

| Do you agree or disagree with including details of what may be considered exceptional circumstances within the special policy at paragraph 3.1.7? | | |
|--|----------|------------|
| | Response | Percentage |
| Strongly agree | 1 | 20% |
| Tend to agree | 1 | 20% |
| Strongly disagree | 2 | 40% |
| Don't know / not sure | 1 | 20% |
| Total | 5 | 100% |

What effect do you think this will have on the policy?

Agree with including details of what may be considered exceptional circumstances within the special policy at paragraph 3.1.7

I do agree however this may have a diluting affect on the policy. For example, in East Street, where I live, a new off license was granted permission to open called Bison Beer. It sells specialist craft beer and is generally a good example of responsible alcohol trading. However recently at weekends, with the introduction of East street closure at weekends, the shop has started to put deck chairs outside and actively encourages people to purchase beer from the shop to sit and drink outside. I can see why it was granted a license but council officials should monitor the 'exceptional circumstances' that allowed a license to be granted to ensure premises do not abuse their conditions.

Disagree with including details of what may be considered exceptional circumstances within the special policy at paragraph 3.1.7

We don't agree with the word 'exceptional'. This is a mis-use of the word, but is being used as a default position. We do not believe an applicant could show that their application would have no negative Cumulative Impact. All the applicant needs to do is comply with the matrix to get a licence. What is the point of the CIZ?

As a resident of North Laine this policy will have the effect of increasing the number of licences in North Laine an area that is already a CIZ defined in para 3.1 as an area where there are problems of crime and disorder. The default policy in a CIZ should be not to grant any additional licences unless the application is indeed exceptional (defined as unique or outstanding). This paragraph of what may be deemed exceptional has a list of what might be deemed exceptional but is that list just guidance able to be completely ignored or must the applicant fulfill all of its requirements? I disagree with the statement that a small restaurant does not add to cumulative impact. Every single additional licence adds to cumulative impact in a CIZ by bringing more people into the area. Once in the area drinkers can go from one venue to another. I question the viability of the statement which says that 'exceptional circumstances may include.....community support. Any statement with the word 'may' means that the panel can simply ignore it. What if there is no community support? Does that act as a veto? Perhaps it should.

Don't know or not sure whether to including details of what may be considered exceptional circumstances within the special policy at paragraph 3.1.7

We currently experience problems of noise, crime and antisocial behavior ('crime and disorder and public nuisance') as a direct result of the late night economy along the saturated stretch of Western Road opposite the Coop (Bee's Mouth, Kasba, Upstairs/Downstairs etc). These businesses have (historic) licenses until 2 and 3am and we strongly object to any consideration given to more late licenses. The exception we do support however, would be that of the conversion of any of the current yob-ish premises which attract louts from across Brighton to something more in keeping with the Brunswick Town conservation area, more sympathetic to and better serving of our local residents. We currently experience problems with parking and in particular illegal parking on double yellow lines and would like the safety of all road users to be considered as a result of any extra traffic that new licensed businesses may bring.

Q2c - Do you have any general comments to make about the special policy and the Cumulative Impact Zone (CIZ).

I think the zone is a good idea but the fact that Brighton consistently scores badly in national statistics for alcohol related harm indicates that alcohol is too readily available in the city. There are far too many licensed premises on the seafront, too much focus on the lower promenade between West Street and East Street is on day and night time drinking of alcohol. I do not leave my flat at night because I do not feel safe in East Street after dark, particularly at weekends. Council officials should pay particular attention to off-licenses in East Street that play loud music at night to attract customers -who then gather in the street outside drinking.

Our residents make regular complaint that The Bee's Mouth, The Upstairs/Downstairs Bar, Kasba and others along this stretch of Western Road are regularly in breach of their licenses, as well as causing crime and disorder and public nuisance. Their negative impact is clear and measurable although consensus among resident groups in the area seems to be that the late night economy here is prioritized by the council above resident concerns. We therefore strongly urge that future applications be carefully considered to try and tackle these problems and make improvements to this specific hot spot.

3.1.4 sets out the special policy. 3.1.5 - 3.1.7 contradicts the wording. How can there be a special policy when in 3.1.7 it is regard as not absolute. The wording in the closing sentence of 3.1.7 needs to be amended. How can the Licensing Panel accept that exceptional circumstances may include the close consultation with and meeting requirements of responsible authorities, community contribution, community support etc.

