

LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)	Agenda Item 3 Brighton & Hove City Council
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BRIGHTON & HOVE CITY COUNCIL

LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)

3.30PM, 10 FEBRUARY 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Cobb (Chairman), Lepper (Deputy Chairman), Harmer-Strange, Hawkes, Hyde, Kitcat, Marsh, Older, Phillips, Pidgeon, Simson, C Theobald, Watkins and Wrighton

Apologies: Councillors West

Officers: Jean Cranford, Licensing Manager, Rebecca Sidell, Lawyer and Penny Jennings, Democratic Services Officer

PART ONE

18. PROCEDURAL BUSINESS

18a Declaration of Substitutes

18.1 There were none.

18b Declarations of Interest

18.2 There were none.

18c Exclusion of the Press and Public

18.3 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Committee 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 100I of the Act).

18.1 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any item on the agenda.

19. MINUTES OF THE PREVIOUS MEETING

19.1 **RESOLVED** – That the minutes of the Licensing Committee (Licensing Act 2003 Functions) Meeting held on 18 November 2010 be agreed and signed by the Chairman as a correct record.

20. CHAIRMAN'S COMMUNICATIONS

20.1 There were none.

21. CALLOVER

21.1 All items were reserved for discussion.

22. PUBLIC QUESTIONS

22.1 There were none.

23. PETITIONS

23.1 There were none.

24. CONSIDERATION OF RESOLUTION OF FULL COUNCIL IN RELATION TO ADOPTION OF NEW LICENSING POLICY

24.1 The Committee considered the Extract and Resolution from Full Council of 16 December 2010 at which the "Statement of Licensing Three Year Review" which had been forwarded from the Committee on 18 November had been considered.

24.2 Councillor Cobb, the Chairman, stated she considered it would be appropriate for the points raised at Council and during the course of discussions at that afternoon's Committee meeting were addressed and included in the when the annual review report was brought before a future meeting of the Committee.

24.3 Councillor Wrighton stated that the "Green Group" amendment had been put forward because it was considered very important to obtain input from ward councillors regarding areas of concern within their own wards. She considered it appropriate for a further report to be submitted by officers following consultation with all councillors and the Police with a view to putting forward potential boundaries encompassing the Special Stress Areas.

24.4 Councillor Simson stated that she was mindful of the recent training session for Members of the Licensing Committee led and facilitated by Philip Colvin QV. His advice had been that the city needed to be looked at holistically, CIA's and stress areas worked well because they recognised different levels of concentration and other factors which were particularly relevant in some areas of the city. If the existing areas were to be extended robust evidence would need to be put forward to support this. She

considered that adoption of a matrix system, the merits of which had been discussed at the training and session, should be explored. Any policy needed to be sensible and enforceable.

- 24.5 Mrs Cranford, the Licensing Manager confirmed that both the CIA and Special Stress Area were reviewed annually by the Committee and consideration of a matrix approach could also be considered. Officers could look at the existing boundaries in the context of a matrix, Ward Councillors could be consulted on that basis. Representatives of the Police had also attended the training session and had appeared generally supportive of such an approach.
- 24.6 Councillor Lepper, the Deputy Chairman stated that a matrix approach appeared to have much to commend it and that it could be discussed as a potential way forward as part of the next review. This seemed a better approach than having a blanket policy as it applied differing policies in different communities.
- 24.7 Councillor Kitcat concurred with the views expressed requesting that the existing CIA, SSA boundaries be revisited too. Some seemed arbitrary and they had not been revised for some while.
- 24.8 Councillor C Theobald concurred that a matrix could be a good way forward and was worthy of further consideration, particularly as the Police seemed to have indicated general support, in the past the Police had not been supportive of any changes to the existing arrangements.
- 24.9 **RESOLVED** – That the Committee receive a report as part of the Annual Review of Licensing Policy following consultation with Ward Councillors and the Police and having regard to the concerns of local residents reviewing evidence with a view to the possible inclusion of the Special Stress Areas (SSA's) in the Cumulative Impact Area. The merits of a matrix approach were also to be explored.

25. SCHEDULE OF LICENSING APPEALS

- 25.1 The Committee considered the schedule of Licensing appeals carried out during the period covered by the report. In answer to questions, The legal adviser to the Committee confirmed that the licence holders in respect of "All Bar One" had appealed against the imposing of a Challenge 25 policy as a licence condition. A local resident had appealed in relation to the licence granted to McNoel Wines.
- 25.2 **RESOLVED** – That the content of the report be noted,

26. SCHEDULE OF LICENSING REVIEWS

- 26.1 The Committee considered a report setting out details of the Licensing reviews carried out during the period covered by the report.
- 26.2 **RESOLVED** - That the content of the report be noted.

27. ITEMS TO GO FORWARD TO COUNCIL

27.1 There were none.

The meeting concluded at 4.00pm

Signed

Chairman

Dated this

day of