



Brighton & Hove
City Council

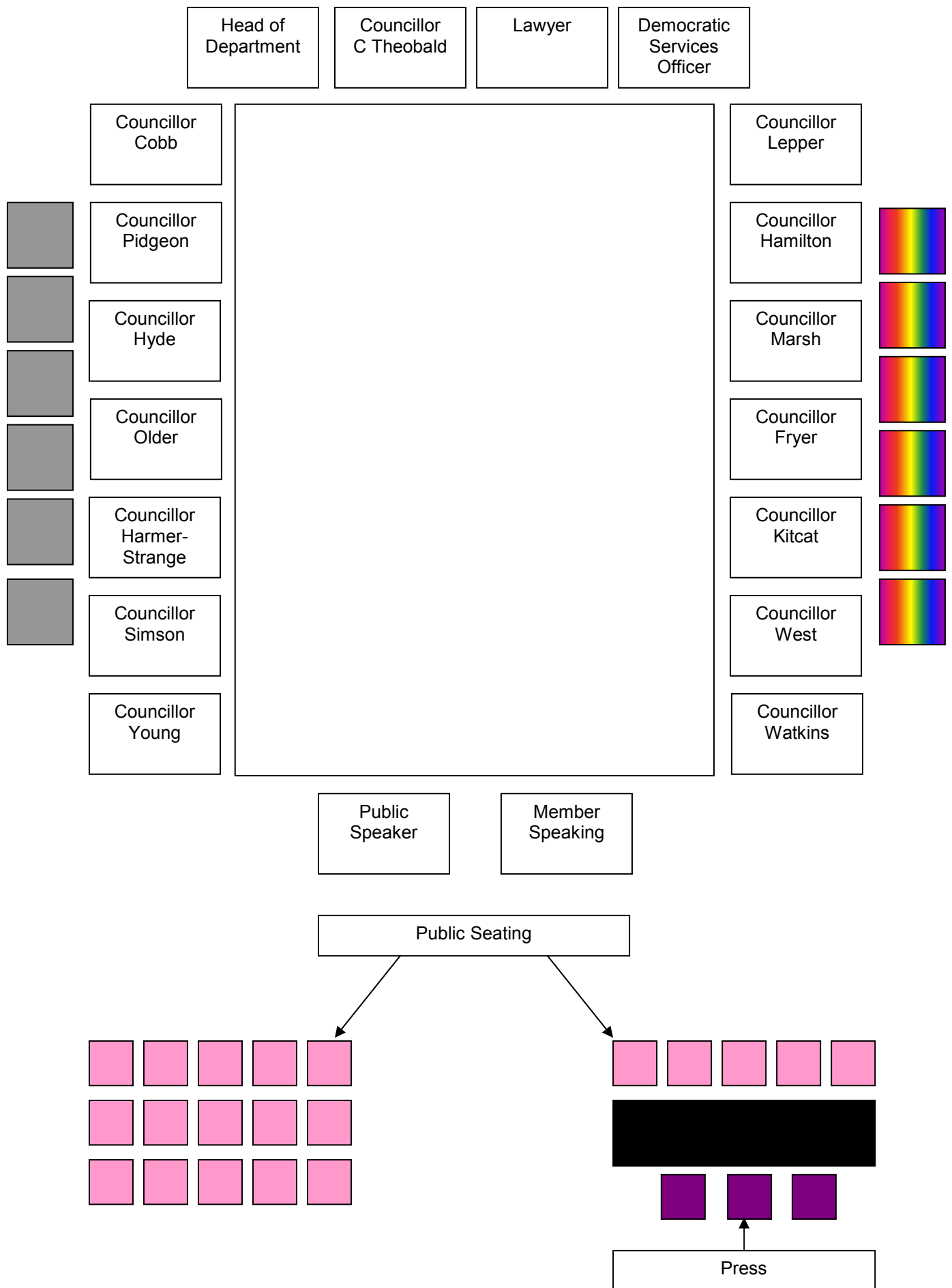
Licensing Committee

(Licensing Act 2003 Functions)

Title:	Licensing Committee (Licensing Act 2003 Functions)
Date:	24 April 2009
Time:	3.30pm (or conclusion of Non 2003 Committee)
Venue	Council Chamber, Brighton Town Hall
Members:	Councillors: C Theobald (Chairman), Lepper (Deputy Chairman), Mrs Cobb, Fryer, Hamilton, Harmer-Strange, Hyde, Kitcat, Marsh, Older, Pidgeon, Simson, Watkins, West and Young
Contact:	Jane Clarke Democratic Services Officer 01273 291064 jane.clarke@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

Part One

Page

37. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

38. MINUTES OF THE PREVIOUS MEETING

1 - 4

Minutes of the previous meeting held on 5 February 2009 (copy attached).

39. CHAIRMAN'S COMMUNICATIONS

40. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 17 April 2009).

No public questions received by date of publication.

41. CUMULATIVE IMPACT AREA ASSESSMENT

5 - 36

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Jean Cranford

Tel: 29-2550

Ward Affected: All Wards;

42. HEALTH IMPACT ASSESSMENT OF LICENSING

37 - 50

Report of the Assistant Director of Public Safety (copy attached).

LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)

Contact Officer: Jean Cranford, Tim Nichols *Tel:* 29-2550, *Tel:* 29-2163
Ward Affected: All Wards;

43. SCHEDULE OF LICENSING REVIEWS **51 - 52**

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Jean Cranford *Tel:* 29-2550
Ward Affected: All Wards;

44. SCHEDULE OF LICENSING APPEALS **53 - 54**

Report of the Acting Director of Strategy and Governance (copy attached).

Contact Officer: Rebecca Sidell *Tel:* 29-1511
Ward Affected: All Wards;

45. GAMBLING ACT SCHEDULE **55 - 56**

Report of the Assistant Director of Public Safety (copy attached).

Contact Officer: Jean Cranford *Tel:* 29-2550
Ward Affected: All Wards;

46. ITEMS TO GO FORWARD TO COUNCIL

To consider items to be submitted to the 30 April 2009 Council meeting for information.

In accordance with Procedural Rule 24.3a the Committee may determine that any item is to be included in its report to Council. In addition each Minority Group may specify one further item to be included by notifying the Chief Executive by 10.00am on 20 April 2009 or at the conclusion of the Committee meeting.

LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Jane Clarke, (01273 291064, email jane.clarke@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Thursday, 16 April 2009

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

LICENSING COMMITTEE

(Licensing Act 2003 Functions)

Agenda Item 41

Brighton & Hove City Council

Subject: Cumulative Impact area review
Date of Meeting: 24 April 2009
Report of: Assistant Director Public Safety
Contact Officer: Name: Jean Cranford Tel: 292550
E-mail: jean.cranford@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Council, as Licensing Authority, has a statutory duty to review its Statement of Licensing Policy (SoLP) every three years. This process was completed in 2007 and the revised SoLP adopted came into effect on 7 January 2008.
- 1.2 Part of the review process included the creation and adoption of a Cumulative Impact Area and Special Policy. Following a public consultation process for this, feedback, legal opinion and analysis of the proposal went to Full Council on 13 March 2008 and it was decided to adopt a cumulative impact area and special stress area.
- 1.3 It was further agreed that the cumulative impact area and special stress areas are reviewed regularly and as such we have reviewed data a year on from the implementation of the CIA and SSA's.

2. RECOMMENDATIONS:

- 2.1 To continue to adopt the Cumulative Impact Area (as defined in Appx. 1) and to continue to adopt the Special Policy (as defined in Appx. 2) in relation to that Cumulative Impact Area.
- 2.2 To review from time to time the need for a Cumulative Impact Area or Areas and Special Policy within Brighton & Hove.
- 2.3 To recommend that Council continues to include the Special Policy and associated defined Cumulative Impact Area as part of its current Licensing Act 2003: Statement of Licensing Policy.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Cumulative impact is not mentioned specifically in the 2003 Act but is detailed in the S.182 National Guidance. It means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. At 13.25 the Guidance states: In some areas, where the number, type and density of premises selling alcohol for consumption on the premises are unusual, serious problems of nuisance and disorder may be arising or have begun to arise outside or some distance from licensed premises.
- 3.2 Guidance also states that there should be an evidential basis for the decision to include a special policy within the Statement of Licensing Policy (SoLP). For instance, Crime and Disorder Reduction Partnerships may have collated information which demonstrates cumulative impact or Environmental Health Departments may be able to show concentrations of valid complaints relating to noise disturbance.
- 3.3 National Guidance states at 13.28: the steps to be followed in considering whether to adopt a special policy within the statement of licensing policy are summarised below –
 - Identify concern about crime & disorder or public nuisance
 - Consider whether there is good evidence that crime & disorder or public nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent
 - Identify the boundaries of the area where problems are occurring
 - Consult with those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation
 - Include and publish details of special policy in licensing policy statement
- 3.4 The Licensing Authority should ensure that there is good evidence, not only that crime and disorder or public nuisance are happening, but that they are caused by customers of licensed premises. The borders defined then need to identify the boundaries of the area where problems are occurring – not where they might occur at some time in the future, unless that is imminent.
- 3.5 The council's Environmental Health and Licensing section provides an advice and enforcement service in respect of noise nuisance from commercial premises. The report on noise in the city centre is appended (Appendix 3).
- 3.6 Sussex Police have analysed performance figures and have submitted their views (Appendix 4).
- 3.7 The analysis also shows that problems are centred around West Street, East Street, St James's Street, Western Road and King's Road / Marine Parade but again there is little definitive evidence of higher levels of

nuisance in other concentrated areas. There is limited disturbance complaints recorded in the Lewes Road and London Road areas.

