

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

