

Statement of Licensing Policy (SoLP) 5 year review 2021

Overview

The Council, as Licensing Authority, is carrying out a consultation exercise as part of the 5 year statutory review of its **Statement of Licensing Policy (SoLP)**. [<user_uploads/q.9-statement-of-licensing-policy-2021-revised.pdf>](#)

The policy reflects national legislation and guidance and demonstrates how responsible authorities will operate at a local level.

The council would like local stakeholders, residents and members of the public as well as statutory consultees and “responsible authorities” to have their say about the proposed policy.

The key changes and proposals are detailed below:

1. Maintain the current cumulative impact policy and zone as explained in the **Cumulative Impact Assessment document** [<user_uploads/q.1a-cia-document.pdf>](#)
2. Expand the Special Stress Area (SSA) to cover Preston Road and Beaconsfield Road (up to Stanford Avenue).
3. Consider including Marina into “Other areas” of the Matrix to reflect the increased number of residential properties.
4. Amended Matrix approach to Licensing decisions
 - a. To amend the “Café” category of the **Matrix** [<user_uploads/q.3--q.4---q.5-amended-matrix.pdf>](#) by reducing the terminal time for the sale of alcohol from midnight to 11pm or 10pm within the SSA and “other areas”.
 - b. Shopping parades - Amend note 8 of the **Matrix** [<user_uploads/q.3--q.4---q.5-amended-matrix.pdf>](#) to *“In an area where there are already several existing off-licences or where the premises is situated within a parade with another off licence and where representations are received about negative cumulative impact on the licensing objectives of a further premises, the application may be refused on these grounds or restrictions placed on the terminal hour to reflect opening hours of other shops.”*
 - c. Alcohol in shared workspaces - Amend note 10 of the Matrix to clarify that *“Non-alcohol led category does not include “alcohol in shared workplaces”. These type of premises are considered unique. It is recommended that sale of alcohol in shared workspaces should have a terminal hour of no later than 10pm. For further advice and guidance on “alcohol in shared workplaces” please see paragraph 3.3.5-3.3.7.* [<user_uploads/q.6-shared-work-spaces-v2.pdf>](#)

5. Shadow Licences – add a new **shadow licences** <user_uploads/q.8-shadow-licences-v2.pdf> section 3.10 to revised policy with advice, guidance and possible conditions.
6. Alcohol Delivery – amend the **Off Licence section 3.5.5-3.5.8** <user_uploads/q.7-alcohol-delivery-service.pdf> of the revised policy with suggested conditions.
7. Update out of date/irrelevant data, legislation and text, update night time economy safeguarding initiatives (see section 3.4 of the **revised Statement of Licensing Policy** <user_uploads/q.9-statement-of-licensing-policy-2021-revised.pdf>).

Cumulative Impact Assessment and Special Policy

With the introduction of Cumulative Impact Assessments the licensing authority must review the existing special policy and Cumulative Impact Zone and publish a cumulative impact assessment (CIA) along with the evidence underpinning it for consultation. A copy of the CIA is contained in Appendix A and in the Related Information box below.

The Police and the Council's Public Health Intelligence Analyst have provided extensive evidence of alcohol related crime and health data relating to the special policy areas and citywide. Both sets of evidence show clear city centre hot spots all sitting within the cumulative impact zone and supports maintaining these boundaries. The Police and Public Health Intelligence submission with maps and data analysis can be found in Appendix A and in the Related Information box below.

Related Information

All links open a pdf in a new window

- **Cumulative Impact Assessments (CIA)** <user_uploads/q.1a-cia-document.pdf>
- **Police submission** <user_uploads/q.1b---police-cip-submission.doc.pdf>
- **Public Health submission** <user_uploads/q.1c-public-health-submission.pdf>

Q1a Do you agree or disagree with the proposal to maintain the Special policy on cumulative impact and to maintain the current Cumulative Impact Zone?

Please select only one item

- Strongly agree
 Tend to agree
 Neither agree nor disagree
 Tend to disagree
 Strongly disagree
 Don't know / not sure

Q1b Why do you agree or disagree with the proposal?**Q1c** Do you have any comments to make about the CIA?

Special Stress Area (SSA)

Expanding the **Special Stress Area (SSA)** to cover Preston Road and Beaconsfield Road (up to Stanford Avenue) to reflect the number of licensed premises in Preston Road and Beaconsfield Road, north of Preston Circus and the evidence from Public Health framework document. The proposed extension includes commercial parades with residential above north of Preston Circus along these two arterial routes in and out of the city including a significant number of licensed premises. The SSA is defined as an area of concern to be monitored for levels of public nuisance and anti-social behaviour (ASB). Applications in the SSA are expected to have a robust operating schedule with appropriate conditions. Unlike the CIZ there is no presumption of refusal.

