can assess the noise on a 'normal' evening compared to tomorrow's live music event. I intend to reassess the need for further visits after this weekend, when licensing have completed their checks.*

B77

Unfortunately word may have got back to the Paris House that the Council were coming, which I can explain to you if needed. Many neighbours will be able to confirm it was a much quieter night than normal ("normal" being an average of 4 noisy evening out of 7) and not representative of the nuisance we are suffering. So now we have had our 2 late night visits with no more planned, and none available without pre-planning when it is expected to be noisy. All this pre-planning works in the Paris House's favour, all they need to do is turn the volume down for a short time. This is a cat and mouse games, not a method for consistently obtaining objective evidence.

You mention that there is currently a full review of the service being undertaken, and proposed options for the service will be taken to Committee in November 2022. You say you do not know what the result of this decision will be for the Service from April 2023, and it will be heavily influenced by available budget and political will. All this suggests very little will be done as we potentially head into a cost of living disaster for many, and a recession.

You say that the initial approach for the regulators to try to find mutually agreed solutions to neighbour wide issues, but you know this has failed repeatedly after many neighbours requests to the Paris House to turn the volume down, and two mediations. You also say that formal action requires robust evidence, and this is where the Council has failed the residents living close to the Paris House for many years, and it looks likely that the Council

may well continue to do so. We need the option of highly responsive, quick call out times, out of hours visits for a reasonable period for the Council to obtain the evidence that it will only accept from its own staff.

At the visit last night, we asked [redacted] and [redacted] if the Paris House has a noise attenuator and valid records of its proper use. They said they did not know (due to lack of Council resource to check). This would be part of the required evidence and we have not yet received any assurance that the Council will ensure that the Paris House is conforming to its licence in this regard. There are also other licensing requirements that I understand they are not conforming with, such as clearing the outside space.

B77

As requested last night (and before) [redacted] has now agreed that the Council will install a sound monitor into my neighbours house (no [redacted] Brunswick Street East) on Monday 15th August, before [redacted] goes on annual leave. The agreement is to have the equipment for 2 weeks to enable my neighbour to record when/if it is noisy in their house.

As requested, I formally confirm that I remain dissatisfied with the initial response to my complaint at Stage 1. I am now asking the Customer Feedback Team to consider my complaint at Stage 2 of the complaints procedure. The outcome I am requesting is that the Paris House conforms with its conditions of licence, and that the Council audits this regularly to ensure compliance. Regardless of the licence, I am also requesting that the noise is reduced to a level that does not invade my home but instead is contained within the premises for the customers alone.

Kind regards

[redacted]

From:
To:
Subject: RE: Licensing Inspection Report. Paris House. Protect
Date: 19 June 2018 13:49:30

Thanks – will pass that on. Yours

From: [mailto: brighton-hove.gcsx.gov.uk]
Sent: 19 June, 2018 1:45 PM
To:
Subject: RE: Licensing Inspection Report. Paris House. Protect

Hello

Yes I visited again on 4 June. My only advice was to move the signage into a more prominent position. All the details required were on one sign which was placed on a wall facing the bar next to a unit where the cutlery was kept.

Thanks

From: [mailto:
Sent: 19 June 2018 13:29
To:
Subject: RE: Licensing Inspection Report. Paris House. Protect

Hi

I gather you re-visited The Paris House recently and met our Assistant Manager .

The feedback I received from (our Manager) via – was that you were satisfied that everything was in order and OK.

I just wanted to check with you directly, this was the case.....??

If not – can you please let me know and I'll get it sorted.

I don't think you've met yet (as hasn't been on shift during your two visits) – is that something you'd like me to set up.....? Again – let me know.

All the best

From: [mailto: brighton-hove.gcsx.gov.uk]
Sent: 12 March, 2018 10:47 AM
To:
Subject: FW: Licensing Inspection Report. Paris House. Protect

Hello

Following our conversation today I have added some comments to the letter I sent after the

inspection. I will arrange to re-visit some time soon.

380

Regards, [redacted]

[redacted]
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Tel [redacted]
Please note my working hours are 9:30am to 2:30pm Monday to Wednesday.