- 3.8 The views of all interested parties, including those detailed in section 5 of the Licensing Act 2003 were sought by Licensing Strategy Group and community meetings such as LATs,. Community groups looked to extend the cumulative impact area to London Road and Lewes Road.
- 3.9 Within England and Wales there are at least 112 CIAs in existence and some other Licensing Authorities are at a similar stage to Brighton & Hove.

4. SPECIAL POLICY PROPOSALS:

- 4.1 The council's policy for special stress areas is appended at appendix 2.

5. CONSULTATION:

- 5.1 Consultation involved the Licensing Strategy Group, businesses via City Centre and Hove Business Fora, Police, Tourism, Events Office, Seafront Office (including Seafront Trader Association), Trading Standards, Legal and Finance. Residents via residents associations and Community Associations including the North Laine Community Association. North Laine Community Association responded and their response can be found at appendix 5. The responsible authorities are satisfied with the current special policy for CIA and SSA's. There appear to be declining noise complaints from licensed premises although total noise complaints are expected to rise by about 5% this year. If members were minded to change the statement of licensing policy, officers should undertake the statutory consultation exercise outlined in Section 5 of the Act and Full Council alone can exercise the function of revising the authority's policy. Officers are also exploring options for expanding the night time noise service within existing budget.

6. FINANCIAL & OTHER IMPLICATIONS:

6.1 Financial Implications:

The changes to policy apply to new applications and existing premises variation applications. The policy sets a framework and such changes will not impact on current levels of income from renewals of applications. The licensing account is run as a trading account with fees set at a level to allow the authority to breakeven.

Finance Officer Consulted: Karen Brookshaw

Date: 25/03/09

6.2 Legal Implications:

These are set out in the report. The SoLP should follow the fundamental principles set out in the Licensing Act 2003 and statutory guidance. Adoption of a Special Cumulative Impact Policy is a major step and one

which must be taken in accordance with proper procedure and legal advice in order to avoid legal challenge.

Lawyer Consulted: Rebecca Sidell

Date: 06/04/09

6.3 Equalities Implications:

A rebuttal presumption against new licensed premises in a CIA may reduce the ability for small businesses to open as off-licences. Affected businesses may often be operated by members of minority ethnic groups.

6.4 Sustainability Implications:

Licensed premises throughout the city rely on local licensing policies in ensuring there is clear guidance on the continued operation of local businesses. Maintaining a regularly reviewed policy, which has undergone public consultation, will ensure a consistency of support to licensed premises, members of the public and other stakeholders affected by these activities.

6.5 Crime & Disorder Implications:

CIA proposals are geographically based around evidence of crime and disorder, etc. and should assist in the council's overall aim in reducing current levels. The Special Policy promotes the four licensing objectives: public safety, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

6.6 Risk and Opportunity Management Implications:

Failure to meet this statutory duty would lead to uncertainties in decision making, loss of business continuity and an inability to meet customer care standards.

6.7 Corporate / Citywide Implications:

The policy promotes the licensing objectives and sets out a general approach to making licensing decisions. The licensing authority must carry out its functions with a view to promoting the licensing objectives and this Special Policy is framed around those objectives.

Proposals for new licensed premises, or for certain variations to existing ones, within a CIA will normally be refused following relevant representations unless it can be demonstrated that there will be no negative cumulative impact.

SUPPORTING DOCUMENTATION

Appendices:

1. Map of Cumulative Impact Area
2. Map of Special Stress Area
3. Prevention of Public Nuisance
4. Cumulative Impact Review 2009 – Sussex Police
5. North Laine Community Association Letter
6. Table 1 Cumulative Impact Area; Table 2 Special Stress Area; Table 3 All Applications since 13.03.08 – 06.03.09

Documents in Members' Room:

None.

Background Documents:

None.

Cumulative Impact Area



The Cumulative Impact Area comprises the area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street to the junction with the west side of Dyke Road at its eastern end; from there, north-east to the junction of the north side of Ayr Street with the west side of Queens Road and then northward to the north-west corner of Queens Road junction with Church Street; thence along the north side of Church Street eastwards to its junction with Marlborough Place and continuing south-east across to the north-western junction of Edward Street; along the north side of Edward Street to the east side of its junction with Egremont Place and southward along the eastern sides of Upper Rock Gardens and Rock Gardens; southward to the mean water mark and following the mean water line westward to a point due south of the west boundary of Preston Street; northward to that point and along the west side of Preston Street to its northwest boundary and then diagonally across Western Road to its intersection with the west side of Spring Street

APPENDIX 2

SPECIAL STRESS AREA

The areas recommended for further monitoring and detailed guidance within the Special Policy comprise the following as pictured below:-



Area 1 - an area bounded by and including: the north side of Western Road, Brighton from its intersection with the west side of Spring Street and along the north side of Western Road, Hove to its intersection with the west side of Holland Road; southward along the west side Holland Road to its end and then due south across the Kingsway to the mean water mark; along the mean water mark eastwards to the intersection with the boundary of the cumulative impact area and along that boundary northwards to the intersection of Western Road, Brighton with the west side of Spring Street.

Area 2 – an area bounded by and including: from a point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road eastwards along the north

side of Trafalgar Street to its eastern end; due east across York Place to the east side of Richmond Place; southward along the east side of Richmond Place and Grand Parade to the cumulative impact area's Edward Street boundary: westwards along the cumulative impact area's northern boundary to the north-west corner of the Church Street junction with Queens Road; north along the west sides of Queens Road and Surrey Street to the point on the west side of the Surrey Street / Terminus Road intersection adjacent to Guildford Road.

APPENDIX 3

Prevention of Public Nuisance

The Environmental Protection Team is part of the Environmental Health and Licensing Service and under the provisions of the Licensing Act 2003 is the 'responsible authority' for noise and the prevention of public nuisance. In addition, the Environmental Protection Team has duties under the Environmental Protection Act 1990 to investigate complaints that may be a statutory noise nuisance.

As a 'responsible authority' the Environmental Protection Team inspects all applications for new premises licences and licence variations. Where there are concerns relating to public nuisance a representation is made. Licence reviews have also been requested to prevent public nuisance. Applying licence conditions which mitigate and control noise has been a valuable tool to prevent public nuisance. Table 3 of appendix 6 shows the applications where the Environmental Protection Team requested licence reviews, made representations, and also highlights which ones went to hearing.

Joint Intelligence Meetings are routinely attended by all the Licensing Act 2003 'responsible authorities' and provide a useful forum for exchanging information relating to licensed premises.

The Environmental Protection Team also responds to all domestic and commercial noise complaints in the City. This includes noise from licensed premises. The majority of noise from licensed premises relates to noise from live and amplified music, and noise from people. Noise from people includes noise from people inside the premises, and noise from people using outside areas (inc the Highway adjacent to the premises). The Health Act 2006, and the ban on smoking inside premises, has resulted in more complaints relating to noise from smokers outside.

It has been pleasing to see that from 2007/2008 to 2008/2009 the number of complaints relating to noise from licensed premises across the whole City has dropped from 474 to 309. This shows a 35% reduction. For 2007/2008 33.5% of these complaints were from the cumulative impact area. For 2008/2009 the figure was very similar being 35.2%. The number of noise complaints in the special stress area is again similar for both years. For 2007/2008 13.9% of noise complaints relating to licensed premises were in the special stress area with 16.8% in 2008/2009.

These figures clearly show that the Cumulative Impact Policy plays a key part preventing public nuisance and I would recommend that it continues as extant policy.

Annie Sparks,
Environmental Health Manager, Environmental Protection



APPENDIX 4

Cumulative Impact Review 2009

Public Place Violent Crime

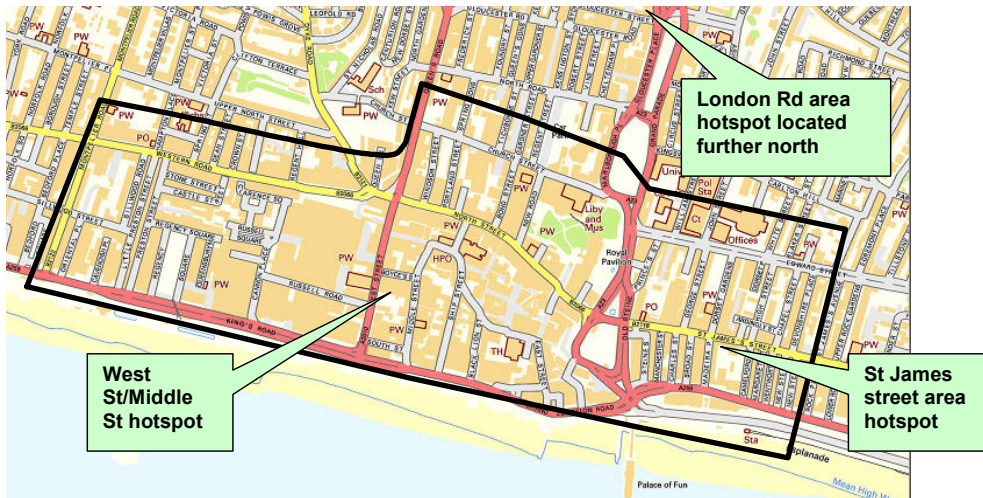
The Cumulative Impact Zone (CIZ) was introduced into Brighton and Hove City Council's Statement of Licensing Policy on 13th March 2008 following a vote by the council members of Brighton & Hove City Council. This was as a result of concerns raised by Sussex Police and partners with regards to problems of crime and disorder, alcohol related crime and public nuisance within the city centre. The process for adopting the CIZ was thorough and detailed, with Sussex Police submitting various documents for in depth consultation by all interested parties, including the public and licensing trade.

