

**BRIGHTON & HOVE CITY COUNCIL**

**LICENSING COMMITTEE (LICENSING ACT 2003 FUNCTIONS)**

**4.00PM 2 MARCH 2017**

**COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ**

**MINUTES**

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

**PART ONE**

**22 PROCEDURAL BUSINESS**

**22a Declarations of Substitutes**

22.1 There were none.

**22b Declarations of Interest**

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

**22c Exclusion of Press and Public**

22.3 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.

22.4 **RESOLVED:** That the press and public not be excluded from the meeting.

**23 MINUTES OF THE PREVIOUS MEETING**

23.1 Referring to minute item 17.4, Councillor Page stated that there was a typographical error and the word "find" should be replaced with the word "fund".

23.2 **RESOLVED** – That the minutes of the previous meeting held on 24 November 2016 be approved and signed as the correct record subject to the correction set out above.

**24 CHAIR'S COMMUNICATIONS**

24.1 The Chair provided the following communications:

*As stated previously I want to an excellent Licensing Conference at the LGA and it dealt with a number of issues related to the domain of the Licensing Committee.*

*The first relevant item on the agenda at the conference was an up-date from the House of Lords Select Committee dealing with the Licensing Act of 2003. As the Select Committee has not come to any decisions yet there was little to find out except that we should know by the autumn about any changes to the terms of the Night Time levy. I would imagine the Committee will discuss this at either the Committee in November or in March. It also appears highly likely that Public Health will be introduced as the 5th Licensing Objective. Of course, in Brighton and Hove, Public Health already plays a role in decisions about licensing policy and is also referred to when Licensing panels are dealing with applications.*

*There was also a very good presentation on 'Managing the Night -time Economy' and an excellent one on how Cornwall County Council are dealing with hot spots such as Newquay. There was an excellent presentation on how they are using information from a number of agencies to 'map' problem areas. I will arrange for Committee members to receive copies of the presentations as they are very helpful.*

*Along with Councillors' Wares and Deane recently attended a workshop looking at all of the agencies involved in Managing the Night-time economy. This was a first-class workshop as it brought together all the different agencies for the first time and looked closely at what they did. Representatives from Safe Space were there and provided a real insight into how they work and they obviously save other services such as SECAMB, Accident and Emergency etc. a large amount of money by providing the service that they do. I am delighted that The Red Cross has now agreed to continue supplying volunteers from the Red Cross to help run Safe Space. There was uncertainty previously because of a major re-organisation of the Red Cross nationally.*

*Chief Inspector Chris Veale spoke about the role of the police in the Night-time Economy and what a challenge it is to organise, especially at certain times of the year such as New Year, Halloween and during the Pride Festival.*

*Representatives from the team who run the Beach Buggy Patrol spoke about the services that they offer and the work that they do in ensuring that the beach area is a safe place to be. This was impressive and I hadn't realised before that most of the people who work on the Beach Buggy patrol are volunteers from the Coastguard Service, thus they are highly experienced in what they do.*

*The main question that came out of the workshop was about funding for keeping people safe in the city in the night-time economy, mainly on Fridays and Saturdays and how we might develop the means to have a continuing overview of what is being done and how to make improvements.*

*I also received a large number of letters from residents in the North Lane area and also from residents in Brunswick. These letters were asking for a review of cafe bars being allowed in the CIZ area via the matrix. I have discussed this situation with a number of officers and it has been agreed that licensing officers will ensure that the CIZ area is paramount in any applications for a cafe bar license and that applicants will be made fully aware of the CIZ truly means as there still seems to be an incomplete understanding of the CIZ policy from some applicants. Officers are continuing to monitor the situation to assess when or if any changes need to be made to the position of cafe bars within the Matrix.*

## **25 CALLOVER**

25.1 All items on the agenda were reserved for discussion.

**26 PUBLIC INVOLVEMENT**

26.1 There were none.

**27 MEMBER INVOLVEMENT**

27.1 There were none.

**28 ANNUAL REPORT OF LICENSING AUTHORITY 2016**

28.1 The Committee considered a report of the Executive Director, Neighbourhoods, Communities & Housing that set out the licensing and gambling functions for Brighton & Hove carried out during 2016, national legislative changes, local licensing matters and local and national gambling matters.

28.2 Councillor Simson noted that the list of venue types did not differentiate between off-licences and convenience stores and asked why this was the case. Councillor Simson asked for examples of types of 'other' licences, highlighted that eight licences granted within the Cumulative Impact Zone (CIZ) had received no representations against the application and brought the committees attention to the excellent work carried out by legal officers in relation to an application and defence of an appeal by the Synergy Centre.

28.3 Councillor Bell stated that residents in his ward had expressed their dismay to him regarding the number of applications granted, albeit with conditions on those licences.

28.4 Councillor Wares commended the report that he had found very detailed. Councillor Wares asked the type of support offered by the council for safeguarding initiatives as detailed at paragraph 3.4.4 of the report.

28.5 In relation to the query raised on differentiating convenience stores and off-licences, the Senior Licencing Officer explained that the categories were provided by the Home Office and that guided how officers presented that information. Types of 'other' applications were hard to categorise but examples included time limited licences and Christmas markets and others that did not often fit into a specific category.

28.6 In relation to the query raised on support for safeguarding initiatives, the Public Health Licensing Lead explained that this entailed the council organising workshops for the various organisations involved and facilitated discussions.

28.7 Councillor Bell stated that he was alarmed at a rise of 42% in applications between 2014 and 2016 alongside a rise in approvals. Councillor Bell stated that the city in his view was close to maximum capacity of licenced premises and the council had a duty of responsibility to residents that this was not detrimental to public health objectives or for it to lead to significant anti-social behavioural issues. Councillor Bell noted that a high number of test purchases had failed and asked what action could be taken as well as measures to raises the number of test purchases conducted as the current number was not high enough.

- 28.8 The Head of Trading Standards clarified that test purchases were led by Sussex Police and unfortunately a number of dates had been cancelled over the previous year but there would be an increase in 2017/18. In instances of failures, the issue was discussed extensively which did include the option of reviewing licences.
- 28.9 Councillor Bell asked if test purchase dates could be circulated to Members for their attention.
- 28.10 The Head of Trading Standards confirmed this could be circulated.
- 28.11 The Public Health Licensing Lead confirmed there had been an increase in applications and those granted but assurance could be given that these met licensing objectives. Furthermore, the rise was mainly due to an increase in restaurant applications but officers would continue to monitor the issue.
- 28.12 Councillor Page welcomed the introduction of public health amongst licensing objectives. Councillor Page stated that licensing panels had an opportunity to marshal public health relating to alcohol and should ensure it did so. Councillor Page asked why 39 members had chosen to stop selling high strength alcohol but had not formally joined the Sensible on Strength scheme.
- 28.13 The Head of Trading Standards stated that the 39 members represented chain stores that were often not keen on formally joining local-based schemes.
- 28.14 Councillor Wares suggested that if increased test purchases could not be conducted, an increase in penalties for premises that failed should be introduced as sufficient deterrent.
- 28.15 Councillor Horan stated that it could be useful to have details of the types of premises that failed test purchases in order for the committee to focus its efforts.
- 28.16 The Chair stated that this was a useful suggestion and provision of such information could be followed up.
- 28.17 **RESOLVED-**
- 1) That the committee notes the contents of this report.
  - 2) That officers should continue to monitor trends of applications and illegal activity to inform future policy.

## **29 ITEMS REFERRED FOR COUNCIL**

- 29.1 No items were referred to Full Council for information.

The meeting concluded at 5.30pm

Signed

Chairman

Dated this

day of