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IVA Screen

Service Request 2022 [redacted] IVA 2022/[redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type:	Vis Date:	Vis Officer:
Vis Comments: 11/08/22 at 07:20 by [redacted] [redacted] now dealing with this.			
Action Info:	Act Type:	Act Date:	Act Officer:
Act Notes: None			

Visit Info:	Vis Type: EH Licensing - No visit	Vis Date: 25.07.2022	Vis Officer: [redacted]
Vis Comments: 25/07/22 at 08:55 by [redacted] See 2022/[redacted] Email sent to [redacted] re current siituation			
Action Info:	Act Type: E-mail sent	Act Date: 25.07.2022	Act Officer: [redacted]

Act Notes:
From: [redacted]
Sent: 25 July 2022 08:36
To: [redacted]
Cc: [redacted] < [redacted] brighton-hove.gov.uk>; [redacted]
< [redacted] brighton-hove.gov.uk>
Subject: RE: Paris House

B79

Hello

There is a considerable history at this premises prior to Covid. [redacted] was the EP officer. Recently the [redacted] ([redacted] has been involved from EP.

I emailed REDACTED the owner of the premises in April and had a conversation with [redacted] (Email is attached) I received an email from [redacted] on 25 May where [redacted] said [redacted] had other complaints about noise after 11pm (also attached) but nothing since.

[redacted]

[redacted] Safer Communities | Brighton & Hove City Council,
2nd Floor, Barts House, Barts Square, BN1 1JP
[redacted] / [redacted] brighton-hove.gov.uk

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From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 22 July 2022 14:29
[redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Cc: [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

I'm sketchy about the history, but I'm not sure we have the evidence. I know there's been a lot of complaints, predominantly from one resident (?), but not sure if it's substantiated. Let's see what [redacted] reports regarding history/actions.

B80

[redacted] can you identify a EP officer to help [redacted] with this (I think [redacted] might have been involved).

Thanks, [redacted]

[redacted] (Licensing & Trading Standards)| Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | brighton-hove.gov.uk

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From: [redacted]
Sent: 22 July 2022 14:00
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

B80

Thanks both could we consider a license review?

From: [redacted] <[redacted]brighton-hove.gov.uk>
Sent: 22 July 2022 13:59
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: RE: Paris House

Hi [redacted]

[redacted] has asked [redacted] (previous case officer) to report on the history but there is no current issue. It will need input from EP as they have dealt with a fair number of noise complaints.

[redacted] (Licensing & Trading Standards)| Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
T [redacted] | brighton-hove.gov.uk

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From: [redacted]
Sent: 21 July 2022 16:07
To: [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>; [redacted] <[redacted]brighton-hove.gov.uk>
Subject: FW: Paris House

Hi all please see below I am not aware of these issues is there any background and some definitive action we can take

[redacted]

From: [redacted]@brighton-hove.gov.uk>
Sent: 21 July 2022 16:02
To: Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; [redacted]@brighton-hove.gov.uk>
Subject: RE: Paris House

Hannah,

Thanks for this. I'm not familiar with the issues at these premises but understand the frustration & will look into this .

[redacted]

[redacted] | [redacted] Neighbourhoods and Communities | Brighton & Hove City Council

Executive Assistant [redacted] - [redacted] brighton-hove.gov.uk

Room 157, Hove Town Hall, Norton Road, Hove BN3 3BQ
Telephone [redacted] | brighton-hove.gov.uk

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From: Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Sent: 20 July 2022 16:12
To: [redacted] [redacted] brighton-hove.gov.uk>
Cc: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>
Subject: FW: Paris House

Hi [redacted] & [redacted]

This one, as I'm sure you're aware, is fairly long running!

Phélim has admittedly been more on top of this than me so keen to get his insight - but would be good to understand what more we can do to help here?

Councillor Hannah Clare

Green Party Councillor for Brunswick and Adelaide
Deputy Leader, Brighton & Hove City Council
Chair, Children Young People and Skills Committee

My pronouns are she/her
@Hannalytical | Cllr Hannah Clare
@BHGreenCllrs | Brighton and Hove Green Councillors

For any diary queries, please do contact Bethan Walker, Executive Assistant. She can be contacted on Bethan.Walker@brighton-hove.gov.uk

The nature of my role means I am on call 24/7. If I send you an email outside of working hours, please don't feel you need to respond.