Given that a CIZ is an area where there are already problems of crime an disorder, the default position should be not to grant any additional licences. The result of this change in policy to include cafe bars will be to increase the number of licences in North Laine by over 20%. It renders the CIZ pointless. The Government's Alcohol Strategy, March 2012 in para 3.7 says that 'There is evidence of a link between the number of venues selling alcohol in one area and levels of harm, whether this is crime, damage or harm to young people'. In para 3.9 it says that 'Communities should not have to tolerate alcohol-related crime and disorder.' If this is indeed the case, and I have no reason to doubt it, then why are we contemplating a policy that will result in a large increase in the number of licences.

Q3a. - Do you agree with the key changes proposed for the matrix, for example the area categories, the inclusion of café bars, and the exclusion of pubs in the Cumulative Impact Zone (CIZ)?

| | Response | Percentage |
|-------------------|----------|------------|
| Strongly agree | 1 | 17% |
| Tend to agree | 2 | 33% |
| Strongly disagree | 3 | 50% |
| Total | 6 | 100% |

Do you agree or disagree with the stated times for licensable activities in the different types of premises and different areas, for example restaurants, pubs and non- alcohol lead venues?

| | Response | Percentage |
|-------------------|----------|------------|
| Strongly agree | 2 | 29% |
| Tend to agree | 3 | 43% |
| Strongly disagree | 2 | 29% |
| Total | 7 | 100% |

Do you have any comments to make on the 'notes' following the Matrix?

Absolutely agree. In our area it is the pubs, the late night kebab shops and the clubs which attract the trouble. We would love to see more of the upmarket establishments which would attract a better clientele - more representative of the residents of this area - and lessen the negative impact of the other establishments which do not tend to serve nor represent our local residents.

We do not agree with the word 'exceptional'. There is too much flexibility and vagueness in the notes. Cafe/bar should be removed from the Matrix as this would allow every cafe in North Laine (there are 66) to apply, and get, a licence and make a nonsense of the CIZ. 3) should state: Departure from the matrix policy will not be allowed. 5) See previous comment on special policy: there should be no exceptional circumstances. Meetings /consultations with responsible authorities is a let out. This is insufficient guidance to Licensing Panels. Additional note: applicants must always demonstrate that there will no negative impact.

The revised matrix would allow every cafe in North Laine, a residential area, to have a licence until 1130. This can result in another 30 licences in North Laine. Given the amount of student development in the area, will these just be small bars? Granting a licence to every cafe and restaurant in North Laine that wants a licence is hardly 'exceptional circumstances'. The word means remarkable or outstanding. There will be nothing remarkable or outstanding about these premises other than they will result in an increase in activity late at night in North Laine, an area already suffering from late night noise as a result of a huge increase in the number of licences that have been granted in North Laine and indeed in Brighton since 2005. I believe that as Tim Nichols said in the Licensing Strategy meeting of 20 April 2015 the CIZ should be very strict. The minutes of that meeting state, 'Tim agreed that this (use of the term exceptional circumstances) needed to be addressed and would be minded to give advice to go for a very strict CIZ and matrix. Jim to consider.' I believe that the default position should be not to grant unless the applicant can demonstrate there will not be an adverse impact on the area. At the moment all the applicant has to do in a CIZ is to conform to the matrix and not necessarily to demonstrate there is no negative impact.

Do you have any comments to make about other special polices such asoff-licences at 3.5, night-time safeguarding initiatives at 3.4, and street drinking at 3.6?

I think it would be great if tackling rape and sexual offenses could be tied into this policy. This would be a great place to build on some of the training around vulnerability and to ensure that the night time economy is part of the awareness campaign on sexual consent and bystander work on tackling violence against women and girls.

Although 3.4 ('3.4 Night-time Economy Safeguarding Initiatives') makes reference to WiSE, SafeSpace and Police Vulnerability Training, it does not adequately address the issue of rape and sexual offences, or sexual harassment, particularly with regard either the Night Time Economy or other times on premises. The Statement of Licensing Policy 2016 could more fully explain the work of other voluntary sector providers, like Survivors' Network, or statutory provision, like the Sexual Assault Referral Centre. There could be a stronger reflection on the responsibilities of door or other staff for example in relation to taking action to safeguarding those who are vulnerable, or alternatively, those who may be a risk to others (e.g. predatory behaviour), or combating sexual harassment / touching.

