

BRIGHTON & HOVE CITY COUNCIL

LICENSING PANEL 2003 (Licensing Act 2003 Functions)

9.30AM – 25 NOVEMBER 2005

**COMMITTEE ROOM 3
BRIGHTON TOWN HALL**

MINUTES

Present: Councillors Bennett, Lepper and Pidgeon

Also in attendance: Colin Giddings, Divisional Environmental Health Officer, Rebecca Sidell, Panel Solicitor and Caroline De Marco, Committee Administrator.

PART ONE

302. ELECTION OF CHAIR

302.1 **RESOLVED** – That Councillor Lepper be elected Chair for this meeting

303. PROCEDURAL BUSINESS

303A. Declarations of Substitutes

303.1 There were no declarations of substitutes.

303B Declarations of Interest

303.2 There were none.

303C Exclusion of Press and Public

303.3 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.

303.4 **RESOLVED** - That the press and public be not excluded from

the meeting during consideration of the following items.

304. APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003 – BRIGHTON MARINA

304.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a premises licence under the Licensing Act 2003 for Brighton Marina (for copy see minute book).

304.2 The applicants, Ms Harris and Mr Warner were in attendance at the meeting. Mr Carr attended the meeting to represent the Brighton Marina Residents' Association who had objected to the application.

304.3 The Licensing Manager summarised the application as set out in report. He explained that the applicants had submitted plans which did not go into sufficient detail and which did not correlate with the application. If the Panel decided to grant the application, it was suggested that the grant should be conditional on the submission of final agreed plans. No representations had been received from the Police, Environmental Health or other responsible authorities. No noise complaints had been received by the Environmental Health Pollution Team. Environmental Health was satisfied with the public safety aspects of the application. A traffic plan and public safety plan were in place.

304.4 Ms Harris confirmed that the application only related to commercial land owned by X-Leisure. Meanwhile, the applicants had spent eight months trying to obtain up to date scale plans of the site without success.

304.5 Mr Carr informed the Panel that he was worried that the outdoor events would impinge on the quality of life of the residents, particularly those who lived in Marina Village. Mr Carr did not have any concerns about indoor events in which noise was contained. Mr Carr mentioned the Big Splash event, which had caused some residents to move out of their homes, during the period of the event.

304.6 Mr Carr explained that the residents were concerned about amplified noise and the increase in traffic. Mr Carr raised the issue of security and considered that the current team did not have the training or authority to deal with drunkenness late at night. He considered security would have to be increased. Mr Carr stressed that the residents did not want to see too many mobile toilets in the outside spaces.

304.7 Mr Carr confirmed that his objection was to the site by Marina Village. He also stressed that the rooftop of the multi-storey car park was within 150 yards of residents.

304.8 Mr Warner informed the Panel that X-Leisure had been owners of the commercial land at the Marina for just over a year. The company had a responsibility to promote the spaces. Two complaints had been received about the Big Splash Event this year. These complaints related to Marina Square. An events protocol had been agreed between the estates company and X-Leisure. X-Leisure had agreed to hold no more than 3 large scale events each year. One months notice was always given to residents.

304.9 Mr Warner explained that events were family friendly. The company had no plans to hold alcohol promotion events.

304.10 Ms Harris informed that Panel that a detailed Event Management Plan was in place, and covered matters such as security, noise control and crowd management. Copies were available at the Panel. An operating schedule was carried out before every event. 17 full time SIA security staff were employed at the Marina. Additional officers were employed during events. Event marshals were employed for larger events. The company was investigating a park and ride scheme for large events. Negotiations were taking place with the Race Course. Ms Harris stressed that there were adequate toilets facilities within the development.

304.11 **RESOLVED** - That the application for a premises licence under the Licensing Act 2003 be granted, subject to the re-submission of detailed plans to the satisfaction of the Licensing Authority.

Reasons for granting the licence: It was considered that X-Leisure's operating schedule covered all conditions to regulate events. These met with the licensing objectives.

The Panel solicitor reminded Mr Carr of his appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of written notification of the decision given at the hearing.

The meeting concluded at 10.52 p.m.

Signed

Chair

Dated this

day of

2005