The figures and statistics presented at the time showed that Brighton & Hove suffered from high levels of public place violent crime (PPVC). Also shown was that over half of all PPVC was committed within the city centre area. There was no surprise that this area of the city has a high concentration of licensed premises.

Current hotspot analysis

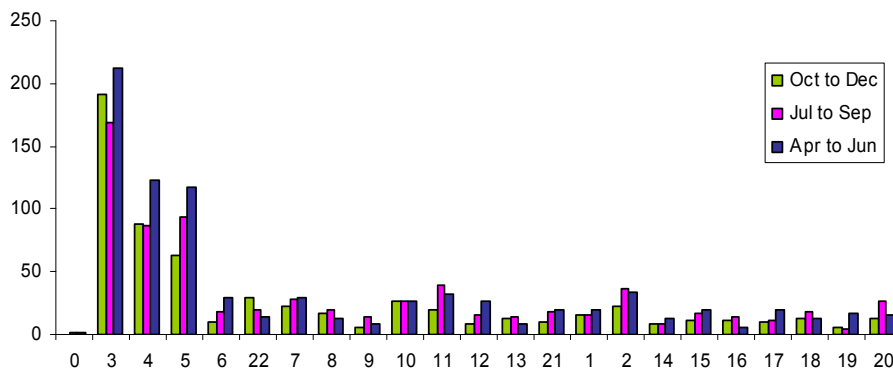
The attached map shows the current CIZ area. This area has historically shown the highest levels of PPVC in the city. The CIZ area covers the southern parts of the council wards of Regency (Beat 3), St Peters & North Laine (Beat 4) and Queens Park (Beat 5). The 3 main areas identified are West Street and surround, St James Street and surround and also the southern end of London Road. West Street and St James Street both contain a high concentration of clubs, bars and late night fast food outlets.

The London Road hotspot differs slightly in that this is not such a prime location for licensed premises. Problems here are often related to the night time economy due to the central location and routes home taken by persons attending the city centre. However a large proportion of issues can be attributed to the anti social behaviour of drug users and street drinkers who congregate on the Level and around the York Place area. This area therefore, whilst of concern and worthy of close scrutiny does not at this time merit inclusion in either CIZ or special stress areas.



Police Performance Year 2008/9

Figures compiled for the police performance year to date across the 3 quarters for which figures are currently available show that CIZ accounts for on average 53.4% of all PPVC in the city of Brighton & Hove, with Beat 3 alone (Regency Ward) accounting for an average of 27% of the PPVC in the city.



Total PPVC across the cumulative impact area has shown a reduction throughout the police performance year 2008/9 which can in part be attributed to CIZ along with the ongoing policing and partnership approach to the night time economy. Importantly analysis shows that the actual number of total offences perceived to have been committed under the influence of alcohol, whilst showing a reduction, has actually risen as a proportion of overall PPVC, in the last quarter accounting for 60.1% of all PPVC.

Robbery offences show that 63% of all robbery offences committed within the CIZ area are perceived to have taken place under the influence of alcohol. This is a statistic worthy of mention as with the present 'credit crunch' there is likely to be an increase in acquisitive crime such as robbery and also theft from licensed premises.

Violent Crime Sub Group	Recorded Levels 01 Apr to 30 Jun 2008	Recorded Levels 01 July to 30 Sept 2008	Change Between Q1 and Q2		Recorded Levels 01 Oct to 31 Dec 2008	Change Between Q2 and Q3	
			Actual	%		Actual	%
PP Violence Against The Person	816	715	-101	-12.4%	612	-103	-14.4%
PP Sexual Offences	36	38	+2	+5.6%	21	-17	-44.7%
PP Robbery	65	88	+23	+35.4%	75	-13	-14.8%
Total PP Violent Crime	917	841	-76	-8.3%	708	-133	-15.8%

Beat	Proportion formed of Division's PP Violence Against The Person Apr to Jun 2008	Proportion formed of Division's PP Violence Against The Person Jul to Sep 2008	Proportion formed of Division's PP Violence Against The Person Oct to Dec 2008
Regency Beat 3	26.0%	23.6%	31.2%
St Peters & North Laine Beat 4	15.1%	12.2%	14.3%
Queens Park Beat 5	14.3%	13.1%	10.3%

Cumulative Impact in operation

CIZ is an important tool to address PPVC and associated criminality, but importantly, cannot be seen as a solution in itself. It is a practical and proportionate approach to assist with addressing the problem and ensuring that all possible avenues are explored. Prior to CIZ being adopted the onus was on statutory agencies to justify why conditions should be placed on a new premises licence within the Licensing Act 2003 framework. With a cumulative impact policy in place then operators of licensed premises need to show how, if a new licence or variation is granted, there will be no undermining of the four licensing objectives or addition to the cumulative impact, namely that there will not be an increase in crime and disorder in the immediate locality as a result. This clearly does not seek to stifle legitimate business or impose any type of restriction on the number of applications. Rather it ensures that operators

of licensed premises properly focus on the four key principles of the Licensing Act 2003.

These four key objectives are:

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Brighton & Hove suffers from high levels of PPVC and approximately half of all this criminality takes place within the city centre area. This area has the highest concentration of licensed premises, particularly premises which are high volume vertical drinking establishments. These premises are often open for long periods of time, in some cases all night.

Cumulative impact is seen as a measure which is assisting in reducing PPVC, anti social behaviour, public nuisance and criminal acts fuelled by alcohol.

All applications or variations submitted inside the CIZ are carefully studied. If it is felt that the cumulative impact will be affected then a representation is made. To date several applications have been refused at hearings. A venue refused a licence to sell alcohol is 'Jennifers', an off licence in St James Street with a history of incidents needing police attendance. Not all applications where representations have been made have been refused. 'The Hub', a small bar at the bottom of St James Street was granted an alcohol licence at committee hearing as it was felt that with conditions imposed upon the licence the premises could trade whilst not adding to crime and disorder in the immediate area. Equally some applications have not required a representation to be made at all as on application it is apparent that there will be no addition to the cumulative impact in the area. Each venue is treated on an individual basis and licence conditions for a large bar will probably not be proportionate for a small off licence. Any reasonable conditions are tailored to the specific premises, with the over riding aim of not adding to cumulative impact in the CIZ, whilst working within the framework of the Licensing Act 2003.

CIZ is a crucial part of the licensing approach to Brighton & Hove and taken together with a close working relationship between police and council links in with the Home Office drive to limit and reduce alcohol related crime. There is also the justified expectation from the residents of Brighton & Hove that we will use this to tackle alcohol related disorder, public nuisance and violent crime.

CIZ, rather than having any negative effect upon the licensing trade and night time economy within Brighton & Hove is actually assisting in setting higher standards and actively promoting a higher level of participation from operators of licensed premises in promoting the four key principles of the Licensing Act 2003.

The police view is that CIZ as adopted on the 13th March 2008 should remain in place and the area should remain the same. The two special stress areas, Brunswick and

North Laine should also remain unchanged at this time. Analysis does not support either the CIZ or the special stress areas increasing in size, equally it does not support a downsizing of these areas. Figures show that whilst PPVC is showing a reduction over the year to date, the CIZ still accounts for over 50% of all PPVC. The only additional area police are monitoring due to thefts, PPVC and anti social behaviour is the southern end of London Road. It may be in future, based on further analysis and following consultation, that it may be proposed that London Road be put forward to be included as a special stress area.

Cumulative Impact – a summary

In conclusion the police view based upon analysis during the police performance year since CIZ was adopted is that this has had a positive effect and has assisted in reducing overall PPVC and therefore should remain in place and not be increased or decreased in size.

There has been no information received from any of the 3 District Inspectors who head the neighbourhood policing teams to highlight any changes to CIZ which are required. These Inspectors and the teams of police officers and PCSO's they lead work closely within the community.

Hotspot analysis and crime figures show that over 50% of all PPVC across the city takes place within the CIZ.

This area contains the highest concentration of licensed premises in the city and several of the top 10 streets for PPVC in Sussex are within the current CIZ.

Standards of licensed premises within CIZ are improving by greater participation from premises in promoting the licensing objectives. This is closely linked to the partnership approach by police, council, residents and licensed premises in ensuring a safer night time economy.

With the present financial climate and recession, CIZ will assist in improving the city centre area and attracting visitors to the area by providing as safe and enjoyable an experience in licensed premises as possible whilst council, police and the licensed trade work in partnership. Indeed Brighton & Hove has been awarded Beacon Status by the government in March 2009 for managing the night time economy and hailed as a national centre of excellence for managing drinking and licensed premises in the city centre. CIZ was mentioned as an important part of the decision making and judging process.

PS Wauchope CW098 Brighton & Hove Licensing Unit

APPENDIX 5

North Laine Community Association

The North Laine Community Association (NLCA) would like the council to consider bringing the North Laine into the Cumulative Impact Area. At present the North Laine is a Special Stress Area, an area deemed of special concern in terms of the levels of crime and disorder and public nuisance experienced within the area. We believe, however that the level of public nuisance in the North Laine has worsened and would like the area brought into the Cumulative Area so that the number of licenses and variations thereof can be limited.

