

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

4.00PM 24 NOVEMBER 2016

HOVE TOWN HALL, ROOM 154 - HTH

MINUTES

Present: Councillors O'Quinn (Chair), Morris (Deputy Chair), Wares (Opposition Spokesperson), Deane (Group Spokesperson), Bell, Cattell, Cobb (Opposition Spokesperson), Gilbey, Horan (Deputy Chair), Hyde, Lewry, Page and Simson

Apologies: Councillors

PART ONE

11 PROCEDURAL BUSINESS

11(a) Declarations of Substitutes

11.1 There were none.

11(b) Declarations of Interest

11.2 There were no declarations of interests in matters listed on the agenda.

11(c) Exclusion of Press and Public

11.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the items listed on the agenda.

1.4 **RESOLVED:** That the press and public be not excluded from the meeting during consideration of any of the items contained in the agenda.

12 MINUTES OF THE PREVIOUS MEETING

12.1 **RESOLVED** – That the minutes of the Licensing Committee (Licensing Act 2003 Functions) Meeting held on 30 June 2016 be agreed and signed as a correct record.

13 CHAIR'S COMMUNICATIONS

13.1 The Chair stated that the last few months had been very busy, during the summer she had been out with a Trading Standards Officer and then with a Licensing Officer which had been very enlightening.

Operation Marble

- 13.2 A number of Councillors had been out on Operation Marble at the end of September and once again this had been remarkably useful. Members had gone out with officers in twos and threes and this had actually been more productive. She had been impressed with the good working relations between a Special Constable trained in licensing with the various pubs and clubs in the city centre. It had been clear that the drugs issue was not neglected and that any found on customers were handed in. The aspect of an effective bar or club which had most struck her was those where there were a suitable number of SIA's, there was less trouble and people were free to enjoy themselves, so lots of excellent policies in operation.
- 13.3 Members also visited the Special Stress Area where there were some deeply worrying activities going on, of which the Police were aware. She had been encouraged by the promptness of the police and licensing officers in dealing with them during the following weeks.

Training

- 13.4 Some successful training events had taken place during the autumn, namely regarding issues surrounding the CIZ zone, proposed changes to the Gambling Legislation and the new immigration and fraud checks that taxi providers would be legally obliged to carry out.

Night Time Economy

- 13.5 Whilst there had been some increase in non-injury violent crime but not violent crime linked to licensed premises in the CIZ and no information had been received in relation to taxi ranks. This increase appeared to be linked to better recording practices rather than an actual increase. Sussex Police had indicated they were prepared to fund taxi marshalls for certain red weekends during 2016/17 and 2017/18 e.g., Halloween, New Year and Bank Holidays. The Head of Community Safety Sussex Police had met with the street pastor co-ordinator and were hoping to increase the number of street pastors from 12 to 40 over the next few months. Additional recruiting was to be undertaken.
- 13.6 Sussex Police had agreed to support training which would involve bespoke inputs on their syllabus about personal safety and recognised threats and risks. Local context matters such as SIA door staff, safe space, etc., would also be included. The Police were also working with door staff looking at professionalising them even more, training would help them to identify vulnerable people and to encourage them to report issues to the Police.
- 13.7 In relation to "Safe Space" the Red Cross had agreed that they would continue to support this into the New Year and funding was in place to the end of this financial year, but funding and clinical governance needed to be addressed going forward. The Universities had indicated that they might be able to contribute towards funding. A workshop session with interested parties was being arranged to explore additional services to help manage the night time economy and to look at funding options.

- 13.8 The Beach Patrol was continuing to be funded by “Resolve” and The North Laine Pub Company.

Late Night Levy

- 13.9 Government clauses amending the Late Night Levy and placing cumulative impact policies on a statutory footing had been tabled in Parliament that day for the introduction to the Policing and Crime Bill at Lords Committee although as yet the clauses had not been uploaded to the Parliament website.

The amendments had been proposed in order to :

Make the levy more flexible by allowing licensing authorities to target specific geographical locations (rather than, as now, the whole of the local authority area);
Extend the levy to include late night refreshment outlets (with the exception of premises which sold hot drinks only) authority ;
Enable Police and Crime Commissioners to request the licensing authority to consult on introducing a levy; and
Require licensing authorities to publish information about how funds raised by the levy were spent so that those paying it were clearer about how it would be used.

- 13.10 It was not anticipated that this Committee would be debating the New Late Night Levy until Autumn 2017.

- 13.11 **RESOLVED** – That the Chair’s Communications be received and noted.

14 CALLOVER

- 14.1 All items on the agenda were called for discussion.

15 PUBLIC INVOLVEMENT

15a Petitions

- 15.1 There were none.

15b Written Questions

- 15.2 There were none.

15c Deputations

- 5.7 There were none.

16 MEMBER INVOLVEMENT

16a Petitions

- 16.1 There were none.

