

The council, as licensing authority, is carrying out a consultation exercise as part of a interim review of its Statement of Licensing Policy (SoLP), looking specifically at extending the Special Stress Area and reviewing the Matrix approach in relation to café bars. We will be consulting for 8 weeks from 23<sup>rd</sup> July 2018. I would be grateful to receive your comments, any suggested amendments or improvements and your reasons for recommending any changes by no later than 17<sup>th</sup> September 2018.

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

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

### **Special Stress Area**

The Council, supported by Police Licensing, and local ward Councillor are proposing to extend the Special stress Area (SSA (ref. 3.2 of the SoLP)) to cover Central Hove, to extend from the west side of Holland Road northwards/ intersection with the North side of Lansdowne Road, going westwards along Eaton Road/Blatchington Road to the junction and then south along Sackville Road down to the seafront ([see link for map of proposed extension](#)).

The SSA is defined as an area of concern to be monitored for levels of public nuisance and anti social behaviour (ASB). Applications in the SSA are expected to have a robust operating schedule with appropriate conditions. Unlike the CIZ there is no presumption of refusal. This proposal reflects the number of licensed premises in Church Road Hove, concerns which have been raised by residents and local Councillor in relation to the area, and the evidence from Public Health framework document. The proposal would also be consistent with the current SSA that acts as a buffer to the Cumulative Impact Zone (CIZ).

### **Question 1. Do you agree with the proposal to extend the SSA into Central Hove?**

#### **Matrix approach in relation to café bars**

The second proposal is regarding the café bar category as described in 3.3.3 of the SoLP and categorised in the matrix ([see link to current SoLP where the matrix is shown on page 16](#)).

The Council’s Statement of Licensing Policy (SoLP) (paragraph 3.3.3) states:

**Café Bars** - the licensing authority may be prepared to look favourably upon an application for the grant of a licence, subject to the following conditions that will prevent the premises becoming a public house.

- The sale of intoxicating liquor and other beverages shall be waiter/waitress service for consumption by persons seated at tables.
- Substantial food shall be available at all times.

It is suggested that the term “café bars” to define this category of premises is misleading. Officers suggest the term “café” is more appropriate as essentially we are not talking about bars but small food led cafes or delis where alcohol is not the primary activity and the venues do not open late. It is also suggested adding notes to the matrix that this category is defined as “small food led establishments”.

The Annual report shows an increase in café bars granted 2017/18 but a big decrease in pubs/clubs. There are considerably more pubs and restaurants in the City compared to café bars. As of March 2018 there were 323 Pubs, bars & nightclubs, 297 Restaurants and 89 café bars. [Please see link to Licensing Committee Report](#)

Concern has been raised about the increase in café bars granted in the CIZ. Resident’s representations to licensing panels have highlighted issues of saturation of licensing premises in the CIZ, particularly the North Laine area, leading to an increase in public nuisance and Members have raised their concerns.

Therefore, it has been agreed to consult on whether to reduce the hours of café bars in the CIZ from the current 11.30pm to earlier in the evening.

## Question 2

i) **Do you agree to the change of name from “café/bars” to “café” (notes to Matrix to be amended to “small food led establishment”)?**

ii) **Do you agree with the proposal to reduced hours for café/bar category in CIZ to earlier in the evening?**

**If you do agree, what time do you consider would be appropriate and why?**

This information can also be found on-line on the Council’s Portal <https://www.brighton-hove.gov.uk/solp-consultation>.

Please submit your response either on-line to [ehl.safety@brighton-hove.gov.uk](mailto:ehl.safety@brighton-hove.gov.uk), or to the Environmental Health & Licensing team, 2<sup>nd</sup> Floor, Bartholomew House, Brighton BN1 1JE.

### Privacy Notice (Consent)

The Council is the data controller for purposes of the EU General Data Protection Regulation and any UK legislation supplementary to this. The Council is registered as a data controller with the Information Commissioner’s Office (ICO) under registration number Z5840053.

Brighton and Hove City Council are committed to protecting your personal information. As a data controller we have a responsibility to make sure you know why and how your personal information is being collected in accordance with relevant data protection law.

#### Why we are processing your data

- We are collecting your data for the purpose of informing the Brighton & Hove Licensing Authority's Statement of Licensing Policy.
- We have a legal basis for collecting this data and any special category data under Explicit Consent and you will be required to provide consent below.
- Personal data from individuals responding as residents or visitors will not be shared with any other third party without you being informed.
- Data from individuals responding as a representative of an organisation or as a stakeholder may be shared with the Licensing Committee members and will be available as a public document on the internet.
- We will hold your data until Brighton & Hove Licensing Authority's Statement of Licensing Policy has been agreed by the council's Licensing Committee.

#### Your information rights

- You have rights around the information we hold on you, further information on your rights are available on [our website](#).

#### Further information

- If you would like to discuss this further please contact our Information Governance Team on 01273 295959 or [data.protection@brighton-hove.gov.uk](mailto:data.protection@brighton-hove.gov.uk)
- BHCC's Data Protection Officer may be contacted on [gdpr@brighton-hove.gov.uk](mailto:gdpr@brighton-hove.gov.uk)