The North Laine is a conservation area with a mix of land uses. There are some busy shopping streets but most streets are wholly residential in character and were once described as quiet and sedate (North Laine Conservation Area Study, 1995). Since the 2003 Licensing Act, on a Friday and Saturday night our residential streets are anything but sedate.

Residents of the North Laine are generally tolerant people: living in a city centre they expect a certain level of noise. Yet the level of noise we have come to expect on most week-ends now is beyond what should be acceptable. It is quite common on Friday and Saturday nights for groups of people to disturb sleep all through the night and into the early hours of the following day. The North Laine is as you know an area of narrow, terraced houses, and most people sleep in the front room which is only a matter of a few metres from the pavement so any noise from the street can disturb sleepers. We are not a city with wide roads and houses set back, yet the North Laine has become an area full of pubs and restaurants so that when they empty, at an increasingly late hour, local residents often have to put up with noise at best, vandalism and crime at worst. Moreover there is rarely a police presence in the North Laine late at night.

Residents living in close proximity to some public houses have experienced unacceptable levels of noise from music. The Licensing team will be aware of the precise nature of these problems and which pubs are involved.

In addition to the noise from music, residents have to put up with the noise generated by drinkers outside of public houses. Most of the public houses in the area have made provision for smokers to be able to smoke and drink outside creating noise for nearby residents. Many of these pubs tolerate drinking on the pavements outside the pub. Several pubs have signs indicating that customers should not drink on pavements but there is little monitoring of this.

The amount of vandalism has increased since the introduction of flexible drinking hours, particularly at weekends. Cars in particular are targeted with wing mirrors frequently broken and windows smashed. One elderly resident even had her front window smashed late at night by a drinker putting a beer glass through her lounge window. This vandalism occurs after the pubs have closed by groups on their way home.

The popularity of the North Laine is bringing more and more people into the area in the evenings as well as during the daytime. Many streets are now dominated by cafes and restaurants, many of which are licensed to sell alcohol. Since the North Laine Conservation Area Study in 1995, many new licensed premises have opened up. Not only is the character of the area being changed by this development but residents have to put up with much more noise. It seems the North Laine is becoming an entertainment quarter and the interests of the residents are being ignored.

The North Laine is as far as Licensing is concerned a Special Stress Area. Yet this has had little positive impact on our situation. It seems the interests of the licensing trade are paramount (note the recent Inspector's Report on the Heart and Hand on patio heaters) and the residents have to put up with sleepless nights at weekends and paying for the damage to their cars so that the North Laine can become Brighton's night time entertainment quarter.

The North Laine Community Association would like the consideration of:

- The North Laine being included into the Cumulative Impact Area
- A greater police presence on Friday nights at closing time within the area
- More police monitoring of pavement drinking
- Licence reviews of pubs causing a public nuisance

Accepted by the North Laine Community Association on 9 March, 2009

APPENDIX 6

TABLE 1 - CUMULATIVE IMPACT AREA

Date	Reference	Name and Address	On and/or Off Sales	Granted or Refused/Awaiting end of consultation/hearing
<i>New Premises applications</i>				
13.03.08	2008/00496/LAPREN	Maugherman's Deli , 12 Brighton Square, BN1 1HD	Off	Granted 11.04.08
06.05.08	2008/00805/LAPREN	Jennifer's Shop , 11 St James's Street, BN2 1RE	Off	Refused 03.07.08
23.05.08	2008/00966/LAPREN	Big Beach Boutique , Madeira Drive, Brighton	On	Granted 31.07.08
		Slug & Lettuce , Unit B, Moore House, 11-13 Black Lion Street, BN1 1ND		
18.07.08	2008/01321/LAPREN		On and Off	Refused 15.09.08
26.08.08	2008/01500/LAPREN	Me Old China , 46 West Street, Brighton, BN1 2RA	On	Granted 07.10.08
02.09.08	2008/01542/LAPREN	Super Chef Kebab , 116 St James's Street, BN2 1TH	NA	Refused 27.10.08
		Jamie's Italian , Unit A, Moore House, 8-13 Black Lion Street, BN1 1ND		
11.09.08	2008/01577/LAPREN		On	Granted 20.10.08
23.09.08	2008/01658/LAPREN	Tesco Stores Ltd , 25-26 St James's Street, BN2 1RF	Off	Refused 14.11.08
02.10.08	2008/01714/LAPREN	Pub du Vin , 7 Ship Street, Brighton, BN1 1AD	On and off	Granted 25.11.08
09.10.08	2008/01741/LAPREN	Hotel Chocolat , 11 Duke Street, Brighton, BN1 1AH	Off	Granted 06.11.08
		Christmas Market , Churchill Square, Russell Square, BN1 2RG		
08.10.08	2008/01873/LAPREN		On and off	Granted 06.11.08
11.11.08	2008/01976/LAPREN	The Hub , 129 St James's Street, Brighton, BN2 1TH	On	Granted 06.01.09
		Sea View Convenience Store , 41 Kings Road, Brighton, BN1 1NA		
27.11.08	2008/02114/LAPREN		Off	Refused 29.01.09
18.12.08	2008/02284/LAPREN	Lucky Voice , 8 Black Lion Street, BN1 1ND	On and off	Granted 20.01.09
		Sainsburys Supermarket , 147-148 Western Road, Brighton, BN1 2DA		
16.01.09	2009/00059/LAPREN		Off	Awaiting Hearing 13.03.09
<i>Variation applications</i>				
03.04.08	2008/00584/LAPREV	Terre A Terre Restaurant , 71 East Street, BN1 1HQ	On and off	Granted 20.05.08

28.03.08	2008/00628/LAPREV	Spearmint Rhino , Unit 5, 75-79 East Street, BN1 1NF	On and off	Granted 20.05.08
15.04.08	2008/00675/LAPREV	The Madeira , Unit 1, The Terraces, Brighton, BN2 1TB	On and off	Granted 15.05.08
17.04.08	2008/00685/LAPREV	Vavoom , 31 Old Steine, Brighton, BN1 1EL	On and off	Granted 02.06.08
22.04.08	2008/00723/LAPREV	Somerfield , 6-8 St James's Street, Brighton, BN2 1RE	Off	Granted 30.05.08
21.04.08	2008/00745/LAPREV	Northern Lights restaurant , 6 Little East Street, BN1 1HT	On	Granted 20.05.08
28.04.08	2008/00773/LAPREV	Digital , 187-192 Kings Road Arches, BN1 1NB	On and off	Granted 25.06.08
04.06.08	2008/00814/LAPREV	Aristocrats , 54 Preston Street, Brighton, BN1 2HE	On	Granted 31.07.08
19.05.08	2008/00904/LAPREV	Club Revenge , 32-34 Old Steine, Brighton, BN1 1EL	On and off	Granted 25.07.08
04.06.08	2008/01015/LAPREV	Entourage , 1 Middle Street, Brighton, BN1 1AL	NA	Granted 10.07.08
15.07.08	2008/01298/LAPREV	Burger King , 63-65 North Street, Brighton, BN1 1RH	NA	Granted 13.08.08
31.07.08	2008/01343/LAPREV	Pitcher & Piano , Queen's Hotel, 1-5 King's Road, Brighton, BN1 1NS	NA	Granted 13.08.08
22.07.08	2008/01356/LAPREV	Sparkling , 2 East Street, Brighton, BN1 1NF	On and off	Granted 27.08.08
23.07.08	2008/01362/LAPREV	Kulture , 77 West Street, Brighton, BN1 2RA	On and off	Granted 21.08.08
12.08.08	2008/01447/LAPREV	Thingslicious , 83 Preston Street, Brighton, BN1 2HG	Off	Granted 15.10.08
13.08.08	2008/01464/LAPREV	BHS , 1 Churchill Square, Brighton, BN1 2TA	Off	Granted 11.09.08
20.08.08	2008/01493/LAPREV	Latin in the Lanes , 10-11 Kings Road, BN1 1NE	On	Granted 18.09.09
28.08.08	2008/01533/LAPREV	Hotel du Vin & Bistro , 2-6 Ship Street, BN1 1AD	On	Granted 26.09.08
05.09.08	2008/01563/LAPREV	Heist , 57 West Street, Brighton, BN1 2RA	On	Granted 10.11.08
02.10.08	2008/01719/LAPREV	Digital , 187-192 Kings Road Arches, BN1 1NB	On and off	Granted 04.11.08
14.10.08	2008/01799/LAPREV	Royal York Hotel , 41-42 Old Steine, BN1 1NH	On and off	Granted 12.11.08
20.10.08	2008/01862/LAPREV	Royal Pavilion Townhouse Hotel&RDF , 12A Regency Square&76-78 Preston Street	On	Withdrawn
14.10.08	2008/01799/LAPREV	Royal York Hotel , 41-42 Old Steine, BN1 1NH	On and off	Granted 12.11.08 Awaiting decision from Hearing
23.10.08	2008/01854/LAPREV	Om Bar , 5 Steine Street, Brighton, BN2 1TE	On and off	20.02.09
07.11.08	2008/01979/LAPREV	Grosvenor Casino Seafront , 9 Grand Junction Road, BN1 1PP		Granted 05.12.08
27.11.08	2008/02113/LAPREV	The Fountain Head , 102 North Road, BN1 1YE	On and off	Granted 26.01.09
09.01.09	2009/00014/LAPREV	Travelodge , West Street, Brighton, BN1 2RE	On and off	In Consultation period

