

Brighton & Hove City Council

For general release

Meeting: **Licensing Sub-Committee**

Date: 24th January 2006

Report of: **Assistant Director – Public Safety**

Subject: **Application for a premises licence to be granted under the
Licensing Act 2003 –Pizza Di Roma 51 Lewes Road Brighton BN2
3HW**

Applicant: **Mr Mohamed El- Bayouk**

Ward(s) affected: Hollingbury And Stanmer

1. Purpose of the report

1.1 To determine an application for a premises licence.

2. Summary of application

2.1 The application is for:

grant of a premises licence for late night refreshment

2.2 Summary table of proposed activities

	Proposed
Late Night Refreshment	Take Away Sunday – Wednesday 23.00 – 01.30 Friday – Saturday 23.00 – 02.30 Weekend before Bank Holidays , Guy Fawkes Day, St Georges Day, St Patricks Day, St Nicholas Day, All saints Day St Andrews Day 23.00 until 03.00. New Years Eve 23.00 – 05.00 Christmas Eve 23.00 – 04.00

3. Representations received

3.1 Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

- a) Several representations have been received from local residents relating to anticipated negative impact of extended opening hours and prevention of public nuisance and potential increase in crime and disorder
- b) Pollution Team Comments:- no on going noise complaints in relation to this premises.

4. Commentary on licensing policy

- 4.1 The following extracts from Brighton & Hove Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

- 1.2 The licensing objectives are:-
- (a) prevention of crime and disorder;
 - (b) public safety;
 - (c) prevention of public nuisance;
 - (d) protection of children from harm.

1.4 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act

1.14 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Licensing is about the control of licensed premises, qualifying clubs and temporary events within the terms of the Act, and the conditions attached to licences, certificates and permissions will be focused on matters which are within the control of the licensee and will centre on the premises themselves and their immediate vicinity. When considering these terms and conditions the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

In respect of the prevention of crime and disorder

2.5(c) Care, control and supervision of premises

The effective management and supervision of a venue is a key factor in reducing crime and disorder, both within it and outside. The Police will consider the applicants, objecting to the application where appropriate. The Police will suggest crime prevention measures in relation to, for example, the internal layout of the premises, close circuit television, help points, lighting and security staff. The Police may ask for conditions which support such measures to be imposed when planning or licensing applications are granted, e.g. type of licence, capacity, opening time restrictions.

In respect of the prevention of public nuisance

4.2 In determining applications for new and varied licences, regard will be had to the location of premises, the type and construction of the building and the likelihood of nuisance and disturbance to the amenity of nearby residents by reason of noise from within the premises, or as a result of people entering or leaving the premises.

4.7 In determining applications for new licences or extensions in hours or terminal hours of licensed premises, regard will be had to late night public transport availability and location of taxi ranks to aid dispersal of customers.

4.8 Regard will be had to any history or likelihood of nuisance. Generally, favourable consideration will be given to applications for later hours in the city centre and on busy main roads. Powers may be exercised to impose conditions as to hours of opening in order to avoid unreasonable disturbance to residents of the neighbourhood.

Case Officer: Martin New