

BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE 2003 (Licensing Act 2003 Functions)

4.00pm Thursday 19 April 2007

COMMITTEE ROOM 3 BRIGHTON TOWN HALL

Present: Councillors Lepper (Chair); Councillors Carden, Cobb, Hawkes, Hyde (Deputy Chair), Older, Paskins, Pennington (Deputy Chair), Pidgeon, Simson, Mrs C Theobald, Turner, Watkins and Williams.

PART ONE

ACTION

34 PROCEDURAL BUSINESS

34A Declarations of Substitutes

34.1 Councillor Mrs Theobald substituted for Councillor G Theobald.

35B Declarations of Interest

34.2 There were none.

35C Exclusion of Press and Public

34.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

34.4 **RESOLVED** - That the press and public not be excluded from the meeting during consideration of any items.

35 MINUTES

35.1 **RESOLVED** – That the minutes of the meeting held on 8 February 2007 be approved and signed by the Chair.

36. Call Over

- 36.1 **RESOLVED** – That all the items on the agenda be reserved for discussion.

37. CHAIR'S COMMUNICATIONS

- 37.1 There were none.

38. PUBLIC QUESTIONS

- 38.1 There were no public questions.

39. LICENSING ACT 2003 - STATUTORY REVIEW OF STATEMENT OF LICENSING POLICY

- 39.1 The Committee considered a report of the Director, Environment which informed Members that the Licensing Act 2003 required the Council, as Licensing Authority, to produce, consult on, adopt and publish a Statement of Licensing Policy. The first such policy was published in December 2004. The Act required the policy to be published at least every 3 years and the draft attached to the report was a pre-consultation version which was discussed at Licensing Strategy Group on 27 March 2007 (for copy see minute book).

- 39.2 Members raised the following points:-

- The increasing number of café bars could cause a problem. The cumulative impact of café bars should be taken into consideration in the policy.
- The delivery of alcohol through food takeaways was not mentioned in the report. Concerns were raised that these takeaway services would not ask for identification and that this needed to be regulated.
- The cumulative impact policy needed to be applied to the North Laine and Kingscliffe areas.
- There needed to be a more equal balance between cultural events in the city and pubs and clubs. There should be more emphasis on cultural activities.
- Paragraph 4.3 of the policy should include "extension of hours" to read "Applications for new licences or extension in hours or for the extension in size....."

- 39.3 **RESOLVED** – (1) That the proposed licensing policy be endorsed for use as the consultation draft.

**Colin
Giddings**

(2) That there be a consultation process for the policy review, finishing no later than 31 August 2007 in order to report back to Committee on 4 October 2007.

Tim Nichols

40. RESPONSE TO DCMS LICENSING ACT 2003 REVISED SECTION 182 GUIDANCE

40.1 The Committee considered a report of the Director of Environment, concerning Brighton & Hove Council's response to the DCMS (Department of Culture, Media and Sport) on the Licensing Act 2003, Revised Section 182 Guidance (for copy see minute book). Updated guidance had been circulated to licensing Members and the Licensing Strategy Group. The Licensing Strategy Group discussed the points under revision and recommendations for response to the DCMS were attached as appendix 2 of the report.

40.2 **RESOLVED** – That the response to the DCMS be endorsed.

41. SCHEDULE OF LICENSING APPEALS

41.1 The Committee considered the Schedule of Licensing Appeals (for copy see minute book).

41.2 The Chair informed Members that all three appeals related to underage sales. Unfortunately, while appeals were pending the businesses could continue trading.

41.3 The Senior Lawyer informed Members that since the agenda had been printed, the Council had consented to the appeal for Somerfield being allowed without a full hearing, subject to the court imposing additional conditions on the licence. The Council was currently negotiating with Threshers who had their licence suspended for three months. Representatives of Threshers had indicated that they would be happy for the licence to be suspended for one month.

41.4 **RESOLVED** – That the schedule be noted.

42. SCHEDULE OF LICENSING REVIEWS

42.1 The Committee considered the Schedule of Licensing Reviews (for copy see minutes book).

42.2 **RESOLVED** – That the schedule be noted.

43. ITEMS TO GO FORWARD TO COUNCIL

43.1 There were none.

The meeting concluded at 4.44pm

Signed

Chair

Dated this

day of

2007