

Environmental Protection Agreed Conditions with Applicant 02.10.2025

From: Chinwe Ihemefor [REDACTED]
Sent: 02 October 2025 12:46
To: [REDACTED]
Cc: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>; Sarah Cornell
[REDACTED]
Subject: RE: Application to Vary Premises License Application, 77 West Street Brighton BN1 2RA (INV37/8)

Thank you for your email and for taking the time to speak with me.

I appreciate your client's explanation regarding the delay in responding to our letter dated 5th August 2025, and I welcome their commitment to resolving any concerns raised.

Following our discussion and your proposed additional licence conditions, I can confirm that the Environmental Protection Team is satisfied with the measures outlined. We agree that these conditions provide a reasonable and proportionate safeguard to address potential noise issues and uphold the Prevention of Public Nuisance licensing objective.

On this basis, I can confirm that we are formally withdrawing our representation in respect of the variation application.

We trust that the implementation of these conditions will help ensure that residents are not adversely affected by noise from the premises.

It is hoped that going forward, your client will work collaboratively with the Team should concerns be raised in the future.

Best wishes

Chinwe Ihemefor (she/her) | Environmental Health Officer – Environmental Protection
Safer Communities
Brighton & Hove City Council
2nd Floor, Barts House, Barts Square, BN1 1JP
[REDACTED] | www.brighton-hove.gov.uk/environment/noise-pollution-and-air-quality

From: [REDACTED]
Sent: 02 October 2025 11:47
To: Chinwe Ihemefor [REDACTED]
Subject: RE: Application to Vary Premises License Application, 77 West Street Brighton BN1 2RA (INV37/8)

Hi Chinwe,

Thanks for your time on Wednesday, it was good to speak to you.

As discussed, I can only apologise on my client's behalf that you have not yet received a response to your letter of 5th August 2025. My client regrets that this has simply fallen between 2 individuals – the site manager thinking that head office had responded to you and vice versa. They will send a direct response to you shortly, but please be clear that this does not indicate a lack of engagement in terms of addressing the issue, simply an administrative error in responding. This is of course not ideal, but my client will resolve the issue.

In response to your letter, my client has been carrying out increased noise monitoring and has not found noise levels to be such that they would cause an issue to nearby residents as a result of any of their monitoring. They will contact you directly to discuss what they have been doing and any further measures that can be taken.

I can also assure you that my client is adhering to all licence conditions in respect of the prevention of public nuisance.

However, in respect of the variation application and your representation, which is of course what I am dealing with on my client's behalf, can I suggest the below.

You ask in your representation how my client intends to resolve the noise problem and what additional measures they propose to uphold the public nuisance licensing objective.

I would start by saying that my client does not necessarily accept that there is a noise problem that is attributable to them, based on their own monitoring. They are adhering to all licence conditions and have not witnessed issues as part of their investigations. As per our conversation, we understand that you have not received noise diaries back from the complainants, nor have you escalated to the stage of your own investigations and therefore the complaints have not been substantiated. That said, if it is shown (either by my client's ongoing monitoring or by further complaints or investigations on your part) that there are issues my client is absolutely committed to resolving them.

Given that the complaints received relate to music noise, I would suggest that, should you be content to agree your representation on this basis, the following condition is added to the premises licence:

‘Should noise complaints be received in respect of regulated entertainment at the premises, which are substantiated by Brighton & Hove City Council’s Environmental Protection Team, a tamper proof noise limiting device shall be installed at the premises and must operate at all times regulated entertainment takes place at the premises. The device must be of a type, in a location and set at a level in conjunction with the Environmental Protection Team.’

Hopefully this will satisfy your concerns in respect of the application as it provides a substantial safeguard to restrict noise levels if this turns out to be necessary. I should highlight as well that this condition would apply at all times, despite the fact that the application only seeks an additional 2 hours trading per week (and that the complaints do not appear to relate to later hours).

Additionally, and to assist my client and the complainants in the meantime in getting to the bottom of any potential issues, we would suggest that the residents are provided with my client’s DPS’s direct telephone number. This will allow residents to raise any issues and my client to respond contemporaneously.

I would therefore suggest that the following additional condition is added to the licence:

‘A direct telephone number for the designated premises supervisor must be provided to occupants of the nearest noise sensitive residential premises and must be displayed at the premises where it can conveniently be read from the exterior by members of the public.’

Finally, and just to provide additional reassurance in respect of the application for later hours itself, I would highlight that my client has operated 23 TENs to the later trading hours since October 2024, and none of those coincided with any complaints received at your end (there was no TEN in operation on 12th July 2025).

I hope that the above suggested condition addresses your concerns in respect of the variation application, but if you wish to discuss any further, please do not hesitate to contact me.

Kind regards,

[Redacted signature]

[Redacted name]

[Redacted title]

[Redacted contact info]

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