19.01.09	2009/00073/LAPREV	Superchef , 116 St James's Street, Brighton, BN2 1TH	NA	Awaiting Hearing 13.03.09
05.02.09	2009/00233/LAPREV	Burger King , 63-65 North Street, Brighton, BN1 1RH	NA	In Consultation period
11.02.09	2009/00255/LAPREV	Royal Pavilion Tavern , 7-8 Castle Square, BN1 1FX Royal Pavilion Townhouse Hotel&RDF , 12A	On and off	In Consultation period
16.02.09	2009/00265/LAPREV	Regency Square&76-78 Preston Street	On	Invalid

TABLE 2 - SPECIAL STRESS AREA

Date	Reference	Name and Address	On and/or Off Sales	Granted or Refused/Awaiting end of consultation/hearing
<i>New Premises applications</i>				
27.03.08	2008/00558/LAPREN	Refresh Club , 75-76 Grand Parade, BN2 9JA	NA	Granted 27.05.2008
05.06.08	2008/01023/LAPREN	Haneebee , 14 St Georges Place, BN1 4GB	NA	Granted 08.07.2008
12.06.08	2008/01065/LAPREN	Café Laziz , 48 Gardener Street, BN1 1UN	NA	Granted 11.07.2008
19.06.08	2008/01115/LAPREN	Wine Me Up , 100 Western Road, BN1 2AA	NA	Granted 24.07.2008
04.06.08	2008/01240/LAPREN	Easy News , 30 Trafalger Street, BN1 4ED	NA	Granted 13.08.2008
29.09.08	2008/01705/LAPREN	Solera De Tapa , 42 Sydney Street, Hove, BN1 4EP	On	Granted 30.10.2008
05.01.09	2009/00012/LAPREN	Seasons Café , 36 Gloucester road, BN1 4AG	On and off	Awaiting Hearing
<i>Variation applications</i>				
15.04.08	2008/00675/LAPREV	The Madeira , Unit 1, The Terraces, Maderia Drive, BN2 1TB The Basement, (Pka Brighton Fringe),	NA	Granted 15.05.2008
05.06.08	2008/00990/LAPREV	The Basement Argus Lofts24, BN1 4AJ	NA	Granted 08.07.2008
17.06.08	2008/01177/LAPREV	Shooters (pka Refresh Club) , 75-76 Grand Parade, BN2 9JA	NA	Granted 14.08.2008
24.09.08	2008/01666/LAPREV	LA Fourchette Bar , 104 Western Road, BN1 2AA	NA	Granted 28.10.2008
17.11.08	2008/02023/LAPREV	Komedia , 44 - 47 Gardner Street, BN1 1UN	On	Granted 07.01.2009
02.12.08	2008/02156/LAPREV	Caps & Sarasota , 5 - 6 Western Road, Hove, BN3 1AE	On	Granted 26.01.2009

TABLE 3 - All applications (New and variation applications) since 13.03.08 – 06.03.09

Date NEW	Reference	Name and Address	On and/or Off Sales	Rep / Hearing	Outcome
13-Mar-08	2008/00496/LAPREN	Maughermans Deli 12 Brighton Square BN1 1HD	Off	No No	Granted 11.04.08
13-Mar-08	2008/00500/LAPREN	66-68 Lewes Road 66-68 Lewes Road BN2 3HZ		(police rep withdrawn)	Granted 17.04.10
27-Mar-08	2008/00558/LAPREN	Refresh Club 75-76 Grand Parade BN2 9JA		Reps/hearing	Granted with conditions 27.05.08
17-Apr-08	2008/00688/LAPREN	China Inn 68 Portland Road Hove BN3 5DL		No	Granted 20.05.08
22-Apr-08	2008/00737/LAPREN	Smart Local Market 1 Park Crescent Road BN2 3HT		2 reps/hearing	Granted with conditions 23.06.08
28-Apr-08	2008/00763/LAPREN	China Garden 24 Preston Road BN1 4QF		No	Granted 30.05.08
06-May-08	2008/00805/LAPREN	Jennifer's Shop 11 St James's Street BN2 1RE	Off	Reps/hearing	Refused 03.07.08
06-May-08	2008/00811/LAPREN	11 York Place (formerly Mei Mei) 11 York Place BN1 4GU		No	Granted 08.07.08
06-May-08	2008/00815/LAPREN	Stoneham Park Stoneham Road Hove		No	Granted 06.05.08
23-May-08	2008/00966/LAPREN	Big Beach Boutique Ltd Madeira Drive Brighton	On	Reps/hearing	Granted 31.07.08

24-Apr-08	2008/01002/LAPREN	Hove Park Lower School Hangleton Way Hove BN3 8AA	No	Granted 03.06.08
05-Jun-08	2008/01020/LAPREN	Moksha Caffè 4-5 York Place Brighton BN1 4GU	No	Granted 08.07.08
05-Jun-08	2008/01023/LAPREN	Haneebee 14 St Georges Place Brighton BN1 4GB	No	Granted 08.07.2008
12-Jun-08	2008/01053/LAPREN	Koask Limited 82 London Road Brighton BN1 4JF	Police/TS-hearing	Refused
12-Jun-08	2008/01065/LAPREN	Cafe Laziz 48 Gardner Street Brighton BN1 1UN	No No	Granted 11.07.2008
19-Jun-08	2008/01115/LAPREN	Wine Me Up 100 Western Road Brighton BN1 2AA	(police rep withdrawn)	Granted 24.07.2008
25-Jun-08	2008/01192/LAPREN	The Boozy Cow 2 St Georges Road BN2 1EB	Police/residents - hearing	Granted with conditions 18.08.08
03-Jul-08	2008/01221/LAPREN	Supermulti Store Unit 2, 22-25 Station Road Portslade BN41 1GB	No (police rep withdrawn)	Granted 06.08.08
04-Jul-08	2008/01240/LAPREN	Easy News 30 Trafalgar Street BN1 4ED	No (police rep withdrawn)	Granted 13.08.2008
15-Jul-08	2008/01296/LAPREN	St. Mary's News 105 Edward Street BN2 0BB	No	Granted 18.08.08
15-Jul-08	2008/01306/LAPREN	Wine Lodge 50 Upper North Street BN1 3FH	Residents/hearing	Granted with conditions 05.09.08
18-Jul-08	2008/01308/LAPREN	Wine Rack 206 Portland Road Hove BN3 5QN	No	Application withdrawn
17-Jul-08	2008/01310/LAPREN	Mair Kim's 162 Portland Road Hove BN3 5QL	No	Granted 18.08.08
18-Jul-08	2008/01321/LAPREN	Slug & Lettuce Unit B Moore	On and Reps/hearing	Refused 15.09.08

		House 11-13 Black Lion Street BN1 1ND	Off		
25-Jul-08	2008/01386/LAPREN	Kemp Townhouse 21 Atlingworth Street BN2 1PL		No	Granted 26.08.08
28-Jul-08	2008/01389/LAPREN	Falmer House And Big Tops Gardner Centre Road University Of Sussex BN1 9QF		No	Granted 10.09.08
08-Aug-08	2008/01435/LAPREN	Station Store 2 Terminus Road BN1 3PD		No	Granted 08.09.08
18-Aug-08	2008/01487/LAPREN	Sham Gates 8 Station Road Portslade BN41 1GA		No No	Granted 18.09.08
26-Aug-08	2008/01500/LAPREN	Me Old China 46 West Street BN1 2RA	On	(police rep withdrawn)	Granted 07.10.08
02-Sep-08	2008/01542/LAPREN	Super Chef Kebab 116 St James's Street BN2 1TH		Residents/Police -hearing	Refused 27.10.08
11-Sep-08	2008/01577/LAPREN	Jamie's Italian Unit A Moore House 8 - 13 Black Lion Street BN1 1ND	On	No (police/EP/Int party rep withdrawn)	Granted with conditions 20.10.08
30-Sep-08	2008/01594/LAPREN	Tivoli News/Post Office 3 Matlock Road BN1 5BF		Reps/hearing	Granted 25.11.08
18-Sep-08	2008/01619/LAPREN	Goa Spice Of Life 2 67 Lustrells Vale Saltdean BN2 8FA		No No	Granted 16.10.08
30-Sep-08	2008/01642/LAPREN	Park Road News 7 Park Road BN1 9AA		(police rep withdrawn)	Granted 28.10.08
17-Sep-08	2008/01648/LAPREN	Dinner2go Ltd 191B Freshfield Road BN2 9YE		No	Granted 16.10.08
23-Sep-08	2008/01658/LAPREN	Tesco Stores Ltd 25 - 26 St	Off	Reps/hearing	Refused 14.11.08