The city should consider a city wide ban on drinking on the street - not just for street drinkers but for everybody. Alcohol should not be consumed casually on the street, but only at licensed premises. I have witnessed people drinking whilst sitting in Pavilion Gardens, whilst walking along the seafront and on Brighton and Hove buses.

We would like to request suitable restrictions be made to new licenses to restaurants in relation to customers/patrons sitting on the street in front of the place of business. We strongly support the view that businesses providing food/drink/entertainment should close their doors at 11pm and this activity continue indoors, to lessen the noise impact on local residents. Residents of Brunswick Road experience problems of noise at The Bee's Mouth, The Kasba and the Upstairs/Downstairs Bar as a direct cause of this not being enforced. We support the statements relating to off-licenses. Can any steps be taken to reduce the hours when currently off-licenses (with historic licenses) can sell alcohol? We have a 24 hour shop at the bottom of Brunswick Road which again is a beacon for trouble as drinkers then often congregate and drink in our road - shouting, screaming, fighting, vandalizing cars and property.... 3:6 Street drinking is an ongoing problem in our area - we witness open drinking, drug taking, residents being threatened and intimidated - and directly linked to the tone of the area set by the sale of cheap alcohol and current late licenses. Again numerous complaints have been made time and again by our residents but we are fatigued and frustrated by the response of the police.

In the main, we support 3.5, and should be no additional off licences / off-sales in the CIZ, even if an applicant applies to sell 'fine wines'. or any other 'exceptional need'. Should the wording 'street drinking' be further defined? We believe that street drinking should also apply to young drinkers who buy from off licenses and drink in the street on their way to and from venues from mid-evening onwards.

I agree that there should be no further off licences in a CIZ. There should also be conditions on any licence granted in a CIZ that there are not to be any off sales.

Do you have any comments on any aspects of the policy as a whole?

In London Road the existing matrix has served well and London Road LAT supports its continuance. 3.5.3 the Sensible on Strength initiative has had a very good effect in the London Road area 3.24 says "3.2.4 The Licensing Authority will keep the Cumulative Impact Zone and Special Stress Area under review. Should the authority find that problems of crime and disorder or nuisance are not improving, or are worsening, the Special Policy will be reviewed." We presume that this cannot act retrospectively i.e. if licences are granted and that problems are increasing, then presumably licences cannot be revoked. 3.2 - typo: "eastwards until it's junction with Freshfield Road," i.e. should read "its" without apostrophe I note: "3.6.1 Licensing authority will have regard to areas highlighted by the Street Community and Drug Activity Profile, produced by the Safe in City Team at Brighton Police Station. This document is available on the following page of our website www.brighton-hove.gov.uk/licensingact. These hot spot areas are considered high risk for street drinkers and the Licensing Authority will have regard to prevention of crime and disorder by virtue of street drinking and anti-social behaviour when considering applications in this area. " - which is a valuable provision in the policy. Philip Wells - London Road Area LAT Chair 18/12/15

Could any revenue raised by licensing go towards funding a public awareness campaign designed to reduce incidences of rape and sexual abuse and domestic violence?

Council officials mean well with this policy but city bye laws must be policed and enforced. The night time economy is policed but so much alcohol related harm is caused by the easy access of alcohol in the city from supermarkets and off licenses. There are supposed to be designated no drinking areas in the city but there are not enough police officers or council officers to police it. Street drinkers gather in New Road, on the raised walkway on Madeira Drive, outside the Brighton Music Hall on the Seafront. These policies put in place to reduce alcohol related harm must be enforced otherwise Brighton will continue to score poorly in national statistics. East Street, for example, is a small street. Why does it need 4 off-licenses?

We value the opportunity to comment on the policy and would like to thank you for listening to our comments and concerns. We would like to see residents' objections to current (historic) licenses catered for - giving residents who live, work and make positive contribution to the area a stronger voice in the debate on the current landscape of licenses which affect our daily lives.

