

# **BRIGHTON & HOVE CITY COUNCIL**

## **LICENSING COMMITTEE (Licensing Act 2003 Functions)**

**5.00 PM – 7 OCTOBER 2004**

### **BRIGHTON TOWN HALL**

#### **MINUTES**

Present: Councillor Turner (Chair); Councillors Allen, Carden, Mrs Cobb, Forester, Hyde (Deputy Chair), Lepper (Deputy Chair), Older, Pennington, Pidgeon, Mrs Simson, G Theobald, Watkins, Williams and Wrighton.

An apology was received from Councillor Watkins.

#### **PART ONE**

#### **ACTION**

#### **1. PROCEDURAL BUSINESS**

##### **1A. Declarations of Substitutes**

1.1 There were no substitutes.

##### **1B. Declarations of Interest**

1.2 There were none.

##### **1C. Exclusion of Press and Public**

1.3 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.

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

#### **2. LICENSING ACT 2003 - ADOPTION OF STATUTORY LICENSING POLICY**

2.1 The Committee considered a report of the Director, Environment concerning the requirement of the Council, as

Licensing Authority, to produce, consult on, adopt and publish a Statement of Licensing Policy. This would form the Licensing policy for the city for the three year period following adoption, which must be by 7 January 2005 at the latest, during which time it shall be monitored/revised as necessary and after which time it shall be reviewed and re-published (for copy see Minute Book). The Proposed Statement of Licensing Policy was attached as an appendix to the report.

2.2 It was pointed out that the Licensing Act 2003 provided for adoption of the policy by the licensing authority. Within the council, this function had been delegated to Policy and Resources Committee. However, the guidance issued under section 182 of the Licensing Act 2003 by the Department for Culture, Media and Sport, stated that the policy should be approved by the Council. The Committee therefore considered it safer for the Policy and Resources Committee to refer the adoption of the policy to full Council.

2.3 **RESOLVED** – (1) That the proposed licensing policy be endorsed as set out in Appendix 1 to the report and that the Policy and Resources Committee be recommended to refer to Council the adoption of the Brighton & Hove City Council, Statement of Licensing Policy 2004.

**Colin Giddings**  
**Tim Nichols**

(2) That the Committee receives reports annually relating to the progress of licensing cases and the monitoring of licensing policy issues.

(3) That the proportional calculation of fees as set out in Appendix 6 to the report be confirmed, for existing relevant licence holders during the transition period.

### **3. ITEMS TO GO FORWARD TO COUNCIL**

3.1 **RESOLVED** – There were no information items referred to Council under Procedural Rule 20. 3 (a).

The meeting concluded at 5.45 p.m.