

Subject:	Alcohol Scrutiny Panel Report		
Date of Meeting:	04 February 2014		
Report of:	The Monitoring Officer		
Contact Officer:	Name:	Kath Vlcek	Tel: 29-0450
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Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the scrutiny panel wanted to take the opportunity to take evidence from the Director of Public Health, which necessitated the late publication of this report.

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 In 2013 HWOSC agreed to establish a scrutiny panel to look at issues relating to alcohol. The panel was chaired by Councillor Lizzie Deane, and also included Councillors Mo Marsh and Dee Simson.

1.2 The scrutiny panel report is attached as **Appendix 1** to this report.

2. RECOMMENDATIONS:

2.1 That HWOSC endorse the scrutiny panel report on alcohol (**Appendix 1**) and refer it on for consideration by the appropriate policy committee(s)

3. CONTEXT/ BACKGROUND INFORMATION

3.1 In February 2013, the Health & Wellbeing Overview & Scrutiny Committee (HWOSC) received a report from Dr Tom Scanlon, Director of Public Health updating the committee on the work of the Alcohol Programme Board and suggesting priority areas for potential scrutiny panels looking at the area.

These areas were:

- Development of alcohol free events
- Development of best practice retailers
- Improving the environment by encouraging responsible drinking

3.2 HWOSC agreed the request and a panel consisting of Councillors Deane, Marsh and Simson was established, with Councillor Deane agreeing to chair. The panel held several evidence gathering meetings in autumn 2013. It took the decision not to hold these meetings in public due to the amount of public involvement

which had already taken place around alcohol policy development including the Big Alcohol Debate.

- 3.3 The panel members did involve a wide range of partners however, including members of the Alcohol Programme Board, trade associations, both of the local universities, retailers, the police, tourism representatives and others

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The HWOSC has the option to decline to endorse the scrutiny panel report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The panel members spoke to a wide range of partners including members of the Alcohol Programme Board, trade associations, both of the local universities, retailers, the police, tourism representatives and others.

6. CONCLUSION

- 6.1 In line with normal procedure, we are asking that the HWOSC endorses this report and refers it on to the appropriate BHCC Policy Committee(s) for consideration.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The financial implications of the recommendations from the scrutiny panel will be assessed in the context of the Council's budget strategy when the recommendations are considered by the policy committees.

Finance Officer Consulted: Anne Silley

Date: 29/01/14

Legal Implications:

- 7.2 Once HWOSC has agreed its recommendations based on the work of the scrutiny panel, it must prepare a formal report and submit it to the council's Chief Executive for consideration at the relevant decision-making body.

- 7.3 If HWOSC cannot agree on one single final report, up to one minority report may be prepared and submitted for consideration by the relevant policy committee with the majority report.

Lawyer Consulted: Oliver Dixon

Date: 29/01/14

Equalities Implications:

- 7.4 None identified

Sustainability Implications:

7.5 None identified

Any Other Significant Implications:

7.6 Public Health issues are covered in the body of the report.

SUPPORTING DOCUMENTATION

Appendices:

1. The Alcohol Scrutiny Panel Report

Documents in Members' Rooms

None

Background Documents

None



**Brighton & Hove
City Council**

**Report of the Health & Wellbeing
Overview & Scrutiny Panel**

February 2014

Scrutiny Panel on Alcohol

Panel Members

**Councillors Lizzie Deane (Chair)
Mo Marsh
Dee Simson**

Chair's Introduction

When you think of going out in Brighton and Hove, chances are you'll think of events involving alcohol. There's no doubt that alcohol contributes a lot economically and socially to the city with alcohol-related business worth an estimated £329M to the local economy every year¹. However there are a number of well recognised downsides to the ubiquity of alcohol in Brighton & Hove, including anti social behaviour, alcohol related crime and health impacts, with the cost to the city estimated at £107 million² annually. Councillors wanted to ensure that they had been involved in shaping the role of alcohol in the city on behalf of residents, without duplicating the valuable and extensive work that has already taken place elsewhere.

