

Review of the Licence for the Paris House Hearing Friday 10th May 2024

Skeleton Argument on behalf of The Paris House

- At the request of Sarah Cornell (Licensing Officer at Brighton & Hove City Council) I am setting out below a brief summary of our position.
- This is to assist the Panel in understanding our concerns. These arguments are developed in more detail, with supporting evidence, in the Witness Statements that are also being submitted.
- This Skeleton Argument short summary is a precis of those points.

We are professional and established operators

We know what we are doing and we do it properly.

- We are professional operators with an established hospitality business across Brighton & Hove.
- We have operated 4 venues and began our involvement in Brighton 14 years ago. We have owned and operated The Paris House since 2012.
- Two of our other venues previously (before our ownership) had very bad reputations across town. One had lost its licence and one was a late night club on West St. We successfully turned these around – as we have with The Paris House (from when it was the Jugglers). Over these years we have had very few issues with our neighbours or regulatory bodies (Council and Police) at any of our venues.
- Over the years we have established a strong, respectful and collaborative relationship with Brighton Council's Environmental Health and Licensing teams (and Police). We fully respect the need for their role and the professionalism with which their officers conduct their roles.

Grounds for Review

The Applicants have based their call for this Review on two grounds:

- Crime & Disorder and
- Public Nuisance

Crime & Disorder

There is no Crime & Disorder problem at The Paris House.

- The Police have submitted no Representation whatsoever.
- We can't remember the last time (if ever) when the Police have been called to The Paris House.
- Despite presenting 900+ pages of Submission, even the Applicants themselves have not raised any substantive issue of Crime & Disorder.
- Nevertheless, huge amounts of public (and private) resources have had to be spent in digesting all of this material to establish that no substantive allegations have even been made on grounds of Crime & Disorder.

Public Nuisance

The Council has expressly confirmed that:

- there is **no evidence** of any breaches of the Licence Conditions and
- there is **no evidence** of any Noise Nuisance caused by The Paris House.
- This position could not be made any more clearly.
- The Council have spent enormous amounts of time and effort in investigating the Applicant's complaints. This includes emails and visits by Council Officers going back over 7 years.
- These Council investigations have included 20+ specific visits by Council Officers to the Applicants' homes (including living rooms and bedrooms), the provision of sound recording equipment and noise diaries etc.
- All steps that **should** be taken by the Council **have been** taken – but no noise nuisance has been established.

No evidence presented in Expert Witness Report

- There is no substantive evidence of Noise nuisance set out in the Applicants' Noise Impact Assessment ie Expert Report, as prepared by one of the country's leading specialists in this field.
- Very late in this process we were presented with an Expert Witness Report. This was only commissioned long after the deadline for submitting Representations had expired, and was only sent to us so late in the process that we only had a single working day in which to consider and comment upon its findings before submitting our Witness Statements.
- Despite the seniority and qualifications of the author, this Expert Report is highly selective in its contents and sets out no substantive evidence of noise nuisance.

Our commitment to addressing the complaints

Every complaint that has been raised with us by the Council has been taken very seriously by us.

Our submissions show:

- The great lengths we have gone to on every occasion a complaint has been raised with us by the Council. This is a careful and respectful written response to the Council Officers and is fully supported by plenty of extraneous verifiable evidence eg noise recordings, videos, CCTV, still print-outs etc.
- We have attended Mediation meetings (as part of the Council's Enforcement Policy) – although only one Applicant Household attended and left abruptly mid-way through the first meeting.
- We have had a Noise Management Plan in place for The Paris House since we began operating there. This goes much further than any requirements from our Licence or the recommendations or requests from the Council's Environmental Health and Licensing teams.

By contrast

The Applicants have chosen to not engage with us.

- They have preferred to use the Council as a conduit.
- However, when the Council expressly stated its very clear position that there was no evidence to support the Licence Review, the Applicants chose to exercise their right to call for this Review themselves – and so compelled further substantial and repetitious use of public (and private) resources.
- You can't submit 900+ pages of correspondence with the Council and then argue that the Council has not taken this seriously.

Evidence Against Us

The Applicants' Witness Statements are significantly inconsistent with each other.

- This is despite the fact that two households are, literally, immediate next-door neighbours and have been for 20 years.
- The Council has provided Guidance as to what evidence they would need to supply, but this guidance has been repeatedly ignored.

No substantial evidence of Noise Nuisance presented in Expert Witness Report.

By contrast

Our evidence is comprehensive, contemporaneous, detailed and objectively verifiable.

The Contribution of The Paris House to Brighton Community

We are very proud of the positive contribution The Paris House makes to our Community.

- Brighton is a vibrant and exciting city, with a very strong global reputation for its spirit of diversity and inclusivity – with a preference for individuality and independence.
- Private businesses have their role to play in this goal – which we do with passion (and responsibility).
- We provide a genuinely inclusive environment to every sector of the Community.

- One particular feature is our inclusivity of all age ranges. This is particularly pronounced (but by no means exclusively so) in the Monday Afternoon jazz sessions we present each week between 2-5pm. This is a wonderful session – *but* is also the most-complained about session by one of the Applicants.
- We promote the development of local live music.
- We contribute significantly to the local economy.
- We are very much a part of ‘*What makes Brighton, Brighton*’.

Our Support

We have been genuinely overwhelmed by the level of support flooding our way since this Licence Review was called.

- **In summary:**
 - **130** residents have submitted bespoke Representations in our support.
 - A further **1,710** residents have emailed Representations to the Council’s Licensing team which are being processed as an on-line petition.
 - Separately, there is a further Online Petition, set up (without our knowledge) by a customer on *change.org* . This has the support of over **2,375+** signatories.
 - In addition, there are thousands of indications of support to us across Social Media.
- A **Selection of Excerpts** from our supportive Representations is set out in our evidence. We urge the Panel to read these. This is a set of word-for-word extracts from what the people of our town are saying about how important The Paris House is to them. These are *not our words* – they are the words of the residents of Brighton & Hove *who want to be heard*.
- By contrast, there are only 7 Representations in support of the Review.

Striking the right balance

This Hearing is about striking the right balance between all the citizens in our community.

- We go to great lengths, far greater than asked of us by the Council Officers, to minimise noise disturbance. This is all set out in our submissions.
- We fully accept that living in a vibrant city does not come without limits and conditions. We know that.
- Similarly, choosing to live in the centre of a vibrant city comes with the expectation that the centre of the city will be vibrant.

Summary

At the end of the day, the blunt reality is that the Council have thoroughly investigated every single complaint that has been raised with us by the Applicants and has not found any evidence to show that we are in breach of any of our obligations.

We therefore ask for the status quo to be retained.

Signed



Dated 6th May 2024

REDACTED

Director of Rowbell Leisure Limited

Owner and Operator of **The Paris House**