

BRIGHTON & HOVE CITY COUNCIL

LICENSING PANEL 2003 (Licensing Act 2003 Functions)

9.30AM – 15 DECEMBER 2005

COMMITTEE ROOM3 BRIGHTON TOWN HALL

MINUTES

Present: Councillors Lepper (Chair), Hyde and Pennington.

Also in attendance: Tim Nichols, Head of Environment and Licensing, Liz Woodley, Panel Solicitor and Caroline De Marco, Committee Administrator.

PART ONE

315. ELECTION OF CHAIR

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

316. PROCEDURAL BUSINESS

316A. Declarations of Substitutes

316.1 There were no declarations of substitutes.

316B. Declarations of Interest

316.2 There were none.

316C. Exclusion of Press and Public

316.3 The Panel 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.

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

317. APPLICATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – THE BLUE MAN

317.1 The Panel considered a report of the Assistant Director, Public Safety concerning an application for a Premises Licence under the Licensing Act 2003 at The Blue Man, 142-143 Edward Street, Brighton (see minute book).

317.2 Mr Liddell, Licensing Officer, Sussex Police attended the meeting to make representations. The applicant was not in attendance.

317.3 The Licensing Manager summarised the application as set out in report. One representation had been received from Sussex Police. No noise complaints to Environmental Health had been recorded.

317.4 Mr Liddell explained that his immediate concern was that the premises might become a vertical drinking establishment. The police wished to see conditions attached to the licence stating that a CCTV system be installed and that SIA approved door supervisors be on duty at the premises on Friday and Saturday from 10 p.m to 2.00 a.m. The conditions were considered necessary for the prevention of crime and disorder and to protect staff and patrons inside and outside the venue. Mr Liddell had received a phone call from Mr Tim Munrow, who had stated he was the responsible party and considered the conditions to be unreasonable.

317.5 Mr Liddell explained that there were high levels of recorded crime in Edward Street, which was a main access route in and out of the City. The premises was the only establishment in Edward Street to serve alcohol to 2.00 a.m. Mr Liddell confirmed that some of his concerns would be allayed if a condition were to be placed on the licence stating that the sale of alcohol should be by waiter/waitress service.

317.6 **RESOLVED** - That the application for a premises licence be granted with the following conditions.

- (1) No new entry or re-entry after 00.30 hours.
- (2) The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables.
- (3) Substantial refreshment shall be available at all times.

Reasons for granting the licence and attaching conditions: It was considered that the conditions attached were reasonable, and would adequately deal with the concerns expressed about crime and disorder.

The Panel solicitor mentioned that the parties had 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 10.26 a.m.

Signed

Chair

Dated this

day of

2005