There's been a lot of discussion about alcohol in Brighton & Hove already including the Intelligent Commissioning work and the Big Alcohol Debate, both of which involved members of the public sharing their views on alcohol with the council and health partners. The Alcohol Programme Board meets regularly to bring together key public and private sector colleagues in the city on a range of alcohol related issues including addressing the city's drinking culture, the availability of alcohol, the night time economy and treatment for people with drinking problems.

The Alcohol Programme Board has already looked at these issues in depth and has come up with a range of action plans and recommendations for further development. However a number of areas had not been fully explored, and it was suggested that these were areas that a scrutiny panel could usefully look at.

There were three panel meetings, which looked at alcohol-free events; responsible retailing and promoting responsible drinking.

The first panel meeting looked at the role of alcohol-free events and led into a discussion with members of the Alcohol Programme Board about responsible retailing. The second scrutiny meeting was an opportunity to review the Statement of Licensing Policy. In the third meeting, panel members met with both universities to talk about responsible drinking and how this is promoted amongst the student population.

Given that members of the public have already commented on alcohol in the city fairly recently, the scrutiny panel took the decision not to actively invite members of the public to take part in this set of meetings. We have involved a wide range of partners though including members of the Alcohol Programme Board, trade associations, both of the local universities, retailers, the police, tourism representatives and others.

¹ Public Health Report to Health and Wellbeing Overview & Scrutiny Committee, February 2013

² Public Health Report to Health and Wellbeing Overview & Scrutiny Committee, February 2013

The panel would like to thank everyone who has taken part in the set of alcohol panel meetings for the invaluable information and advice that they have given.

I was joined on the panel by councillors Mo Marsh and Dee Simson. I would like to thank them for their time and effort in addressing this huge issue.

We would also like to thank the council's Scrutiny Team for the help that they have given to the panel during this scrutiny review process, from organising the meetings and attendees to drafting this report.

There is a glossary of terms at the end of the report.



Lizzie Dume.

EXECUTIVE SUMMARY OF RECOMMENDATIONS

1. Brighton & Hove City Council needs to lead by example in the case of operating low alcohol or alcohol-free events. We recommend that our own events, such as the Mayor's Christmas Party or in-house events are not automatically alcohol based and would like to see more consideration given to a wider range of non/ low-alcohol drinks being provided to encourage people to explore alternatives to alcohol.

This should extend to people wishing to rent council-managed land for an event, eg a park or the seafront. We recommend that the Events team highlight alcohol awareness in their events information or ask that people increase their food offer rather than relying on alcohol.

We also recommend that Brighton & Hove City Council reconsiders the clause included in certain commercial leases that promotes the need for an alcohol licence. **(page 7)**

2. The council should seek to encourage a range of day and night time events which might involve alcohol but don't rely on it. The panel recommends continuing the work between responsible trade partners such as Brighton and Hove Licensees' Association and the statutory bodies to ensure that this is managed well.

In line with this we recommend that the council cuts down on the proportion of large events that are alcohol sponsored. We recommend that the Alcohol Programme Board continues to work with the Events Team to address this, seeking a measureable reduction in large events that are currently sponsored by alcohol. **(page 9)**

3. The panel commends the level and range of work in place at both universities to raise alcohol awareness issues and address the drinking culture. We recommend that this is used as an exemplar for other organisations working with students and young people.

We would like to endorse the continued use of innovative methods of promoting the alcohol awareness message including the CRI unit measure glasses and scratchcards, and would encourage all organisations working with young people to use the tools available. This will help young people understand the impact of alcohol on their health and wellbeing. **(page 11)**

4. We recommend that the planned work of the Alcohol Programme Board in addressing older people's drinking behaviour should include information on the cumulative impact of alcohol on a number of health and wellbeing issues including physical and mental health. **(page 12)**

- 5 We recommend that the council's Licensing Team continue with their proactive work to encourage retailers to sell alcohol in a responsible way during large events. **(page 13)**

- 6 The panel is mindful that 'Incredible', the local Best Bar None scheme in Brighton has not progressed due to lack of funding. We are not in a position to recommend that the council funds this but we recommend that the Alcohol Programme Board work with local trade bodies, council officers and police staff explore what assistance could be given to enable this scheme to become live. **(page 14)**

7. The panel recognises the strengths of the Statement of Licensing Policy but would suggest that the policy and Matrix be reviewed by the Licensing Committee, in particular
 - (a) the geographical scope of the Cumulative Impact Zone
 - (b) that café bars are given their own categorisation in the Matrix to recognise that they are not restaurants or pubs and that different guidance may apply
 - (c) review the definition of residential or commercial areas
 - (d) review the statement on hours of alcohol sale
 - (e) review the policy on food and alcohol retailers outside the CIZ **(page 16)**

The Overview and Scrutiny Committee will monitor the implementation of the agreed recommendations.

