

**BRIGHTON & HOVE CITY COUNCIL**  
**LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)**

**3.30PM 5 FEBRUARY 2009**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors C Theobald (Chairman), Lepper (Deputy Chairman), Mrs Cobb, Fallon-Khan, Fryer, Hamilton, Hyde, Kitcat, Marsh, Older, Pidgeon, Simson, Watkins and West

**Apologies:** Councillors Harmer-Strange and Young

**PART ONE**

**27. PROCEDURAL BUSINESS**

**27a Declarations of Substitutes**

27.1 There were none.

**27b Declarations of Interest**

27.2 Councillor Fallon-Khan declared that he was substituting for Councillor Harmer-Strange.

**27c Exclusion of the Press and Public**

27.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Licensing Committee (Licensing Act 2003 Functions) considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(1) of the Act).

**RESOLVED** – that the press and public be not excluded.

**28. MINUTES OF THE PREVIOUS MEETING**

28.1 **RESOLVED** – that the minutes of the previous meeting held on 27 November 2008 be approved and signed by the Chairman as a correct record.

**29. CHAIRMAN'S COMMUNICATIONS**

29.1 There were none.

**30. PUBLIC QUESTIONS**

30.1 There were none.

**31. POLICING AND CRIME BILL**

31.1 The Head of Environmental Health and Licensing presented a report on the Policing and Crime Bill as it related to the Licensing Committee (Licensing Act 2003 Functions) and stated that since the Constitution had changed, work on examining this bill would now be conducted by the Licensing Committee.

31.2 **RESOLVED** – that the Licensing Committee (Licensing Act 2003 Functions) approves the recommendations in the report.

**32. LICENSING ENFORCEMENT POLICY**

32.1 The Head of Environmental Health and Licensing presented a report on the Licensing and Enforcement Policy as it related to the Licensing Committee (Licensing Act 2003 Functions) and stated that as central government had changed various codes of enforcement and a new Corporate Enforcement Policy had been introduced in October 2008 it was recommended that the Licensing Enforcement Policy be changed to reflect this. A draft policy for consultation was set out at appendix C.

32.2 Councillor Simson asked whether a new set of strong licensing conditions could be added to the standard set of conditions so that Councillors had a broad range of options when considering action against an establishment.

32.3 The Head of Environmental Health and Licensing stated that these conditions had been agreed at the last Committee and offered to distribute a list of these conditions to the Committee Members for use at Panel hearings.

32.4 **RESOLVED** – that the draft policy, as set out at appendix C of the report, be used as a consultation document for the drafting of a new Licensing Enforcement Policy.

**33. SCHEDULE OF LICENSING REVIEWS**

33.1 **RESOLVED** – to note the schedule of licensing reviews.

**34. SCHEDULE OF LICENSING APPEALS**

34.1 **RESOLVED** – to note the schedule of licensing appeals.

**35. GAMBLING ACT 2005 SCHEDULE**

35.1 **RESOLVED** – to note the Gambling Act 2005 schedule.

**36. ITEMS TO GO FORWARD TO COUNCIL**

36.1 There were none.

The meeting concluded at 4.10pm

Signed

Chairman

Dated this

day of