		James's Street BN2 1RF			
25-Sep-08	2008/01699/LAPREN	QD'z Place 40 Lewes Road BN2 3HQ		Reps (police withdrawn) /hearing	Granted with conditions 13.11.08
29-Sep-08	2008/01705/LAPREN	Solera De Tapa 42 Sydney Street BN1 4EP	On	No	Granted 30.10.2008
02-Oct-08	2008/01714/LAPREN	Pub Du Vin (formerly Sussex Art Club) 7 Ship Street BN1 1AD	On and off	Reps EP (police withdrawn)/hearing	Granted 25.11.08
09-Oct-08	2008/01741/LAPREN	Hotel Chocolat 11 Duke Street BN1 1AH	Off	No	Granted 06.11.08
08-Oct-08	2008/01873/LAPREN	Christmas Market - Churchill Square Shopping Centre Russell Place BN1 2RG	On and off	No	Granted 06.11.08
09-Dec-08	2008/01905/LAPREN	Hotel Seattle First Floor Restaurant Waterfront Brighton Marina BN2 5WA		No	Granted 06.01.09
05-Nov-08	2008/01926/LAPREN	Victoria Road General Store 35 Clifton Hill BN1 3HQ	Off	No	Granted 04.12.08
11-Nov-08	2008/01976/LAPREN	The Hub 129 St James's Street BN2 1TH	On	Reps-police/EP /Int party-hearing	Granted with conditions 06.01.09
14-Nov-08	2008/01987/LAPREN	Hangleton Service Station 237 Hangleton Road Hove BN3 7LR	Off	No (police rep withdrawn)	Granted 12.12.08
14-Nov-08	2008/02025/LAPREN	Union Shop Students Union Shop Falmer House Gardner Centre Road University Of Sussex		No (police rep withdrawn)	Granted 16.12.08

		BN1 9QF Number 3 Oriental Cuisine 184 Sackville Road Hove BN3 7AL			No	Granted 19.12.08
21-Nov-08	2008/02052/LAPREN	Sea View Convenience Store				
27-Nov-08	2008/02114/LAPREN	41 Kings Road BN1 1NA	Off		Reps/hearing No (police rep withdrawn)	Refused 29.01.09
05-Dec-08	2008/02164/LAPREN	Aldi 1-4 London Road BN1 4JA	Off			Granted 02.09.08
17-Dec-08	2008/02231/LAPREN	Cafe Fresco 84 Boundary Road Hove BN3 5TD			No	Granted 14.01.09
18-Dec-08	2008/02284/LAPREN	Lucky Voice 8 Black Lion Street BN1 1ND	On and off		No Reps (EP/Int Party) withdrawn	Granted 20.01.09
05-Jan-09	2009/00012/LAPREN	Seasons Cafe 36 Gloucester Road BN1 4AQ	On and off		Reps/hearing	Granted with conditions 02.03.08
16-Jan-09	2009/00059/LAPREN	Sainsbury's Supermarket 147-148 Western Road BN1 2DA	Off			Awaiting Hearing 13.03.09
11-Feb-09	2009/00256/LAPREN	58 West Street Part Ground Floor Ovest House 58 West Street BN1 2RA				
23-Feb-09	2009/00321/LAPREN	Falmer House Grounds And Big Tops Falmer House Gardner Centre Road University Of Sussex BN1 9QF				
		REVIEW				
17-Apr-08	2008/00687/LAREV	Cranbourne News 14 Cranbourne Street BN1 2RD	Off		Hearing	Licence revoked 11.06.08
02-May-08	2008/00800/LAREV	Marrakech Lounge (pka Cacau) 128 Western Road BN1			Appln Withdrawn	NFA

12-May-08	2008/00840/LAREV	2AD Club HQ (pka Harlequin) 43 Providence Place BN1 4GE		Reps/hearing	Review hearing 03.07.08 - all reg ent removed
20-Oct-08	2008/01802/LAREV	Orchids (pka Melati) 52A Lansdowne Place Hove BN3 1FG	On and off	Reps/hearing	Review hearing 15.12.08 - no conditions
22-Jan-09	2008/02285/LAREV	White Horse Camelford Street BN2 1TQ	On and off	Reps/hearing	Review hearing 13.03.09 Review hearing 16.02.09 - lic suspended 3 months + conditions
22-Dec-08	2008/02293/LAREV	Black Horse 16 - 17 Montague Place BN2 1JE		Police/TS-hearing	Review hearing 19.02.09 - lic suspended 1 week + conditions
29-Dec-08	2008/02308/LAREV	Oxygen 65 -75 West Street BN1 2RA		Police/TS/residents -hearing	
17-Feb-09	2009/00277/LAREV	The Winner 291 Elm Grove BN2 3EA			Expedited review hearing 24.03.09
24-Feb-09	2009/00320/LAREV	The Water Margin 9 - 12 Middle Street BN1 1AL		Police/residents	
VARIATION					
26-Mar-08	2008/00550/LAPREV	The Blind Busker 75-77 Church Road BN3 2BB		No	Granted 26.03.08
03-Apr-08	2008/00584/LAPREV	Terre A Terre Restaurant 71 East Street BN1 1HQ	On and off	No	Granted 20.05.08
28-Mar-08	2008/00628/LAPREV	Spearmint Rhino Rouge Unit 5 First And Second Floors 75 - 79 East Street BN1 1NF	On and off	No Reps (EP/Int Party) withdrawn	Granted 20.05.08
15-Apr-08	2008/00654/LAPREV	Brighton College Eastern Road BN2 0AL		No	Granted 09.07.08
15-Apr-08	2008/00675/LAPREV	The Madeira Unit 1 The Terraces Madeira Drive BN2	NA	No	Granted 15.05.2008

17-Apr-08	2008/00685/LAPREV	1TB VaVoom 31 Old Steine BN1 1EL	On and off	No (EP rep withdrawn)	Granted 02.06.08
22-Apr-08	2008/00723/LAPREV	Somerfield 6 - 8 St James's Street BN2 1RE Somerfield (pka Star Hove) 133 Kingsway	Off	No	Granted 30.05.08
23-Apr-08	2008/00735/LAPREV	BN3 2WY Druids Arms 79 - 81 Ditchling Road BN1 4SD	Off On and off	No Rep - EP/hearing	Granted 30.05.08 Granted with conditions 16.06.08
21-Apr-08	2008/00745/LAPREV	Northern Lights Restaurant 6 Little East Street Brighton BN1 1HT Falmer House , East Slope University Of Sussex Falmer BN1 9QF	On	No - EP withdrawn	Granted 20.05.08
25-Apr-08	2008/00749/LAPREV	Digital (pka Zap Club) 187 - 192 Kings Road Arches BN1 1NB	On and off	No No (police rep withdrawn)	Granted 23.05.08 Granted 25.06.08
28-Apr-08	2008/00773/LAPREV	Aristocrats (Pka Planet India) 54 Preston Street BN1 2HE Square (pka Mock Turtle) 79 - 80 Western Road Hove BN3 2JQ	On	Rep (EP)/hearing	Granted 31.07.08
04-Jun-08	2008/00814/LAPREV	Golden Phoenix 67 Ditchling Road BN1 4SD		Reps rec'd	Application withdrawn
07-May-08	2008/00827/LAPREV	Club Revenge 32-34 Old Steine BN1 1EL	On and off	No Reps-police/int party-hearing Residents/EP- hearing	Granted 10.07.08 Granted with conditions 25.07.08 Granted with conditions 22.07.08
14-May-08	2008/00896/LAPREV	The Lanes Hotel 70 - 72 Marine Parade BN2 1AE			
19-May-08	2008/00904/LAPREV				
28-May-08	2008/00968/LAPREV				

23-May-08	2008/00975/LAPREV	H Bar 16 Church Road Hove BN3 2FL The Basement (Pka Brighton Fringe) The Basement Argus Lofts 24 Kensington Street		Residents/EP- hearing	Granted with conditions 15.07.08
05-Jun-08	2008/00990/LAPREV	BN1 4AJ Entourage (pka Seahouse) 1 Middle Street		No	Granted 08.07.2008
04-Jun-08	2008/01015/LAPREV	BN1 1AL Mulberry Stores 32 Upper St James Street	NA	No	Granted 10.07.08
17-Jun-08	2008/01165/LAPREV	BN2 1JN Shooters (pka Refresh Club)	Off	Reps - hearing	Granted with conditions 11.08.08
17-Jun-08	2008/01177/LAPREV	75-76 Grand Parade BN2 9JA Black Horse Inn 112 Church Street BN1 1UD		Reps - hearing No -EP rep withdrawn	Granted with conditions 14.08.08
10-Jul-08	2008/01272/LAPREV	Burger King 63-65 North Street BN1 1RH	NA	No	Granted 01.09.08
15-Jul-08	2008/01298/LAPREV	Pharaoh Mini Market 142 Portland Road BN3 5QL	NA	No	Granted 13.08.08
17-Jul-08	2008/01338/LAPREV	Pitcher And Piano Queen's Hotel 1 - 5 Kings Road BN1 1NS	Off	No	Granted 18.08.08
31-Jul-08	2008/01343/LAPREV	Sparkling (pka Goodies C- Store) 2 East Street	NA	Rep police/hearing	Granted with conditions 13.08.08
22-Jul-08	2008/01356/LAPREV	BN1 1NF 17 Preston Road , 17 Preston Road BN1 4QE	On and off	No	Granted 27.08.08
22-Jul-08	2008/01359/LAPREV	Kulture (pka Standard) 77 West Street BN1 2RA	Off	No	Granted 20.08.08
23-Jul-08	2008/01362/LAPREV		On and off	No - rep EP withdrawn	Granted 21.08.08