1. What is the council's role in promoting responsible drinking?

- 1.1 The Big Alcohol Debate ran in Brighton and Hove from October 2011 to January 2012. It asked contributors a number of open questions including '*What would you do about alcohol in Brighton and Hove if you were in charge?*'
- 1.2 One of the key messages that came back from contributors was that the city needs to promote more alternatives to alcohol including late-night solutions to encourage a broader mix of people into the city centre. For example, alcohol-free venues such as cafes, tea houses and other attractions should be encouraged to stay open late and there should be more city sponsored activities that aren't alcohol-driven. Many residents are discouraged from coming into the city in the evening because of alcohol-fuelled disruptive behaviour.³
- 1.3 With this in mind, we as panel members met with representatives of the Alcohol Programme Board including members of trade associations, events organisers, police, health representatives and anti social behaviour staff and with representatives from the local universities to look at alcohol-free events and responsible drinking.
- 1.4 There are a number of daytime alcohol-free events throughout the annual programme of events, including sports and family events; these operate successfully. We were asked to consider whether there was a place for more of a focus on alcohol-free events in the night-time. We also considered the council's role in leading by example, for instance, by making some council-led functions alcohol-free.
- 1.5 As panel members, we are all concerned that alcohol has become too central to everyday life, and that it is in danger of taking over events that do not necessarily need to have alcohol present. Alcohol is slowly creeping into a wider range of events including school fetes, parents' evenings, church functions and community events, which has led to people expecting that alcohol should be available at all events as a norm. The council is not 'anti-fun' but it is important to provide a range of options so that alcohol does not always become the default.

The council's role in alcohol-free events

- 1.6 With this in mind, we felt that Brighton and Hove City Council should lead by example, and more actively consider the drinks offer at its own social events such as the Mayor's Christmas party or council-organised awards ceremonies. We would like to see more positive consideration given to the range of low/ non-alcoholic drinks offered at these events,

^{3 3} Public Health Report to Health and Wellbeing Overview & Scrutiny Committee, February 2013

and for a positive public statement to be made explaining the council's position.

- 1.7 We feel that this positive consideration of low/ non-alcoholic drinks ought to be extended to events held on council-owned land, such as those events held in parks or on the seafront. We understand that these are privately organised events and the council cannot control every element of what is being provided but we would like events organisers to at least consider an alternative offer.
- 1.8 We would like the Events Team to include information about alcohol awareness in the information that they give to events organisers, asking them to actively consider non- or low-alcoholic drinks options. We would also encourage more food-led events being organised rather than alcohol-led events.
- 1.9 We are concerned that Brighton & Hove City Council often includes a clause within certain commercial leases that stipulates the need for the prospective licensee to have an alcohol licence. We feel that this is not always necessary and tends to promote a culture where alcohol is expected as a norm. We would like the leases to be reviewed so that this is not always the case with future leases.
- 1.10 Recommendation 1 -Brighton & Hove City Council needs to lead by example in the case of operating low alcohol or alcohol-free events. We recommend that our own events, such as the Mayor's Christmas Party or in-house events are not automatically alcohol based and would like to see more consideration given to a wider range of non/ low-alcohol drinks being provided to encourage people to explore alternatives to alcohol.**

This should extend to people wishing to rent council-managed land for an event, eg a park or the seafront. We recommend that the Events team highlight alcohol awareness in their events information or ask that people increase their food offer rather than relying on alcohol.

We also recommend that Brighton & Hove City Council reconsiders the clause included in certain commercial leases that promotes the need for an alcohol licence.

