

Subject:	Review of Statement of Licensing Policy – Consultation Response Report 2018		
	Extract from the proceedings of the Licensing Committee meeting held on the 29th November, 2018		
Date of Meeting:	13 December 2018		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
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Wards Affected:	All		

FOR GENERAL RELEASE***Action Required of the Full Council:***

To receive the item referred from the Licensing Committee for consideration:

Recommendation: That the revised Statement of Licensing Policy be approved and adopted as Council policy.

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

3.00pm, 29 NOVEMBER 2018

COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

Present: Councillors O'Quinn (Chair), Morris (Deputy Chair), Hyde (Opposition Spokesperson), Deane (Group Spokesperson), Bennett, Cattell, Cobb, Horan, Knight, Marsh, Page, C Theobald and Wares

Apologies: Councillors Gilbey and Lewry

PART ONE

- 18. REVIEW OF STATEMENT OF LICENSING POLICY – CONSULTATION RESPONSE REPORT 2018**
- 18.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities and Housing detailing the review of the Statement of Licensing Policy which had taken place and the consultation responses received.
- 18.2 It was noted that the Council, as Licensing Authority, had a statutory duty to review its Statement of Licensing Policy (SoLP) every five years. The current policy was adopted on 24 March 2016 by Full Council. The current policy which had been adopted on 24 March 2016 by Full Council was required to be kept under review. The Council, as a licensing authority needed to carry out a consultation exercise prior to any review of its Licensing Policy (Section 5 (3)) of the 2003 Licensing
- 18.3 At its meeting held on 28 June the Committee had authorised officers to go out to statutory consultation with the proposal to expand the Special Stress (SSA) to cover Central Hove and to consult on the café/ bar category and a revised matrix.
- 18.4 Officers and the Police supported extension of the existing SSA to reflect the number of licensed premises in New Church Road, Hove. It had been identified that this would be consistent with the current SSA which acted as a buffer with the CIZ. The SSA was defined as an area of concern to be monitored for levels of public nuisance and anti social behaviour. Applications in the SSA were expected to have a robust operating schedule with appropriate conditions, although unlike the CIZ there was no presumption of refusal.

- 18.5 The Chair, Councillor O'Quinn stated that she was delighted with the proposed changes, especially in relation to the proposed café designation which she considered would address the concerns raised by members. She was grateful to Councillor Deane who had first highlighted this issue in relation to the North Laines which had seen an increase in café bar operations.
- 18.6 Councillor Hyde concurred stating that she supported the recommendations which she considered would provide a useful tool for addressing issues which Panels had encountered when determining café bar applications. It was confirmed in answer to questions that all applications needed to be considered on their individual merits and that a blanket refusal policy could not be applied in a CIZ.
- 18.7 Councillor Page stated that the number of premises from which alcohol could be bought was at saturation point in his ward and he was sure that the café bar category had been used as a loophole for alcohol sales.
- 18.8 Councillor Deane stated that she was grateful for the work put in by officers in seeking to address members concerns and hoped that it would be possible to look at extending the existing areas/designations in future based on operating experience. Councillor Deane considered that part of problems arose in part due to the definition in the legislation in relation to café bars which had never identified what constituted "substantial" food.
- 18.9 The Chair, Councillor O'Quinn confirmed that the policy as approved would still be capable of subsequent periodic review.
- 18.10 Councillor Wares stated that he was grateful to Councillors Deane and Wealls for their diligence in highlighting issues in relation to café bars and in relation to issues which had arisen in Central Hove. In answer to questions it was confirmed that vertical drinking was not permitted in café bars, all drinks had to be served to customers who were seated at tables.
- 18.11 **RESOLVED:** That the Committee agree the revisions to the Statement of Licensing Policy as follows:
- (1) Expand the Special Stress Area (SSA) into Central Hove;
 - (2) Change the name of the "café bar" category to "café" to reflect this in the policy; and
 - (3) Reduce café hours to 10.00pm within CIA category of the matrix; and
- 18.2 **RESOLVED TO RECOMMEND:** That the revised Statement of Licensing Policy be referred to Full Council for adoption.