24-Jul-08	2008/01372/LAPREV	Stanmer Park Tavern 292 Ditchling Road BN1 6JG		No Resident rep withdrawn	Granted 15.09.08
11-Jul-08	2008/01405/LAPREV	Hotel Seattle Waterfront Brighton Marina BN2 5WA		No	Granted 13.08.08
12-Aug-08	2008/01447/LAPREV	Thingslicious (pka The Pantry) 83 Preston Street BN1 2HG	Off	Rep police/hearing Reps/EP rep withdrawn	Granted 15.10.08
12-Aug-08	2008/01456/LAPREV	La Tropicale (pka Top Cats) 61A Western Road Hove BN3 1JD		- hearing	Granted 15.10.08
13-Aug-08	2008/01464/LAPREV	BHS 1 Churchill Square BN1 2TA	Off	No	Granted 11.09.08
18-Aug-08	2008/01476/LAPREV	McColls (pka Premier Mace Foodstore) Bramber House Refectory University of Sussex BN1 9QU		No	Granted 18.09.08
18-Aug-08	2008/01491/LAPREV	The Station Public House 100 Goldstone Villas BN3 3RU		No	Granted 15.09.08
20-Aug-08	2008/01493/LAPREV	The Latin In The Lane 10 - 11 Kings Road BN1 1NE	On	No	Granted 18.09.09
26-Aug-08	2008/01505/LAPREV	Circus Circus 2 Preston Road BN1 4QF		No	Granted 25.09.08
28-Aug-08	2008/01533/LAPREV	Hotel Du Vin & Bistro 2-6 Ship Street BN1 1AD	On	No	Granted 26.09.08
05-Sep-08	2008/01550/LAPREV	Amsterdam Hotel Marine Parade BN2 1TL		No Reps	Granted 10.10.08
05-Sep-08	2008/01563/LAPREV	Heist 57 West Street BN1 2RA	On	Police/EP/H&S - hearing	Granted 10.11.08

24-Sep-08	2008/01666/LAPREV	La Fourchette Bar 104 Western Road BN1 2AA		No	Granted 28.10.2008
03-Oct-08	2008/01718/LAPREV	Franky And Johnny 72 Blatchington Road Hove BN3 3YH		No	Granted 04.11.08
02-Oct-08	2008/01719/LAPREV	Digital (pka Zap Club) 187 - 192 Kings Road Arches BN1 1NB	On and off	No No	Granted 04.11.08
03-Oct-08	2008/01796/LAPREV	Champagne And Oyster Company 129 Church Road Hove BN3 2AE		(police rep withdrawn)	Granted 10.11.08
14-Oct-08	2008/01799/LAPREV	Royal York Hotel 41 - 42 Old Steine BN1 1NH	On and off	No	Granted 12.11.08
23-Oct-08	2008/01854/LAPREV	Om Bar (pka V2) 5 Steine Street BN2 1TE	On and off	Reps/hearing	Granted with conditions 20.02.09
20-Oct-08	2008/01862/LAPREV	Royal Pavilion Townhouse Hotel & RDF 12a Regency Square And 76-78 Preston Street BN1 2FG	On	Appln Withdrawn	Withdrawn
28-Oct-08	2008/01870/LAPREV	Master Mariner Inner Lagoon Village Square Brighton Marina		No	Granted 26.11.08
30-Oct-08	2008/01885/LAPREV	Delight Kebab 15 Preston Road BN1 4QE	NA	No No	Granted 27.11.08
07-Nov-08	2008/01979/LAPREV	Grosvenor Casino Seafront 9 Grand Junction Road BN1 1PP		- reps withdrawn	Granted 05.12.08
11-Nov-08	2008/01983/LAPREV	Asda Superstore Brighton Marina Village BN2 5UT	Off	No	Granted 15.12.08
14-Nov-08	2008/01984/LAPREV	Quaff Fine Wine Merchant Ltd 139 - 141 Portland Road BN3 5QJ	Off	Reps/hearing	Refused

13-Nov-08	2008/02022/LAPREV	The Booze Factor 53 Lewes Road BN2 3HW		Reps/hearing	Granted with conditions 12.01.09
17-Nov-08	2008/02023/LAPREV	Komedia 44 - 47 Gardner Street Brighton BN1 1UN		No-rep EP withdrawn	Granted 07.01.2009
27-Nov-08	2008/02113/LAPREV	The Fountain Head (pka North Road) 102 North Road BN1 1YE	On and off	Reps-residents /hearing Reps-residents (Police/EP withdrawn)	Granted 26.01.09
02-Dec-08	2008/02156/LAPREV	Caps & Sarasota 5 - 6 Western Road BN3 1AE		- hearing	Granted with conditions 26.01.09
21-Jan-09	2008/02291/LAPREV	Tin Drum 95-97 Dyke Road BN1 3JE		No	Granted 18.02.09
22-Dec-08	2008/02302/LAPREV	Bowlplex Brighton Marina Village Brighton Marina BN2 5UT		Police rep/hearing	Granted 16.02.09
09-Jan-09	2009/00014/LAPREV	Travelodge (pka Quality Hotel) West Street BN1 2RE	On and off	In Consulation period	
12-Jan-09	2009/00051/LAPREV	Tin Drum 10 Victoria Grove Second Avenue Hove BN3 2LJ		Reps(EPwithdrawn) /hearing	Granted with conditions 06.03.09
19-Jan-09	2009/00073/LAPREV	Superchef 116 St James's Street BN2 1TH	NA	Awaiting Hearing 13.03.09	
29-Jan-09	2009/00177/LAPREV	McDonald's Restaurants Ltd Marina Village Brighton Marina BN2 5UT	NA		
06-Feb-09	2009/00210/LAPREV	Claremont House Hotel 13 Second Avenue Hove BN3 2LL			
05-Feb-09	2009/00233/LAPREV	Burger King 63-65 North Street BN1 1RH	NA	In Consulation period	

11-Feb-09	2009/00255/LAPREV	Royal Pavilion Tavern 7-8 Castle Square BN1 1FX	On and off	In Consulation period
13-Feb-09	2009/00258/LAPREV	La Piazza 70 Church Road Hove BN3 2FP		
25-Feb-09	2009/00265/LAPREV	Royal Pavilion Townhouse Hotel & RDF 12a Regency Square And 76-78 Preston Street BN1 2FG	On	Invalid
18-Feb-09	2009/00283/LAPREV	Sobs 109 Dyke Road BN1 3JE		
20-Feb-09	2009/00309/LAPREV	The Windmill Inn 69 Upper North Street BN1 3FL		

LICENSING COMMITTEE

(Licensing Act 2003 Functions)

Agenda Item 42

Brighton & Hove City Council

Subject: *Health Impact Assessment of Licensing*

Date of Meeting: *24 April 2009*

Report of: *Director of Environment*

Contact Officer: Name: **Jean Cranford & Tim Nichols** Tel: **29-2550
29-2163**

E-mail: jean.cranford@brighton-hove.gov.uk
tim.nichols@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 A report was submitted to licensing members 27 November 2008 relating to work funded by the PCT and commissioned by the city council to appoint consultants to undertake a health impact assessment into flexible licensing hours in Brighton and Hove.

2. RECOMMENDATIONS:

- 2.1 That this report is noted.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove City Council has been granted funding by Brighton & Hove Primary Care Trust and City Council Directorate of Public Health. Consultants chosen by competitive tender are Ben Cave Associates Ltd. who are experienced, specialist health impact assessors, recognised nationally and internationally.
- 3.2 Due to unforeseen circumstances there has been a delay in reporting this project. The consultants are seeking to retrieve raw material from the workshops in order to create a workshop report.
- 3.3 The revised timetable is to report to Licensing Committee on 25th June 2009. Officers will report verbally at the meeting concerning these difficulties, if required by members.
- 3.4 Indicators to be used in this study are:
1. Reduce impact on acute hospital
 2. Reduce public place violent crime
 3. Reduce domestic violence

4. Reduce alcohol related offending

- 3.5 A further interim report is appended and a final report is due at the beginning of May.
- 3.6 The health impact assessment may be used to inform statement of licensing policy, local alcohol harm reduction strategy, community safety, transport, tourism, economic development, community development and violent crime reduction strategies.

4. CONSULTATION

- 4.1 The steering group for the Health Impact assessment comprises: Cllr Carol Theobald, Cllr Jeane Lepper, Adam Bates, Linda Beanlands, The Healthy City's Manager, Jean Cranford, Barbara Hardcastle (PCT), Steve Hodson (ESFRS), Peter Mills (Sussex Police), Tim Nichols, Chris Owen, Chris Parfitt, Liz Rugg, Becky Woodiwiss (PCT), Mike Taggart, Graham Stevens, Chris Wilson, Nigel Liddell (Brighton Business Forum), Sussex Ambulance Service, Paul Iggulden and Erica Ison (Ben Cave Associates)

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The full cost of delivering the report will be covered by the PCT funding of £34,000 already received by B.H.C.C.

Finance Officer Consulted: Karen Brookshaw

Date:

Legal Implications:

- 5.2 There are no direct legal implications.

Lawyer Consulted: Rebecca Sidell

Date:

Equalities Implications:

- 5.3 Alcohol related crime, violent offences and sexual offences are areas of concern nationally and for the city.

Sustainability Implications:

- 5.4 Business tourism is the fastest growing domestic market (reference Brighton & Hove Strategy for Visitor Economy 2008 – 2018)

Crime & Disorder Implications:

- 5.5 40% of recorded violent crime is alcohol related and Brighton & Hove is second highest to Hastings in the South East Coast strategic health authority (reference

Annual report DPH 2007). The Community Safety Strategy aims to reduce alcohol related anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 No assessment has been made locally of the impact of the new licensing laws on health.