2 External Events

- 2.1 Over the past few years, Brighton & Hove Arts Commission and the city council have held a White Night event, a free all night art festival, aiming to open up different venues within the city for arts and cultural events.
- 2.2 Regrettably, the event has attracted some people who did not want to attend the events but were using it as a reason to drink excessively

resulting in anti-social behaviour. The most recent White Night also clashed with a high-drinking event, Zombie Night, which led to some excessive drinking. The resulting anti-social behaviour has led to the event being cancelled for the foreseeable future. It should be noted that the problems did not occur within the festival events themselves, but by people drinking after the events had taken place.

- 2.3 This was a similar outcome to Pride, in that the arranged events were well managed and relatively problem free. Problems were caused by mainly young people drinking near the events, often in open spaces, not in a managed venue. At this year's Pride for example, the police were called to manage approximately 150 young people drinking near Preston Park and causing anti-social behaviour. We heard that the police dealt with these matters robustly but that the problem has escalated year on year.
- 2.4 We considered whether theoretically the anti social behaviour would be curtailed if the events were removed but all parties agreed that it was not the event that was causing the excessive drinking and subsequent behaviour. The events are a valued part of Brighton and Hove's event calendar, bringing many social and economic benefits but they can act as a catalyst for further drinking beyond the event itself.
- 2.5 Alcohol sales within events tended to be well managed and alcohol was responsibly sold, but problems occurred with people drinking outside the event in an unmanaged capacity. The anti social behaviour problems are caused by spontaneous drinking in unlicensed spaces, not by the events themselves.
- 2.6 We concluded that it was not the case that events ought to be cancelled or even that more alcohol free events were necessarily needed but that there was a need to work with licensed premises and retailers to sell alcohol in a responsible way, as well as offering more alternative and affordable low and non-alcoholic drink options.
- 2.7 The Chair of Brighton and Hove Licensees' Association said that, by trying to restrict alcohol and run events without involving the local trade, it made unlicensed events a free for all in terms of bringing your own alcohol. This was endorsed by all parties; we need to turn the idea of alcohol-free events on its head, and involve trade as a partner rather than blaming them for how people choose to drink.
- 2.8 We would like to thank the local business representatives for coming to the panel meeting and for all of their input. Their comments were invaluable and challenged some of the assumptions that we had made prior to meeting as a panel.

By utilising local companies as responsible partners, this could increase business for local companies, adding social value and building on the positive relationships between the public sector and

responsible businesses. As part of this positive relationship we would like to encourage responsible traders to increase their low and non-alcoholic drink offer. We believe that there is a good business case to be made; we heard about the increasing amounts of overseas students who do not drink alcohol and who would prefer to attend venues with a variety of drinks alternatives.

- 2.9 As a passing comment, we note that two new alcohol-free venues are interested in opening in Brighton and Hove. The plans were not advanced enough for us to consider them as part of the panel process but we look forward to hearing how the proposals develop in due course.
- 2.10 We also wanted to note that we did not wish to discourage young people from attending and taking part in the cultural events on offer; events are there for all to enjoy.
- 2.11 As a panel, we recognised that there are a wide range of events and social occasions where excessive alcohol can be consumed, including stag and hen parties. We decided not to focus on these type of events as they are being addressed by another scrutiny panel, looking at 'party houses'.
- 2.12 **Recommendation 2 - The council should seek to encourage a range of day and night time events which might involve alcohol but don't rely on it. The panel recommends continuing the work between responsible trade partners such as Brighton and Hove Licensees' Association and the statutory bodies to ensure that this is managed well.**

In line with this, we recommend that the council cuts down on the proportion of large events that are alcohol sponsored. We recommend that the Alcohol Programme Board continues to work with the Events Team to address this, seeking a measureable reduction in large events that are currently sponsored by alcohol.

3 Students

- 3.1 As a city with two universities, we have a lot of young people, often living away from home from the first time, who often feel pressured into drinking excessively. We spoke to both university student unions about their approaches to alcohol, the advice given to students, the role of alcohol-free events and so on. We also spoke to the member of staff at Sussex who is responsible for Wellbeing, including alcohol related issues.
- 3.2 We were pleased to hear that both universities are very aware of the problems that alcohol can cause, and are taking positive steps to address the alcohol culture.

