

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

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 appropriate.

You may wish to keep a copy of the completed form for your records.

I **Rita Congiu**

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Cin Cin, 60 Western Road	
Post town	Post code (if known)
Hove	BN3 1JD

Name of premises licence holder or club holding club premises certificate (if known)
David Toscano

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
 - a) a person living in the area of the premises
 - b) a body representing persons living in the area of the premises
 - c) a person involved in business in the area of the premises
 - d) a body representing persons involved in business in the area of the premises

- 2) a responsible authority (please complete (C) below)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

I am requesting a review of the premises licence on the grounds of the prevention of public nuisance. Since April 2025, there has been a persistent and intrusive noise emanating from the commercial extractor fan/flue serving the restaurant next door to my flat (I moved in at the end of January). The noise occurs regularly over extended hours and is clearly audible within neighbouring residential properties, even with windows closed. This noise has already been found to meet the threshold of a statutory nuisance, and an abatement notice has been served; however, the issue remains ongoing and has not been effectively resolved.

Please provide as much information as possible to support the application

(please read guidance note 2)

The noise operates from Tuesday to Saturday, typically between 9:30/10:00 a.m. and 10:30 p.m., with occasions where it has continued past 11:00 p.m. or started before 9:00 a.m. More recently, it has been on on Sundays as well, between 11am to 6pm. The sound is a constant, low-pitched but sharp mechanical humming/ringing that carries clearly into neighbouring residential properties, even with windows closed. The noise is audible throughout the flat, including the bedroom and living room, and is louder than normal traffic levels and typical domestic appliances. I have now been living with this noise for 11 months, and it is having a severe and ongoing impact on my daily life. The ventilation system operates for approximately 12–14 hours a day, five days a week, including Saturdays (and on rare occasions Sundays i.e. Mother's Day). The noise is so intrusive that I cannot use the bedroom during the day, I have to wait until the fan is off to go to sleep, and cannot sleep as long as I want on Saturdays as the vent wakes me up in the morning. This now has a significant impact on my mental health and I am starting to suffer from headaches more often than before. It often gives me anxiety and affects my mood on a daily basis. Even when the fan is off early in the morning, the uncertainty about when it will be turned on causes ongoing stress and remains a constant concern. The noise is also clearly audible in the living room and kitchen, to the extent that I have to play music simply to cope with it. I cannot open the windows during the day, as the noise would be too loud, and my bedroom door is always shut to try and block the noise. For the past eleven months, I have been paying rent for a property that I cannot fully use. I am frequently forced to leave the flat and stay with my partner in order to escape what feels like a constant, tinnitus-like noise. I also work from home and the noise makes it extremely hard to focus on my tasks. Once work is over, I am not able to fully relax as the noise is extremely intrusive.

I initially reported the issue to my letting agency on 7 June and was informed that it was related to the restaurant's fan and there was nothing they could do. I then contacted the restaurant directly on 6 August. The owner has stated that the installer has confirmed the fan is operating as designed and without fault. Although the speed has reportedly been reduced and usage restricted where possible, there has been no noticeable reduction in the noise levels within my property. The restaurant has indicated that further reduction may not be possible due to fire safety requirements. Despite these discussions, the noise disturbance continues on a regular and prolonged basis, even when the kitchen is already closed and no customer is in the restaurant. I am able to provide supporting evidence, including a noise diary, dated email correspondence with the restaurant and video recordings with timestamps demonstrating the noise. In December 2025, I contacted the Council Environmental Health team and on January 19th they served an abatement notice for statutory nuisance under the Environmental Protection Act 1990. David Toscano has appealed the abatement notice. Since then, they are turning on the fan more frequently and for longer hours. Given the frequency, duration, and measured level of the noise, I believe the operation of the extractor system is causing a public nuisance to nearby residential occupiers and therefore request that the licensing authority review the premises licence accordingly.

The flat above and the flat below mine **REDACTED** are experiencing the same issue and are willing to appear as witnesses. I am also aware of a business downstairs (Hidden Hearings) that is highly affected by this issue and they are willing to appear as witnesses, as well as at least 4 other households on Holland Mews. While the owner of Cin Cin has been aware of the issue since last year, and I even sent him a video showing how loud the noise is, he has taken very little action to address the issue or at least minimise it.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the other persons and the premises licence holder or club holding the club premises certificate, as appropriate
- 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 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

REDACTED

Date

.....01/04/2026.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

From: Rita Congiu **REDACTED**
Sent: 14 May 2026 11:09
To: Sarah Cornell **REDACTED**
Cc: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>
Subject: Re: Licence review request - Cin Cin restaurant

Hi Sara,

Apologies for my delayed response.

In terms of the outcomes I would like the Licensing Committee to consider, my preferred options would be:

- the suspension of the licence for a period of time; OR
- the modification of existing licence conditions; OR
- the addition of new licence conditions.

My main concern is that the restaurant should not operate the fan until it has been properly fixed. This issue has now been affecting both myself and other neighbouring residents/business for over a year. That has been a significant amount of time in which the problem could and should have been resolved.

Best wishes,
Rita Congiu

On Wed, 6 May 2026 at 16:19, Sarah Cornell **REDACTED** wrote:

Dear Rita,

To assist the Licensing Authority in understanding the nature and scope of your concerns, it would be helpful if you could clarify what outcome you would like the Licensing Committee to consider as a result of your review.

These are the options available to the Committee to consider (one or more of the following):

- the modification of existing licence conditions;
- the addition of new licence conditions;
- the removal or restriction of specific licensable activities;
- a reduction in licensed hours;
- the suspension of the licence for a period of time (not to exceed 3 months);
- the revocation of the licence.
- do nothing

You may explain your preferred outcome in your own words. Any response you provide will be circulated as part of the review process and considered in accordance with the licensing objectives.

Kind regards
Sarah

From: Rita Congiu **REDACTED**
Sent: 01 April 2026 12:39
To: EHL Licensing <EHL.Licensing@brighton-hove.gov.uk>;
Sarah Cornell **REDACTED**
Subject: Licence review request - Cin Cin restaurant

Dear Licensing team,

I am writing to formally request a licence review request under the Licensing Act 2003. Cin Cin restaurant has been notified via email. Please find the request form attached.
I remain available to answer any questions or to provide further details.

Kind regards,
Rita Congiu