See Related Information below for map of proposed area and supporting evidence.

Also in Related Information is a link to the matrix which show the proposed terminal times for alcohol to be sold in the special stress area and in 'other areas'.

Related Information

Both links open a pdf in a new window

Extension of Special Stress Area <user_uploads/q.2-extension-of-ssa.pdf>

matrix <user_uploads/q.3--q.4---q.5-amended-matrix.pdf>

Q2a Do you agree or disagree with the proposal to extend the Special Stress Area (SSA) to cover Preston Road and Beaconsfield Road (up to Stanford Avenue)?

Please select only one item

- Strongly agree Tend to agree Neither agree nor disagree
 Tend to disagree Strongly disagree Don't know / not sure

Q2b Do you have any comments about the proposal to extend the Special Stress Area?

Q3a It is proposed to reduce the terminal times for alcohol to be sold in cafes to 11pm or 10pm in the “special stress area” and “other areas” of the matrix? What do you think is the appropriate terminal times for alcohol to be sold in cafes in the “special stress area” and “other areas” of the matrix?

Please select only one item

Midnight 11:00 PM 10:00 PM Other, please give details below

Q3b. Why do you consider your chosen time to be appropriate?

What 'other' time should the terminal times for alcohol be?

The Marina

The Marina has seen a substantial increase in the amount of residential development since the Policy was last reviewed in 2016.

Related Information

Details of the **Matrix** <user_uploads/q.3--q.4---q.5-amended-matrix.pdf>

Q4a Do you agree or disagree with including the Marina into “Other areas” of the Matrix? (see Related Information above)

Please select only one item

Strongly agree Tend to agree Neither agree nor disagree
 Tend to disagree Strongly disagree Don't know / not sure

Q4b Do you have any comments about including the Marina into “Other areas” of the Matrix?

Shopping parades

To recognise the potential cumulative impact on the local area of more than one off licence in a parade of shops surrounded by residential accommodation Please see **amended note 8 paragraph 3.2 in draft policy** <user_uploads/q.3--q.4---q.5-amended-matrix.pdf>

Q5a Do you agree or disagree that the terminal times for off licences in shopping parades should reflect opening hours of other shops in the parade?

Please select only one item

- Strongly agree Tend to agree Neither agree nor disagree
 Tend to disagree Strongly disagree Don't know / not sure

Q5b Do you have any comments about terminal times for off licences in shopping parades reflecting opening hours of other shops in the parade?

Shared work spaces

A shared workplace or shared workspace can be defined by being a building that has been converted into office space, which is operated overall by one company that rents workspace to many different entrepreneurs and small businesses. Its general offering is of hot-desk working, meeting spaces, single or team desk hire and/or private office space, etc., usually to freelance workers and/or small or medium businesses who do not want to rent offices of their own. Customers who rent such office spaces are often termed 'members' of the applicant companies, however this term is not the same as members of clubs operating under a Club Premises Certificate.

It is recognised that there is a demand for flexible workspace across the UK, particularly in Brighton & Hove, where there is a high proportion of start-ups and one of the UK's largest homeworker population. Where alcohol is supplied to "members" a premises licence is likely to be required. Whilst there is no evidence to suggest that Local Authorities have encountered issues with these licences, it's important to acknowledge the potential negative impact alcohol can have on the workplace and to individuals.

It is proposed to add clarity to the notes of the matrix and provide guidance with suggested conditions for shared workspaces (user_uploads/q.6-shared-work-spaces-v2.pdf **see amended note 10 to the matrix and paragraphs 3.3.5-3.3.7 with suggested conditions**) user_uploads/q.6-shared-work-spaces-v2.pdf in order to promote the licensing objectives.

Q6a Do you agree or disagree with the inclusion of “shared work spaces” into the notes of the matrix and the suggested paragraph and conditions? It is proposed to amend note 10 of the matrix to clarify that “Non-alcohol led category does not include “alcohol in shared workplaces”. It is recommended that sale of alcohol in shared workspaces should have a terminal hour of no later than 10pm.

Please select only one item

- Strongly agree Tend to agree Neither agree nor disagree
 Tend to disagree Strongly disagree Don't know / not sure

Q6b. Would you like to make any comment about the inclusion of shared work places in the notes of the matrix and the suggested paragraphs?

Alcohol delivery

As well as the existing advice regarding off licences given in paragraph 3.5 of the **Policy** [<user_uploads/q.9-statement-of-licensing-policy-2021-revised.pdf>](#) , we are proposing to add additional paragraphs addressing the concerns around the delivery of alcohol off the premises as well as a number of conditions for the licensing authority to consider when addressing applications that include delivery. These can be found in the Off Licence section 3.5.5-3.5.8 of the revised **please click here** [<user_uploads/q.7-alcohol-delivery-service.pdf>](#) .