- 3.3 Sussex University has made a conscious effort to increase the number of alcohol-free events as part of the Freshers' Week entertainments, this year making 65% of events alcohol-free. This has grown year on year, and reflects the make-up of the university's student demographic, with a growing number of overseas students. One of the events offered this year was a day time cultural tour of Brighton, rather than being taken to pubs. This was organised in conjunction with Brighton & Hove City Council's Licensing Team. The event was very successful and will be replicated in future years.

Sussex University's bar manager told us that their alcohol sales on campus had decreased over the last few years, and that sales tended to be food-based or non-alcoholic options. They actively promoted responsible drinking behaviours, for example ensuring alcohol awareness information was available in their bars, and including information about the number of alcohol units on their menus. As a panel we very much welcome this approach and hope that the trend towards alcohol awareness will continue.

- 3.4 The University of Brighton reported some similar trends including the low rates of alcohol consumption in campus bars. They told us that there had been demand for alcohol to be sold in campus cafes but since it had been introduced this year, there had been very low sales. The positive health benefits may be offset by students pre-loading on alcohol in their rooms before going out socially. The university works with health groups to promote responsible drinking and alcohol awareness and will make sure that information is available in fresher information packs. We were also very pleased to hear about the steps that the University of Brighton was taking to address excessive drinking behaviour during sports club initiations, with a range of sanctions that can be applied if it is felt necessary.
- 3.5 The University of Brighton does not have an equivalent member of staff responsible for Wellbeing. Instead, their alcohol work is coordinated by the Student Union's Vice President, Wellbeing, who also has to address other wellbeing issues and is only in post for a limited time. This year, the postholder is very keen to address some of the alcohol awareness issues that have already been identified, but this might not always be the case, depending on who is in post and the priorities that they may have.

As panel members we felt that it would be beneficial if this could be formalised into a more permanent officer post to ensure continuity of policy development, although we recognise that there are funding implications for this. We encourage the University of Brighton to consider providing funding for such a position; we will pursue this further.

- 3.6 As local councillors, we have had concerns about the Carnage events that operate in the city centre. These are pub crawls organised by an

external company, which have a reputation for promoting excessive drinking, anti-social behaviour and other negative repercussions. We were very glad to note that neither university endorsed the event and did not support or promote it on their campuses. However we heard that the organisers utilise a range of marketing techniques including social media and personal ticket sales and the universities could not stop their students from attending the events individually.

- 3.7 We heard about an alternative pub night called “Brightonian Nights” where students are stewarded around the pubs of Brighton. For the past three years council licensing officers have worked with police colleagues and the student union events organisers to ensure that a safer environment is in place including extra policing for the event; stewarding, drink-pricing contracts to ensure no irresponsible promotions, water angels giving out water to the students; medical staff, and other safety measures. We would encourage more positive partnership working of this type in the future.
- 3.8 We asked both universities for their views on whether there was a demand for a late night coffee shop or soft drinks/ chill out spaces provided in clubs. The universities agreed that this would be worth exploring further and would help extend the offer of entertainment available for students who do not want to drink as much as others. We hope that the universities will work together to explore this further.
- 3.9 Recommendation 3 – The panel commends the level and range of work in place at both universities to raise alcohol awareness issues and address the drinking culture. We recommend that this is used as an exemplar for other organisations working with students and young people.**

We would like to endorse the continued use of innovative methods of promoting the alcohol awareness message including the CRI unit measure glasses and scratchcards, and would encourage all organisations working with young people to use the tools available. This will help young people understand the impact of alcohol on their health and wellbeing.

4 Health

- 4.1 We were aware that there is a range of work already underway to address young people’s drinking behaviours. We are also mindful that people of all age ranges can experience problems with excessive drinking and that more support and help ought to be given to older people, particularly to those who might drink at home and are not known to service providers.
- 4.2 We were pleased to hear that the Alcohol Programme Board had already identified this as a gap and will be working over the next year to address this. We fully support the Alcohol Programme Board in this.

We would like the information provided to include details on the cumulative impact of alcohol on both physical and mental health so that people are fully aware of the impact that excessive drinking may have.