My standard working hours are Monday 2pm - 6pm, Wednesday 2pm - 6pm, Thursday 2pm - 6pm and Friday 9am - 3pm.

From: [redacted]
Sent: 19 July 2022 12:15
To: Cllr Phelim Mac Cafferty <Phelim.MacCafferty@brighton-hove.gov.uk>; Cllr Hannah Clare <Hannah.Clare@brighton-hove.gov.uk>
Subject: Paris House

Good morning Phelim ,

Further to my email yesterday I have now found the email from REDACTEDdated 3 June 2022 and to which was attached your email to us dated 21 January 2020 with responses to our licensing queries .I don't recall seeing that in 2020 but if I did it was at a time when I felt frustrated by the apparent unwillingness of the enforcement staff to get involved .The pandemic shortly after meant there was no cause to complain because the pub was shut.

I have now read it in full and make the following comments for your assistance (these are from answers given to your questions in an email to [redacted] and others of 9 January 2020 sent at 1641) - my comments follow the order of the officers' responses -

1.The point is made that only music after 11pm is enforceable under the licensing conditions so ,given our complaints ,what has been done to enforce it ? We have certainly been disturbed in the past by music and other noise from customers outside the premises well after 11pm .
We know the Environmental Protection Act 1990 applies ! The incident last Friday was one of the occasions when music so loud has been played before 9pm - let alone
11pm !! Apart from the music the noise from customers creates a nuisance after 11pm - again what do the enforcement team intend to do about it ?

2.Reference is made to visits to the premises.I'm sure the enforcement staff are sufficiently able to understand that the management there may be "playing "them .It is the easiest thing in the world to promise not to do something which has caused complaints ,keep that up for a few weeks and then just start all over again in the hope the residents will give up complaining .Having met representatives of the management during mediation ,it is obvious they think they can do whatever they want ,need to make as much money as possible to make the business viable and have little or no regard for residents who they simply view as moaners and kill joys .We are not - but would just like them to consider us AND simply comply with the relevant legal provisions which should be property enforced .

3.Reference is made to the difficulties of enforcing the law due to the smoking ban imposed in public places in 2007 so that public premises have to make allowances for customers who smoke outside .It was said that one of the enforcement officers would look into the issue of whether the outside area was "licensed" with the Highways Team and revert to you .I have heard nothing about this but I previously suggested that clearing the outside area by/at 11pm was what the licence required.As a matter of common sense I believe that is what the licensing authority had in mind when granting the licence in 2005 .
However ,I was told the "outside area" meant just the two areas marked with tables on the plan .It makes no reference at all to the two benches at the side of the pub on Brunswick Street East where customers regularly sit drinking so they are NOT within the licensed areas. These are regularly used throughout all licensing hours and beyond by non smokers .IF they are not part of the "outside area" then why are they available at all ?
Even IF the tables and chairs are cleared by 11pm the areas where they stood AND the general outside area - benches ,pavements, the road surface at the top or Brunswick Street East just before the junction with Western Road - have customers outside drinking and making a noise .On warm nights ,such as those recently ,there must have been forty or fifty people outside after 11pm and very few were smoking .
The interpretation advanced simply can't be correct ! If it is ,it means that no matter what a condition restricting outside use might say I ,as a customer ,can circumvent it by saying I am going outside to smoke with the drink I have just bought - whether anyone watches me or not and no matter how many times I might return for another drink !
Over this last weekend there were far more people outside the premises than the inside could ever accommodate! If the smoking excuse is advanced seriously then what are the staff meant to do to see it is being enforced ie only smokers can be in the "outside area" after 11pm ? Ask every person who buys a drink after 11pm if they are going outside and will they be smoking continuously whilst they drink ? How long can customers be outside with a drink when not smoking ?
This would be an absolute nightmare for staff to enforce ! The condition was originally imposed to preserve the residents' peace and quiet after 11pm.What about the outside areas within the licence ?When the tables are gone is it not effectively no longer licensed - in which case ,apart from smokers ,why is anyone outside drinking after 11pm ?
As for the area not within the "outside area" as currently defined is it seriously being suggested that the pub management has no responsibility for that - even when the benches are attached to the pub walls and can be locked so as to prevent their use but are currently not ?The benches are actually on the pavements of either Western Road or Brunswick Street East so presumably are part of the highway .On last Friday and Saturday night the only way past those benches or on any parts of the pavements outside the pub was to walk in the roadway itself from about 7pm onwards until well after 11pm .Effectively they have become an enlarged licensing area which the management are content to exploit in the absence of proper enforcement !