Corporate / Citywide Implications:

- 5.7 Alcohol related harm indicators for the city include alcohol related months of life lost, alcohol specific hospital admissions, and alcohol related crime.

SUPPORTING DOCUMENTATION

Appendices:

1. Flexible alcohol licensing hours in Brighton and Hove – Interim report

Documents In Members' Rooms:

1. None

Background Documents:

1. The Annual Report of the Director of Public Health 2007
2. Report to licensing committee 27 November 2008, Agenda item 23 Health Impact Assessment of Licensing.

APPENDIX 1

Interim Report:

Flexible alcohol licensing hours in Brighton and Hove Rapid assessment of health impacts

March 2009

Report Authors

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Contents Amendment Record

This report has been issued and amended as follows:

Issue	Revision	Description	Date	Signed
First	V1	For internal QA	20 th March 2009	Paul Iggulden Ben Cave
Second	V2	Issue for MT QA (JC, TN, TS)	27 th March 2009	Paul Iggulden

Prepared by	Ben Cave Associates Ltd
Commissioned by	Brighton and Hove City Council

Ben Cave Associates Limited has prepared this report in accordance with the instructions of their client, Brighton and Hove City Council. Any other persons who use any information contained herein do so at their own risk.

Ben Cave Associates Limited is a company registered in England and Wales.
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Introduction

In May 2008 Ben Cave Associates (BCA) were commissioned by Brighton and Hove City Council to undertake the Health Impact Assessment (HIA) of the Introduction of Flexible Alcohol Hours in Brighton & Hove.

This interim report provides an update on progress made to date and outlines key themes emerging from our analysis to date.

The report is provided to the Licensing Committee for the meeting on 24th April 2009.

The report contains the following sections:

- Update on progress to date;
- Key themes emerging; and
- Next steps.



Update on progress

- 2.1 The outline proposal for the assessment identified four key stages as:
- First stage: project start up;
 - Second stage: Literature review - scoping and review of key documents and evidence;
 - Third stage: Stakeholder consultation; and
 - Fourth stage: Appraisal and analysis and preparation and presentation of final report.
- 2.2 We provide a brief narrative on activities that have been undertaken for these four stages.
- 2.3 Accident to a lead consultant has meant delays to completion of the third and fourth stages.

First stage: project start up

- 2.4 The outline proposal for this assessment identifies the following outputs for the first stage:
- steering group convened;
 - agreed list of risks to this contract;
 - agreed scope;
 - agreed methodology;
 - agreed timeline;
 - agreed consultation strategy.
- 2.5 All of the above outputs have been undertaken and signed off by the Steering Group (October 2008). Details of these outputs were reported in the second stage report (September 2008).
- 2.6 The agreed timeline identified January 2009 as the project end point. An accident to one of the lead consultants has required the timeline to be revised. In agreement with the project Management Team, the timeline for completion is now as follows:
- 30th March for interim report to licensing committee on 24th April; and
 - 15th May to present final report to licensing committee on 25th June.

Second stage: Literature review - scoping and review of key documents and evidence

- 2.7 A second stage report was produced in September 2008 for the Steering Group to consider at its meeting the following month.
- 2.8 The second stage report provided:
- a detailed review and update of the policy context for this assessment, at national, regional and local levels;



- an initial review of Brighton and Hove data relating to alcohol licensing and to alcohol and health. The initial review also outlined actions required to conclude this element of the assessment;
 - A population profile for Brighton and Hove.
- 2.9 We have continued to examine local data of potential relevance to this study, following up a range of contacts to identify the nature and where possible the quality of local data.
- 2.10 The Steering Group meeting of 7th October 2008 agree the approach for stakeholder consultation.

Third stage: Stakeholder consultation

- 2.11 Seven stakeholder events were held between 11th and 13th November 2008 enabling access to a diverse range of local opinion:
- a workshop for public and voluntary sectors;
 - two focus groups for the public / local residents;
 - two focus groups for licensees / businesses;
 - a focus group for councillors; and
 - a focus group for licensed premises employees.
- 2.12 A summary report of the stakeholder events is being produced. This will be shared with all participants and will be used to inform the final appraisal stage of the assessment.
- 2.13 We anticipate the draft stakeholder engagement report being ready in early April.

Fourth stage: Appraisal and analysis and preparation and presentation of final report

- 2.14 In the final stage of the assessment we will analyse the information gathered during the earlier stages.
- 2.15 We anticipate the output of the Stakeholder consultation to inform the final stages of the review of local data in addition to providing key information for the appraisal and final report.
- 2.16 We will produce a final report and we will include suggestions for a Public Health Management Plan. We provide some emerging themes below.



3. Key themes emerging

- 3.1 In this section we highlight some of the key themes emerging from our initial analysis of findings.
- 3.2 We anticipate the themes being refined as we conclude our analytical work over the coming weeks.
- 3.3 The key themes relate to three areas:
 - multitude of pathways by which alcohol licensing effects health and well being;
 - diverse range of stakeholders affected;
 - managing the future.

Multitude of pathways by which flexible alcohol licensing affects health and well being

- 3.4 The health and well being impacts of flexible alcohol licensing are many and affect a wide range of communities / sections of society.
- 3.5 Many of the health and well being impacts of flexible alcohol licensing are not new but are incremental. The review to date of local data suggests that it may be problematic to retrospectively establish a baseline against which to measure impact. Furthermore, current data collections may be insufficient to monitor major impacts.
- 3.6 Positive steps are being taken locally to reduce alcohol related crime and disorder. However, many stakeholders still perceive disorder to be a persistent problem.
- 3.7 One of the most striking impacts of alcohol abuse is the dominance of alcohol harm affects in A&E. Many stakeholders have noted both the high volume of A&E attendances that are related to alcohol and that the resulting environment is often unsuitable for other users, children and young people in particular.
- 3.8 Stakeholders have also noted that the economic and social diversity (and indeed success) of Brighton and Hove is threatened by an alcohol dominated late night economy. The traditional local 'pub' is pressured by the impact of widely available (and relatively inexpensive) off sales becoming the pre-club venue of choice for 'front loading'.

Diverse range of stakeholders affected

- 3.9 The multitude of pathways by which alcohol effects health and well being impacts many in society, either directly or indirectly:
 - Direct impacts (positive and negative) are experienced by many adults and young people; and
 - Indirect impacts are typically experienced by children, partners, family and friends.



- 3.10 The complex web of health and well being impacts are experienced across all age ranges, social strata and geographic communities within Brighton and Hove and beyond.
- 3.11 Many of the stakeholders perceive the main impacts of flexible alcohol licensing to be adverse in terms of health and well being. The positive economic benefits are not shared across all licensed businesses.

Managing the future

- 3.12 Locally collected data appears to be limited to that which is required for central reporting purposes. This is often not rich enough to enable reliable monitoring of the impacts of changes in alcohol licensing.
- 3.13 The Licensing Committee established a cumulative impact area within which the default position is refusal of additional licensing requests. This is a positive and well intended move. It will be very important to develop criteria against which applications are judged to ensure it works as intended but also so that it is a proper process that can withstand legal challenge.



4. Next steps

- 4.1 A Stakeholder consultation report will be produced and shared with participants. This will conclude the third stage of the assignment.
- 4.2 The fourth stage of the assessment will involve analysis of findings and a final appraisal of impacts. These will be communicated by means of a final report.
- 4.3 Sign off of the final report by the Steering Group will be needed by 7th May.

LICENSING COMMITTEE
(Licensing Act 2003 Functions)

Agenda Item 43

Brighton & Hove City Council

Reviews Jan 09 – Apr 09

NAME AND ADDRESS OF PREMISES	Date consideration of closure order received from Magistrates or review received	DATE OF HEARING	DETERMINATION
Orchids, Lansdowne Place	20.10.08 - EP	15.12.08	Granted – no conditions
The White Horse, Camelford Street	12.12.08- EP	13.03.09	Conditions were attached, hours reduced and regulated entertainment prohibited
Black Horse, Montague Place	22.12.08- Police	16.02.09	Suspended for 3 months, remove DPS, modify and add conditions.
Oxygen, West Street,	29.12.08 - Police	19.02.09	Suspended for 1 week. DPS removed. Condition amended others added. New DPS to be on site at all times for 3 months.
Water Margin, 9-12 Middle St, Brighton BN1 1AL	24.02.09 – Police (Expedited review)	24.03.09	Interim steps suspended licence for 3 weeks. Review – hours curtailed and additional conditions
The Winner, 291 Elm Grove	17.02.09 - Police	16.04.09	Pending

Schedule of Licensing Appeals (Jan 2009 – Apr 2009)

Premises	Appellant	PTR	Hearing	Outcome
The Slug and Lettuce	Poppleston Allen solicitors for the premises	November 08	26&27 March 2009	Settled by consent.
Thingslicious	Thingslicious Ltd	20 November 08	6 March 2009	Withdrawn plus costs.
Tesco Stores Ltd	Tesco Stores Ltd		27&28 April 2009	
The Black Horse	Admiral Taverns		4 June 2009	

GAMBLING ACT 2005 (to 03.04.09)

<u>Numbers of applications</u>	<u>Betting</u>	<u>Bingo</u>	<u>Representations received</u>	<u>Categories</u>
Total applications received	1	0	0	All
1 waiting magistrates decision on 1968 application				Casino
TUNs – none				
OUNs – none				
Premises closed	0			

