

BRIGHTON & HOVE CITY COUNCIL

LICENSING PANEL 2003 (Licensing Act 2003 Functions)

2.00PM – 9 FEBRUARY 2006

BRIGHTON TOWN HALL

MINUTES

Present: Councillors Lepper (Chair), Pidgeon and Watkins.

Also in attendance: Tim Nichols, Head of Environment and Licensing, Rebecca Sidell, Panel Solicitor and Caroline De Marco, Committee Administrator.

PART ONE

349. ELECTION OF CHAIR

349.1 **RESOLVED** – That Councillor Lepper be elected Chair for this meeting.

350. PROCEDURAL BUSINESS

350A. Declarations of Substitutes

350.1 There were no substitutes councillors.

350B. Declarations of Interest

350.2 There were none.

350C. Exclusion of Press and Public

350.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100A(3) or 100 1 of the Local Government Act 1972.

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

351. REVIEW OF A PREMISES LICENCE UNDER THE LICENSING ACT 2003 – NORTHERN TAVERN, 85 DITCHLING ROAD, BRIGHTON

351.1 The Panel considered a report of the Assistant Director, Public Safety,

regarding a review of a premises licence under the Licensing Act 2003 for Northern Tavern, 85 Ditchling Road, Brighton, as a result of a closure order (for copy see minute book).

351.2 Mr Hilton from Shepherd Neame Ltd and Ms Aldis, the licensee of the Northern Tavern attended the Panel with their representative Mr Lawrence. Sgt Wauchope and Mr Rolmanis attended the Panel to make representations from Sussex Police.

351.3 The Licensing Manager summarised the application as set out in the report. A closure order under Section 165 of the Licensing Act 2003 was made on the Northern Tavern by Sussex Police on 24 December 2005. The order was considered and confirmed by the Magistrates Court on 18 January 2006. Temporary conditions requested by the police were currently in place and were before the Panel for its consideration. There were no other representations.

351.4 Mr Rolmanis set out the police representations. Since the closure order, the police had been in regular contact with the licensee of the Northern Tavern. The magistrate's court had imposed a number of conditions on the licence, at the request of the police. The police now asked that these conditions be imposed for a period of three months from the date of the closure. The conditions were as follows:

Opening hours. Sunday through to Thursday – 10 am until 11 pm. Friday and Saturday – 10 am until 12 midnight. With half an hour closure time on each night.

No applications for temporary events notices.

A temporary sign to be put up on the premises within 7 days and a permanent sign within 4-6 weeks as the court is concerned with public safety.

CCTV to be repaired and to be recording within 14 days.

351.5 Mr Rolmanis reported that a temporary sign had been fitted to the premises. He requested that a permanent sign be erected to clearly show that the premises was a public house. The lack of a sign had made it difficult for police to locate the premises on 23 December. The licensee had installed a CCTV system since the closure. Mr Rolmanis requested that the CCTV system be maintained in full working order and to the satisfaction of the police, with recordings kept for a minimum of 14 days. The Police also asked for consideration of an upgraded digital CCTV system to be installed in due course. There had been no reported incidents at the public house since the closure.

351.6 The applicant's representative, Mr Lawrence informed the Panel that Shepherd Neame was a highly respected company. The smooth running of the premises was their primary concern. Shepherd Neame deeply regretted

the incidents and took them very seriously. The company acknowledged the failures and would address them to ensure there would be no repetition. The licensee and Shepherd Neame were working with the police to ensure the safe operation of the premises. Shepherd Neame considered the conditions requested by the police to be reasonable and fair. They had adhered to the conditions without reservation.

351.7 Mr Lawrence reported that a temporary sign had been erected while Shepherd Neame commissioned a temporary sign. The police had confirmed that the CCTV system had been repaired and was operating. Shepherd Neame would consider installing a digital system in due course, when funding was available.

351.8 Mr Hilton from Shepherd Neame explained that there had been difficulties in commissioning a new sign for the Northern Tavern, due to contractual arrangements. It was hoped that the sign would be erected within 4 to 6 weeks.

351.9 Ms Aldis informed the Panel that she had been a licensee for 14 years (6 years with Shepherd Neame). She had called the police on 23 December after two girls had started arguing and she had asked them to leave. One of the girls had become violent. Ms Aldis, her partner and one other member of staff had been on the premises on 23 December.

351.10 The Chair asked Ms Aldis if her staff attended training courses to help with issues such as drugs and violence. Ms Aldis replied that the staff did not attend such courses, as the business was usually very quiet. The incident on 23 December had been "one off". Mr Hilton confirmed that the staff did not attend conflict resolution training. Mr Lawrence reported that Mr Hilton would be happy to discuss issues relating to staff training with the management of Shepherd Neame.

351.11 Ms Aldis explained that in future she would not agree to have parties at the pub unless the people concerned were regulars. She would be more aware of potential problems. She would definitely employ door supervisors for large functions.

351.12 **RESOLVED** – That the conditions of the premises licence be modified as follows:-

(1) Sale by retail of alcohol – Sunday to Thursday 10.00 to 23.00 hours. Friday and Saturday 10.00 to 00.00 hours.

(2) Opening hours of the premises – Sunday to Thursday 10.00 to 23.30. Friday and Saturday 10.00 to 00.30 hours.

The above modifications shall have effect until 23 March 2006.

(3) CCTV to be maintained in working order and in consultation with the

police.

(4) A temporary sign to be maintained at the premises and a permanent sign to be erected within 6 weeks.

It is noted that the licence holder has undertaken not to apply for Temporary Event Notices until 23 March 2006.

It is further noted that Shepherd Neame have given consideration to upgrading the CCTV system to a digital system when funding was available. Meanwhile, the Panel recommend staff training in conflict resolution.

Reasons for conditions. The Panel note that the licence holder is in agreement with the above measures and the Panel consider that the measures are proportionate and necessary to promote the licensing objectives of Prevention of Crime and Disorder, Public Safety and Prevention of Public Nuisance, having regard to the evidence and circumstances of this case.

The Panel solicitor reminded the parties of their appeal rights to the Magistrates Court under the Licensing Act and that appeals must be made within 21 days of notification of the decision of the Licensing Panel which was given on the 9 February 2006.

The meeting concluded at 3.13 p.m.

Signed

Chair

Dated this

day of

2006