

# Brighton & Hove City Council

## Licensing Committee Licensing Act 2003 Functions

## Agenda Item 31

**Subject:** Review of Statement of Licensing Policy 2026 – Pre consultation of revised policy

**Date of meeting:** 24 July 2025

**Report of:** Interim Director City Operations

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**Ward(s) affected:** All

### For general release

#### 1. Purpose of the report and policy context

- 1.1 The Council, as Licensing Authority, has a statutory duty to review and publish its Statement of Licensing Policy (SoLP) every five years. The current policy was adopted on 17<sup>th</sup> December 2021 by Full Council. The policy should be kept under review.
- 1.2 The Council, as a licensing authority, must carry out a consultation exercise prior to any review of its Licensing Policy (Section 5(3) of the 2003 Act).
- 1.3 A Licensing Summit was held on 10<sup>th</sup> January 2025 attended by various stakeholders including venue representatives, residents, business owners and Sussex Police licensing. Attendees were asked for their views on the night-time economy in Brighton & Hove. These responses were collated and can be seen in Appendix 1.
- 1.4 A further informal public consultation was available on Your Voice for four weeks between January and February 2025 these responses were collated and can also be seen in Appendix 2.
- 1.5 Members asked officers to submit a report to the Licensing Committee in July 2025 on reviewing the Council's Statement of Licensing Policy looking at a number of areas detailed in section 3.

#### 2. Recommendations

To authorise officers to initiate consultation regarding a review of the Statement of Licensing Policy, including the following proposals to consult on (please note, more detail and background on these proposals is contained in section 3 and the appendices of this report):

- 2.1 Replace the current Cumulative Impact Zone (CIZ) with a City Safety Area (CSA).
- 2.2 Retain the current Special Stress Area (SSA) and other areas. (detailed at 3.3 of the draft SoLP)
- 2.3 A focus on safety as the central priority and introduction of new set of best practice measures for the CSA and SSA.
- 2.3 Update the current Matrix approach and table to include new categories of premises including Grassroots Music Venues and changes to the hours for some types of premises.
- 2.4 Introduce a 'Good Operator Policy'.
- 2.5 Update out of date/irrelevant data, legislation and text, update nighttime economy safeguarding initiatives. Add in sections on LGBTQ+ venues and inclusivity, Violence Against Women and Girls (VAWG), Modern Slavery and Martyn's Law

### **3. Context and background information**

- 3.1 The CSA will remain the same 'area' as the current CIZ, it will be a proposed change to the decision-making criteria that removes the presumption of refusal and replaces with a special policy which includes crime statistics in the location, policies relating to safety within venues and cumulative impact. More details in relation to the CSA and CSA policy can be found from section 3 of the draft SoLP.
- 3.2 The focus on safety as the central priority is detailed at 3.2 of the draft SoLP. The new set of best practice measures for the CSA and SSA including safe door policy and spiking policies can be viewed in Appendix A of the draft SoLP.
- 3.2 The draft Matrix and accompanying notes have been revised and now includes new categories of premises including Grassroots Music Venues and changes to the hours for some types of premises in particular food and dining venues. This can be viewed from 3.4 of the draft SoLP.
- 3.3 The Good Operator Policy – to reward and incentivise the responsible management of licensed premises. Under the Good Operator Policy, there will be a presumption in favour of granting applications to vary premises licences which are submitted by good operators as defined by this policy at 3.5 of the draft SoLP.

3.4 Police Crime statistics that underpin the need for a CSA. Can be found in Appendix E of the draft SoLP.

3.5 Public Health Submission is to be added to Appendix F of the draft SoLP. when received from PH.

Any changes to policy should be evidenced based and for good reasons grounded in the licensing objectives.

#### **4. Analysis and consideration of alternative options**

4.1 The Licensing Committee rejects some or all of these proposals and either ask for alternatives or propose the existing special policies remain in force.

### **5. Community engagement and consultation**

5.1 National Guidance states at 13.4 that before determining its policy, the licensing authority must consult the persons listed in section 5(3) of the 2003 Act. These are:

- The chief officer of police for the area
- The fire and rescue authority for the area
- The local authority's Director of Public Health in England
- Persons/bodies representative of local premises licence holders
- Persons/bodies representative of local club premises certificate holders
- Persons/bodies representative of local personal licence holders; and
- Persons/bodies representative of businesses and residents in its area.

Consultation will be undertaken with these statutory consultees and more generally via the council's on-line consultation platform Your Voice, Licensing website, the city LATs (Local Action Teams), residents associations and community associations, Business Improvement District (BID), Business Crime Reduction Partnership (BCRP), Brighton & Hove Growth Board, other Council services including Tourism, Events Office, Seafront Office (including Seafront Trader Association), Trading Standards, Legal and Finance.

5.2 A Licensing Summit was held on 10 January 2025 attended by various stakeholders including venue representatives, residents, business owners and Sussex Police licensing. Attendees were asked for their views on the night-time economy in Brighton & Hove. These responses were collated and can be seen in Appendix 1.

5.3 A further informal public consultation was available on Your Voice for 4 weeks between January and February 2025 these responses were collated and can be seen in Appendix 2.

## **6. Conclusion**

- 6.1 That the Committee approves the proposed changes to the SoLP so a revised draft policy can go out for public consultation prior to the final Policy being presented to the Committee in November 2025 for approval.

## **7. Financial implications**

- 7.1 There are no financial implications arising from the recommendations made in this report. The Licensing Act 2003 provides for fees to be payable to the licensing authority in respect of the discharge of their functions. The fee levels are set centrally by government.

Finance officer consulted: Chris Wright      Date consulted:(15/07/2025)

## **8. Legal implications**

- 8.1 These are set out in the report. The SoLP should follow the fundamental principles set out in the Licensing Act 2003 and statutory guidance  
Following the consultation exercise, the views of all those persons or bodies should be given appropriate weight when determining the policy.

Name of lawyer consulted: Rebecca Siddell Date consulted: (15/07/2025)

## **9. Equalities implications**

- 9.1 An Equality Impact Assessment will be completed as part of the policy review process to assess if there is any adverse impact on a particular group.

## **10.1 Sustainability implications**

- 10.1 Licensed premises throughout the city rely on local licensing policies in ensuring there is clear guidance on the continued operation of local businesses. Maintaining a regularly reviewed policy, which has undergone public consultation, will ensure a consistency of support to licensed premises, members of the public and other stakeholders affected by these activities.

## **11. Crime & disorder implications:**

- 11.1 Special policies including CSA and SSA proposals are geographically based around evidence of crime and disorder, etc. and should assist in the council's overall aim in reducing current levels. Special Policies promote the four licensing objectives: public safety, the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.

## **12. Public health implications:**

- 12.1 Public Health have been consulted as a part of this review and at the time of writing this report, they are compiling a submission of Health Data in relation to alcohol. This submission will be circulated to the Committee and added to the Public Consultation when ready.

## **Supporting Documentation**

### **Appendices**

#### **Appendix 1 - Summit survey responses**

#### **Appendix 2 - Night-time economy in Brighton & Hove survey - AI analysis full report**

#### **Appendix 3 - Draft Statement of Licensing Policy 2026.**

#### **Appendix A – Licensing Best Practice Measures**

##### **Appendix A1- Alcohol Delivery Service**

##### **Appendix B – Licensing Enforcement Policy**

##### **Appendix C – Film Classification**

##### **Appendix D – Lead Agency Status**

##### **Appendix E – Police Data for City Safety Area**

##### **Appendix F – Public Health Submission (to be added)**