- 4.3 As a panel, we heard about the alcohol awareness work that has taken place throughout the city, promoting the sensible drinking level message and raising general awareness about alcohol. We were told about a campaign called 'Dry January' which aims to encourage people to give up alcohol entirely for January. We considered whether this was something that we as a panel wanted to promote but on balance felt that this might have the unintended consequence of encouraging binge drinking before and after January. We were also concerned about the negative financial impact on local businesses if we encouraged residents not to drink at all in January.
- 4.4 We felt much more comfortable promoting the message of moderate drinking, and are delighted to see that alcohol awareness messages are being repeated across Brighton & Hove in January 2014. We would like to thank colleagues who work in Health Promotion in CRI for their prompt assistance.
- 4.5 Recommendation 4 - We recommend that the planned work of the Alcohol Programme Board in addressing older people's drinking behaviour should include information on the cumulative impact of alcohol on a number of health and wellbeing issues including physical and mental health.**

5 Licensed Trade

- 5.1 As we have already seen, retailers and licensed premises are a key partner when it comes to looking at responsible retailing and promoting responsible drinking. We were mindful of the health impacts of drinking alcohol excessively, and the effect on people's behaviour. We would like to see licensed premises being encouraged to positively promote alcohol-free or low alcohol drink options.
- 5.2 The Chair of Brighton & Hove Licensees' Association said that publicans are business people and they would sell any drinks that would make a profit, whether this contained alcohol or not. However the profit margin on all types of drinks was largely tied to the premises type, and if the landlord was tied to one company this could mean that their pricing structure was restricted.
- 5.3 The business representative on the Alcohol Programme Board said that part of their business plan was to introduce own brand lighter alcohol products into stores. As a panel, we welcome this and hope that it can be introduced in other supermarkets too.

- 5.4 We are very pleased with the success of the recent Sensible on Strength campaign⁴ which has encouraged off-licences to voluntarily agree not to sell higher strength beer, lager and cider. The aim is to limit the availability of super-strength drinks. Over 70 retailers have already signed up, with the aim that this would have a positive impact on the level of street drinking and associated anti-social behaviour. The campaign message is not anti alcohol but emphasises that super-strength drinks are causing damage to many people and communities and that if people with drink problems move off the super-strength drinks then their health and life chances will improve. We would like to commend the officers who have worked on the campaign.
- 5.5 We noted that the siting of alcohol in a premises could affect people's decision to buy it. For instance, during Pride or other festivals you often see crates of beer piled near the check outs, encouraging people to buy more than they perhaps otherwise might.
- 5.6 We would like to see enquiries made into the feasibility of a similar voluntary scheme for retailers, encouraging them to re-locate alcohol to a less obvious or accessible place which might limit some of the spontaneous purchases. This scheme could also be extended to encourage retailers not to sell alcohol on days which are known to be associated with excessive drinking, eg Pride.
- 5.7 As a member of the Alcohol Programme Board, a major retailer has indicated that there is scope to work with Brighton and Hove to limit the availability of alcohol during high profile events. This could include a temporary suspension of alcohol sales during Pride from premises close to potential hotspots.⁵
- 5.8 Recommendation 5 – we recommend that the council's Licensing Team continue with their proactive work to encourage retailers to sell alcohol in a responsible way during large events.**

6 Responsible Retailers

- 6.1 One of the key aims of the Alcohol Programme Board was to strengthen the partnership between the licensed trade and the public sector. We as councillors along with our police colleagues are very grateful to the trade representatives for their robust input into discussions and we are keen that we can work positively together in the future. The Alcohol Programme Board's remit includes creating a positive and sustainable night time economy, and we hope that this panel helps towards that aim.

⁴<http://www.brighton-hove.gov.uk/content/licensing/sensible-strength>

⁵ Public Health Report to Health and Wellbeing Overview & Scrutiny Committee, February 2013

6.2 We as panel members queried what the best way was to deal with traders who may not be as responsible or considerate as those represented on the Alcohol Programme Board. The Chair of the Licensees' Association said that a few years ago, there had been a lot of work to get Incredible, a local scheme similar to Best Bar None off the ground. The scheme would give positive recognition to responsible retailers and licensed premises, which is recognised as a good way to bring other premises up to scratch. It has Best Bar None endorsement and is based on the specific needs of Brighton and Hove. The Licensees' Association predict that there would be approximately 200 members; it is proposed that the scheme is free to join otherwise it would restrict the number of potential members.