Q7 Do you have any comment to make about the suggested conditions for alcohol delivery in Appendix A of the draft Policy?

Shadow licences

The licensing team are seeing more applications for shadow licences as landlords look to protect the premises licence where a tenant goes insolvent or surrenders the licence. **Please click here for more information.** <user_uploads/q.8-shadow-licences-v2.pdf>

Q8a Do you agree or disagree with the inclusion of the guidance paragraphs and suggested conditions for shadow licences in 3.10 of the draft policy?

Please select only one item

- Strongly agree Tend to agree Neither agree nor disagree
 Tend to disagree Strongly disagree Don't know / not sure

Q8b Do you have any comments about the inclusion of the guidance paragraphs and suggested conditions for shadow licences?

Final comments

This Statement of Licensing draft Policy

This Statement of Licensing draft Policy <user_uploads/q.9-statement-of-licensing-policy-2021-revised.pdf> (opens a pdf in a new window)

Q9 Do you have any comments to make about any other aspects of the draft policy?

About you

How are you responding to this consultation. As a...

Please select only one item

- Local resident Visitor to the city
- As a representative of a local business (please give details below)
- As a representative of a local community or voluntary group (please give details below)
- As a representative of a stakeholder group (please give details below)
- Other (please give details below)

If you are representing a business, a community, voluntary or statutory organisation, what is your name and who are you representing?

In what 'other' way are you responding to this consultation?

About you

The reason why we ask you these questions is so we can:

- Make our council services open to everyone in the city,
- Treat everyone fairly and appropriately when they use our services
- In consultations, make sure that we have views from all across the city.

The Equality Act 2010 makes these aims part of our legal duties. Your answers help us check that we have met the law and help improve our services.

Your answers are completely anonymous and confidential. We will only use them to make services better. Information from forms is combined so you cannot be identified.

How old are you?

What gender are you?

Please select only one item

- Female
 Male
 Other
 Prefer not to say

If other, please specify

Do you identify as the sex you were assigned at birth?

For people who are transgender, the sex they were assigned at birth is not the same as their own sense of their sex.

Please select only one item

- Yes
 No
 Prefer not to say

How would you describe your ethnic origin?

Please select only one item

- White: English / Welsh / Scottish / Northern Irish / British
 White: Irish
 White: Gypsy or Irish Traveller
 White: Any other White background
 Asian or Asian British: Bangladeshi
 Asian or Asian British: Indian
 Asian or Asian British: Pakistani
 Asian or Asian British: Chinese
 Asian or Asian British: Any other Asian Background
 Black or Black British: African
 Black or Black British: Caribbean
 Black or Black British: Any other Black background
 Mixed: Asian & White
 Mixed: Black African & White
 Mixed: Black Caribbean & White
 Mixed: Any other mixed background
 Other ethnic group: Arab
 Other ethnic group: Any other ethnic group
 Prefer not to say

Which of the following best describes your sexual orientation?

Please select only one item

- Heterosexual
 Lesbian / Gay woman
 Gay man
 Bisexual
 Other

 Prefer not to say

If other, please specify

What is your religion or belief?

Please select only one item

- I have no particular religion
 Buddhist
 Christian
 Hindu
 Jain

 Jewish
 Muslim
 Pagan
 Sikh
 Agnostic
 Atheist
 Other

 Other philosophical belief
 Prefer not to say

If other, please specify

Armed Forces Service

	Yes	No	Prefer not to say
Are you currently serving in the UK Armed Forces? (this includes reservists or part-time service, such as the Territorial Army) <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Have you ever served in the UK Armed Forces? <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Are you a member of a current or former serviceman or woman's immediate family/household? <i>Please select only one item</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Please select only one item

Yes a little Yes a lot No Prefer not to say

Health problem or disability

Please let us know the type of impairment which applies to you

If you have more than one impairment please indicate all that apply.

If none of the categories apply, please select 'Other' and fill in the additional box.

Please select all that apply

Physical Impairment Sensory Impairment Learning Disability / Difficulty
 Long-standing Illness Mental Health Condition Autistic Spectrum
 Developmental Condition Other (please specify)

If other, please specify

About you

Are you a carer?

A carer provides unpaid support to family or friends who are ill, frail, disabled or have mental health or substance misuse problems.

Please select only one item

Yes No Prefer not to say

Carers

As a carer, who do you care for?

Please select all that apply

Parent Child with special needs Other family member Partner / spouse
 Friend Other