4.There is a reference in your email to repeat breaches of conditions .The officers' response is that it is difficult to do much more when they have visited the premises and written to them and reference is also made to [redacted] taking place then .

[redacted]

REDACTED,reference is then made to intelligence from residents not witnessed by enforcement staff being difficult to rely on and the need for more concrete evidence before formal enforcement action can occur .
The ability to call on a night duty enforcement team or officer at weekends no longer exists - as I understand it -so all residents can do is keep a log of incidents ,record video evidence and ,perhaps , record the noise on mobile phones .When I complained prior to the mediation I had a log and lots of video footage (some of which I showed you) but the enforcement team felt they couldn't use it because the date on my system was not shown on their's when it was sent to them .Evidentially, this was a poor excuse because the evidence was there with the relevant time

shown and could have been used IF enforcement action had resulted in a hearing before the licensing panel.

I have now set out all my concerns and hope that some of the other residents who are upset by what is happening write to express their views too- as I am told they will [redacted] think the time is now ripe for proper action from the enforcement team.

Reluctantly ,we would be willing to collect evidence again but only if it will actually be used for enforcement purposes and not viewed as something to pick apart - for no good reason - so as not to take action .

Best wishes ,

REDACTED
[redacted]

Case notes:

Details Notepad:

IVA Notepad:

IVA Screen

Service Request 2022/ [redacted] IVA 2022/ [redacted]	Public House 21 Western Road Hove BN3 1AE

Visit Info:	Vis Type: EH Licensing - other visit	Vis Date: 13.08.2022	Vis Officer: [redacted]
Vis Comments:			
Action Info:	Act Type: Letter - no action	Act Date: 01.09.2022	Act Officer: [redacted]
Act Notes: Follow up letter to [redacted] after inspection and meeting request idoxed			
Action Info:	Act Type: E-mail received	Act Date: 30.08.2022	Act Officer: [redacted]
Act Notes: Interpretation of Licensing condition - REDACTED			
Action Info:	Act Type: E-mail received	Act Date: 25.08.2022	Act Officer: [redacted]
Act Notes: Email from [redacted] - idoxed			
Action Info:	Act Type: Completed inspection form left	Act Date: 13.08.2022	Act Officer: [redacted]
Act Notes: Inspection report idoxed to licensing record			
Action Info:	Act Type: E-mail sent	Act Date: 11.08.2022	Act Officer: [redacted]
Act Notes: Email to [redacted] re complaints idoxed			
Action Info:	Act Type: E-mail sent	Act Date: 11.08.2022	Act Officer: [redacted]
Act Notes: Email to comp confirming vist idoxed			

Case notes:

Details Notepad:

IVA Notepad:

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This is my request under the Freedom of Information Act 2000 for the following information held by the Brighton and Hove City Council ('the Council') in relation to the premises at Paris House, 21 Western Road, Hove, East Sussex BN3 1AE, which are licensed for various activities under the Licensing Act 2003.

The information I require is as follows -

1. A full copy of the current licence governing the activities authorised by the Council which was issued in 2005 and including the copy of any plan submitted with the application for such licence and any other plan(s) subsequently submitted for any purpose .

- *Attached in folder*

2. Details of any amendments made to that licence since it was granted.

- *No variations or minor variations have been applied for since the variation was granted on 19.09.2005*

3. A full record of all decisions made by the licensing authority re hours ,conditions and restrictions imposed including any records of submissions made by applicant(s) and/or objectors/representors to the licensing panel.

- *Panel decision letter attached. 1 x representation attached. Original conversion & variation applications received 28.07.2005.*

4. Full details of any reasons given by the licensing panel for the imposition of conditions and any notes of their reasoning in formulating the words of those conditions.

- *minutes from panel hearing attached.*

5. A full record of correspondence to/from the licensee and/or the designated premises supervisor to/from the licensing authority or the Council's enforcement staff in relation to licensing conditions and/or noise nuisance.