6.3 However although the council, the police and members of the licensed trade have all backed the scheme, no one has been willing to date to fund the administration costs. The Licensees' Association is willing to run the scheme but does not have the available funds or resources, which is estimated to cost approximately £20,000 per annum.

Police representatives and councillors feel that Incredible is a positive move forward and every effort should be found to help run the scheme. Brighton and Hove lags behind other authorities in not operating a Best Bar None scheme, and this ought to be addressed. We agree that the Licensees' Association should be supported to operate the scheme and do not feel it is fair to expect the Licensees' Association to fund the work by itself. We heard that it is not practical to ask licensed premises to pay, as this will restrict the number of members.

6.5 Due to the financial pressures that the council is facing, we do not feel able to recommend that the council covers all of the costs but we recommend that council officers and police work with the Licensees' Association to explore ways of taking this forward imminently.

6.6 Recommendation 6 -The panel is mindful that 'Incredible', the local Best Bar None scheme in Brighton has not progressed due to lack of funding. We are not in a position to recommend that the council funds this but we recommend that the Alcohol Programme Board work with local trade bodies, council officers and police staff explore what assistance could be given to enable this scheme to become live.

7 Revising the Statement of Licensing Policy

7.1 The purpose of the Statement of Licensing Policy is to promote the licensing objectives and set out a general approach to making licensing decisions for Brighton & Hove City Council. Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. The licensing objectives are: the

prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.⁶

- 7.2 The three panel members are also members of the Licensing Committee so we decided to look at the Statement of Licensing Policy (SOLP) as a panel. We have extensive first hand experience of applying the SOLP to current licence applications. The current SOLP was last revised in December 2011.
 - 7.3 We already have a great deal of good practice in the city, much of which is being emulated across the country including the Cumulative Impact Zone (CIZ) and the Matrix approach.
 - 7.4 The Cumulative Impact Zone is an area in the centre of Brighton and Hove where the concentration of licensed premises causes problems of crime and disorder and public nuisance; therefore an approach to 'Cumulative Impact' is necessary as part of the council's Statement of Licensing Policy. There are stricter guidelines on opening licensed premises in the CIZ with the majority of new licence applications being refused.
 - 7.5 The Matrix defines licence application types (eg, restaurant, pub, night club) and gives a general indication as to whether the licence would be granted in certain area types, eg the cumulative impact area, or mixed residential and commercial streets. It does not list particular streets by name, other than the Marina and London Road.
- These are robust and creative policy responses to the many different demands that have to be balanced when considering licensing applications, not least the tension between protecting public health and licensing objectives.
- 7.7 The SOLP is the only tool that the council has to control licensing in the city. Whilst it may not be perfect, it is a very good attempt at controlling how the council wants to see alcohol being traded in the city. The council sees the Matrix as central to its vision, and has kept areas of classification deliberately vague to help members with flexibility in decision making.
 - 7.8 The Matrix is a real strength of the current SOLP. When it was introduced in 2011 it was a great leap forward, and it is very useful when considering applications, although there are sometimes queries over whether it is prescriptive or for guidance.
 - 7.9 As committee members we are often faced with having to make decisions over what is currently an undefined grey area of residential mixed area applications. We discussed whether it would be better to

⁶ http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/licence_applications/3994_Statement_of_Licensing_Policy_2012_AW.pdf

list every street in Brighton & Hove and assign it a category, or whether to leave it as a more flexible policy. We felt that although there would be some benefits to defining each street, licensing panel members need the opportunity to make real decisions; the problem with defining rules too much is that panel members lose the opportunity to deviate from it with a more appropriate response. We therefore felt that the current approach was the right one.

7.10 We also felt that the Cumulative Impact Zone approach was a very beneficial one for the city as a way of assessing the combined impact of licensed premises in an area. We wondered whether other areas with multiple licensed premises and related problem behaviour could be considered to be included.