16b Written Questions

16.2 There were none.

16c Letters

16.3 There were none.

16d Notices of Motion

16.4 There were none.

17 COMMUNITY SAFETY AND CRIME IN BRIGHTON & HOVE : INFORMATION UPDATE

- 17.1 The Committee considered the extract referred from the meeting of Neighbourhoods and Communities Committee held on 10 October 2016 and the accompanying information update on Community Safety and Crime in Brighton and Hove prepared by the Head of Community Safety's Team. The Head of Community Safety, Peter Castleton, was in attendance in order to respond any questions from Members.
- 17.2 Councillors Bell and Simson who were also on that Committee explained that in view of concerns round the impact of the night time economy and in particular the implications arising should the Beach Patrol, Taxi Marshalls and Safe Space be curtailed they thought that it would be informative for this Committee the information contained in the report. Councillor Simson stated that one of major concern was the impact on behaviour due to a mix of excess alcohol and drugs, particularly cocaine. The Chair, Councillor O'Quinn concurred and the Head of Community Safety, Peter Castleton, confirmed that it was acknowledged that this constituted a serious issue.
- 17.3 Councillor Morris commended the report which was very informative. In answer to questions it was explained that these issues were being investigated in the round with health partners; also that the University was working pro-actively to discourage students from attending alcohol fuelled "Carnage" type events during "Freshers Week" for example and was actively encouraging events where the focus was not alcohol consumption.
- 17.4 Councillor Wares noted the information provided under Chair's Communications stating that none the less it was worrying that there would clearly be problems if funding of those initiatives associated with the night time economy which helped to protect the vulnerable were compromised due to reductions or inability to find them. There was a danger of overthinking the issue. Robust strategies were needed to identify what was needed, where we were going and what needed to be done going forward. Whilst commending all that was being done it was important to ensure that all the threads were joined together.
- 17.5 The Chair, Councillor O'Quinn, stated that there was agreement around what needed to be provided which was why measures were being put into place to fill any gaps.
- 17.6 **RESOLVED** – That the contents of the extract and the report be noted.

18 GAMBLING ACT 2005 - REVISED GAMBLING POLICY

- 18.1 The Committee considered a report of the Director of Neighbourhoods, Communities and Housing seeking approval to the final version of the "Revised Gambling Policy" as set out in Appendix 1 to the report.
- 18.2 The Licensing Manager, Jim Whitelegg, explained that under the Gambling Act 2005, Licensing Authorities were required to prepare a statement every three years (also known as a Policy) setting out the principles which they proposed to apply when exercising their functions. They were required to publish the Statement/Policy following procedures set out in the Gambling Act 2005 which also set out details regarding whom should be consulted.
- 18.3 At the meeting of the Committee which had taken place on 3 March 2016 it had been agreed that officers initiate consultation regarding a review of the council's revised Gambling Policy. Officers had re-written the Policy in light of the changes to the Licensing Conditions and Code of Practice (LCCP) and Guidance for Local Authorities (GLA), to incorporate the new social responsibility requirements which had come into force in April 2016. The revised Policy was now set before the Committee for approval.
- 18.4 Councillor Gilbey stated that in some instances Challenge 21 requirements were referred to and in other instances reference was made to Challenge 25, this appeared to be an anomaly and she queried whether this was correct. It was explained that this was correct as the guidance in relation to gambling provisions continued to refer to an age requirement of 21.
- 18.5 Councillor Page enquired whether there was any flexibility around how charges were set and it was confirmed that there was not as this was prescribed by the legislation.
- 18.6 A vote was taken and the 10 Members who were present when the vote was taken voted unanimously that the report recommendations be agreed and that the final version of the Statement of Gambling Policy as set out in Appendix 1 to the report be forwarded to the next scheduled meeting of Full Council for approval and adoption.
- 18.7 **RESOLVED** – That Members agree to refer the final version of the Statement of Gambling Policy as set out in (Appendix 1) to the report to Full Council for adoption
- 18.8 **RESOLVED TO RECOMMEND** – That the final version of the Statement of Gambling Policy be approved and adopted by Full Council having been agreed by the Committee and set out in Resolution 1 above.

Note: Councillors Hyde and Simson were not present at the meeting when the vote was taken.

19 SCHEDULE OF REVIEWS

- 19.1 The Committee considered the schedule prepared on behalf of the Acting Director of Public Health.

19.2 **RESOLVED** – That the contents of the Schedule be received and noted.

20 SCHEDULE OF APPEALS

20.1 The Committee considered the Schedule prepared on behalf of the Executive Lead for Law.

20.2 **RESOLVED** - That the contents of the Schedule be received and noted.

21 ITEMS REFERRED FOR COUNCIL

21.1 Item 18 – “Gambling Act 2005 – Revised Gambling Policy” was referred to Full Council in order for the Policy to be approved and adopted.

The meeting concluded at 6.06pm

Signed

Chairman

Dated this

day of