6. A full record of all visits paid to the subject premises by the Council's enforcement staff to include the reasons for such visits,what issues were discussed with the management (licensee, DPS - Designated Premises Supervisor or their representative) and what response they gave.

- 20.01.20[redacted] and [redacted] met [redacted] and [redacted] to discuss complaints and licence conditions NOTES ATTACHED IF NEEDED
- 15.02.2020 Out of hours visit [redacted] and Police. Outdoor seating area being used at 11:30pm Warning letter to be sent
- 06.02.2020 Out of hours visit [redacted] and [redacted] 10pm - 4 people sitting outside. By 11:10pm the external furniture had been cleared and no one was outside.

Full records of any follow up action taken including checks by enforcement staff to ensure compliance with licensing conditions and especially those aimed at preventing public nuisance.

7. Full details of all complaints received by the Council from members of the public and especially those relating to non compliance with licensing conditions and noise - or any other - nuisance relating to these premises.

Regarding questions 5, 6 & 7:

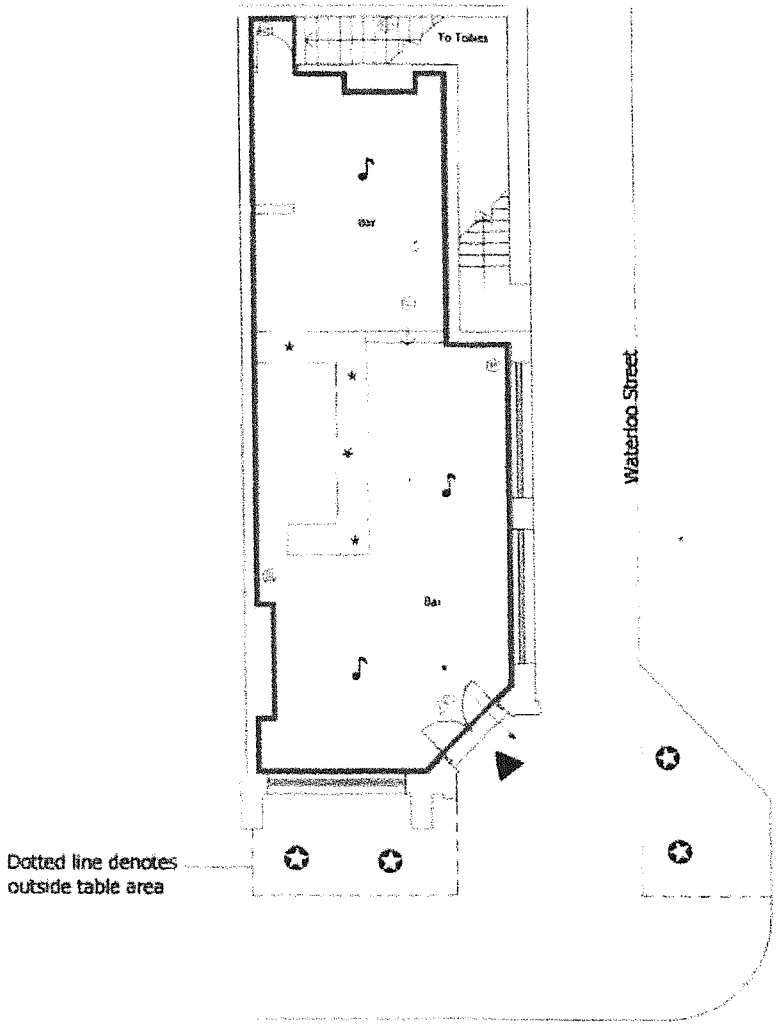
All information is requested from the current DPS's appointment in 2017 to now.

For the earlier period - ie between the grant of the existing licence in 2005 to the date of the current DPS's appointment - I would be content to be told how many items of correspondence, records of visits, follow up visits and complaints relating to the issues raised in questions 5,6 and 7 exist WITHOUT being provided with copies of them at this stage.

390.

KEY TO LICENSED AREAS

- Sale and Supply of Alcohol – on and off sales
- Regulated entertainment
- Hot food after 23.00
- Areas made available for consumption outside the premises



01 Ground Floor Plan

Scale 1:100 @ A3

project
THE JUGGLER
21 WESTERN ROAD
HOVE

LICENSING PLAN

drawing no
1026-03

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