7.11 The Head of Regulatory Services, which covers Licensing amongst other functions, said that any decision to include or exclude an area would be based on the evidence available about current negative impacts including noise nuisance complaints, crime rates etc. Anecdotally we have heard that London Road/ Preston Road up to Preston Park, Lewes Road and George St in Hove have all experienced problems and we would like to recommend that these areas are reviewed for inclusion.

Café bars

7.12 Licensing Committee members often have to make decisions on applications from cafés requesting alcohol licences. It seems that all cafes will want to sell alcohol soon, which we note is already causing concern in the community.

7.13 We asked whether there was a way of addressing this. The Head of Regulatory Services said that from a licensing point of view, there was no simple way to address this, as café bars currently fall into the same category as restaurants and bars and the same guidance would apply.

7.14 We asked whether this classification could be reviewed with a view to giving café bars their own categorisation and relevant guidance in the Matrix to recognise that they are not restaurants or pubs. We think that this would strengthen the position statement, whilst recognising the licensing limitations.

7.15 We also had concerns about the food and alcohol retailers such as mini-supermarkets which are outside the CIZ as we feel that the policy addressing such establishments could be more stringent.

7.16 Recommendation 7 - The panel recognises the strengths of the Statement of Licensing Policy but would suggest that the policy and the Matrix be reviewed by the Licensing Committee, in particular

- a) the geographical scope of the Cumulative Impact Zone**
 - b) that café bars are given their own categorisation and in the Matrix to recognise that they are not restaurants or pubs and that different guidance may apply**
 - c) review the definition of residential or commercial areas**
 - d) review the statement on hours of alcohol sale**
 - e) review the policy on food and alcohol retailers outside the CIZ**
- .

GLOSSARY

APB - Alcohol Programme Board – the APB⁷ has a programme of work to tackle the adverse consequences of alcohol consumption in Brighton and Hove. There are four ‘domains’ of work within the Programme Board Action Plan:

- The drinking culture
- Availability of alcohol
- The night time economy
- Early identification, treatment and aftercare

The APB has very senior input from across the city’s statutory partners including health, the city council and police, and from representatives for the alcohol industry.

Best Bar None- Best Bar None is a national award scheme supported by the Home Office aimed at promoting responsible management and operation of alcohol licensed premises. Since 2003, it has been adopted by over 100 towns and cities across the UK.⁸

Carnage - Carnage UK is a company that organises drinking events for an estimated 350,000 undergraduates in 45 towns and cities⁹ including Brighton and Hove. The events organisers have faced criticism that they encourage binge drinking and anti-social behaviour.

CIZ/ CIA – Cumulative Impact Zone/ Area - This is an area where the concentration of licensed premises in a small area of the city centre is causing problems of crime and disorder and public nuisance, and that therefore an approach to ‘Cumulative Impact’ is necessary as part of the council’s Statement of Licensing Policy. The CIA is based on evidence of crime, anti-social behaviour, noise nuisance etc. It currently covers 1.5% of Brighton & Hove City Council’s administrative area.¹⁰

Incredible – this is Brighton and Hove’s suggested own Best Bar None (see above) scheme, devised by Brighton & Hove Licensees Association and supported by Best Bar None. It is based upon the specific needs of Brighton & Hove.

Matrix – this is part of the Statement of Licensing Policy. It defines licence application types (eg, restaurant, pub, night club) and gives a general indication as to whether the licence would be granted in certain area types, eg

⁷ Public Health Report to Health and Wellbeing Overview & Scrutiny Committee, February 2013

⁸ <http://www.bbnuk.com/>

⁹ <http://www.theguardian.com/education/2009/nov/08/philip-laing-carnage-binge-drinking>

¹⁰ http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/licence_applications/3994_Statement_of_Licensing_Policy_2012_AW.pdf

the cumulative impact area, or mixed residential and commercial streets. It does not list particular streets by name, other than the Marina.¹¹

SOLP – Statement of Licensing Policy - The purpose of the Statement of Licensing Policy is to promote the licensing objectives and set out a general approach to making licensing decisions for Brighton & Hove City Council. Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. The licensing objectives are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.¹²

¹¹ http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/licence_applications/3994_Statement_of_Licensing_Policy_2012_AW.pdf

¹² http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/licence_applications/3994_Statement_of_Licensing_Policy_2012_AW.pdf