

BRIGHTON & HOVE CITY COUNCIL
LICENSING PANEL
2003 (Licensing Act 2003 Functions)

9.30AM – 3 AUGUST 2005

HOVE TOWN HALL

MINUTES

Present: Councillors Hyde, Lepper and Pidgeon

PART ONE

35. ELECTION OF CHAIR

35.1 **RESOLVED** – That Councillor Lepper be elected Chair for the meeting.

36. PROCEDURAL BUSINESS

36A. Declarations of Substitutes

36.1 There were no declarations of substitutes.

36B. Declarations of Interest

36.2 There were none.

36C. Exclusion of Press and Public

36.3 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.

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

37. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - SIR CHARLES NAPIER, 50 SOUTHOVER STREET, BRIGHTON

- 37.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation under transitional arrangements of the Licensing Act 2003 - Sir Charles Napier, 50 Southover Street, Brighton (for copy see Minute Book).
- 37.2 The applicant Jerrard Martin (Licensee) and the Area Manager, Paul Chatfield attended the Panel.
- 37.3 The Licensing Manager outlined the details of the application and noted a typographical error in the report in respect of opening hours at section 'O'. The report read 'Friday -Sunday 10.00-01.00' and should have read 'Mon - Thu 0700 - 0000 and Fri - Sun 0700 – 0100'. The Panel accepted the amendment.
- 37.4 Mr Martin and Mr Chatfield set out their case for the application, noting that they had met or spoken with the majority of the objectors in an effort to alleviate any fears raised. They advised that the majority of visitors to the business were local residents and did not drive to the venue. Further, that the garden was closed at 22.00 and that music, other than the occasional live, folk musician was not played in the premises.
- 37.5 The Panel and Applicants discussed the concerns of objectors and agreed that; 1) Doors and windows to be closed after 23.00 if live music in progress. 2) External lights on the premises to be dimmed at 23.00 hours.
- 37.6 **RESOLVED** – That a variation to the premises licence already granted under 'grandfather' rights be granted with the following conditions.

1) Doors and windows to be closed after 23.00 if live music in progress.

2) External lights on the premises to be dimmed at 23.00 hours.

38. APPLICATION FOR A VARIATION UNDER TRANSITIONAL ARRANGEMENTS OF THE LICENSING ACT 2003 - CUTHBERT HOTEL, FRESHFIELD ROAD, BRIGHTON

- 38.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a variation under transitional arrangements of the Licensing Act 2003 - Cuthbert

Hotel, Freshfield Road, Brighton (for copy see Minute Book).

38.2 Mr Malcom Taylor and Ms Terry Knight attend the panel.

38.3 **RESOLVED** - The Panel considered the letter from the branch secretary of the Queen's Park branch Labour Party. It was decided that this was not a relevant representation within the terms of the Licensing Act 2003 and Guidance, as it was not made by an interested party. The panel therefore took no further action in respect of the application and the application would be granted as applied for by officers.

The meeting concluded at 10.10am

Signed

Chair

Dated this

day of

2005