The policy is far too tolerant and does not deal with alcohol related harm that Brighton suffers from. It does nothing to address the problem of increased availability of alcohol. There is a clear link between the availability of alcohol and anti-social behaviour. This policy does nothing to address that. The council needs to take this opportunity of demonstrating it will not tolerate the anti social behaviour produced by excessive alcohol abuse and should put the health of people before the interests of money. TENs should be available only to non-licensed premises, ie schools, churches etc. Promoters (3.9.1): The city continues to suffer from flyposting and there is nothing in 3.9.1 to say how the Council will deal with illegal flyposting which is blighting the city. The Council could have a policy encouraging venues to have a clause in the contract to make the contract null and void if the promoters use illegal flyposting. We emphasise again that Cafe/Bar in the Matrix would have a detrimental impact on the CIZ, North Laine and its residents. Since 2005 there has been an increase of licensed premises that has affected the quality of life for residents. In 2005 there were about 20, now there are 70. Licensing cafe/bars would increase this to 100+ - surely against the intention of the CIZ.

The review of the Licensing Policy gives the Council an opportunity to send a message that it is not going to tolerate the negative impacts of alcohol consumption and is going to do something to mitigate those impacts. It is furthermore an opportunity to redress the balance that has been tipped well away from local residents in favour of trade. For too long residents have had to put up with anti-social behaviour late at night. It is time for the Council to redress that imbalance in the Late Night Economy. There is plenty of evidence of the negative impact of alcohol consumption upon local residents but for too long the Council and the Police have adopted a tolerant attitude. Now is the opportunity for the Council to do something to reduce the negative impact of

alcohol abuse. I fear though that it will not and will continue to allow the number of licensed premises and alcohol consumption in the city to escalate. The giving of licences to cafe bars itself will increase dramatically the number of licences in the city. The 2003 Act has been a disaster for people living in many city centres in Britain. Rather than create a cafe culture it has exacerbated the effects of the traditional drinking culture. Instead of changing the drinking culture, the effect of flexible hours has been to extend the negative impacts of alcohol consumption into the early hours of the morning, in particular noise, anti-social behaviour and crime and disorder. In Brighton there were 1025 licensed premises in 2005, now there are more than 1,500. The increased availability (proliferation) of cheap alcohol together with flexible hours, which means late hours into the middle of the night has created a night time economy which is resulting in a huge cost to the city. When many young people come to Brighton for a night out they pre-load, binge drink, and many get very sick. This drinking culture can result in anti-social behaviour, health and social problems, public disorder, violence, unintentional injuries and risky sexual behaviour. The city spends well over £100 million annually on alcohol related problems. Alcohol misuse is a cause of mental and physical ill health, accidents, risks and harm to children and young people, and crime and disorder. It causes night time disturbance in residential areas, domestic disturbance and child abuse in the home and accidents. Those with high blood alcohol concentration levels are at risk of drink driving the next day and returning to work still intoxicated. North Laine North Laine is in a CIZ because the licensing authority has determined that 'The concentration of licensed premises in an area .. is causing problems of crime and disorder..' In North Laine there were less than 20 licensed premises in 2005. Now there are nearly 70. Every weekend in North Laine and on several days during the week people have their sleep disturbed due to noise drinkers passing through the area to go home or to go to a night club in the area, cars are often vandalised and the general anti-social behaviour resulting from the dispersal of people is causing sleep deprivation and stress. Sleep deprivation can cause serious emotional, mental and physical consequences for exposed residents. The proposed policy will increase the number of licences in North Laine as many existing cafes will be able to apply for (and will get) licences under the new policy and matrix. Documentary evidence to support my points i) By making North Laine a CIZ, there is an acknowledgement that there are problems of crime and disorder and too many licences already in the area. See para 2.6.2 of existing SoLP. ii) In paragraph 4.2.2 of the draft SoLP, the police acknowledge that dispersal from the city centre continues to provide policing challenges. iii) Public Health Framework of assessing Alcohol Licensing, June 2015, gives the ranking of Brighton's wards against various crime and disorder data. St Peter's and North Laine ranked 1st for 'Police recorded alcohol incidents' and 'Criminal damage', and 2nd for all 'violence against the person', 'All injury violence', 'Non-injury Assault', and 'Sexual offences'. iv) Health Impact Assessment, October 2009 identifies the impact of the introduction of flexible drinking on residents and mentions in section 7.23, 7.24 and 7.25 sleep disturbance, loss of sleep and sleep deprivation, feelings of fear, intimidation and lack of safety as a result of exposure to anti-social threatening and abusive behaviour, vandalism and crime and disorder. It describes how the combined effects of noise and anti-social behaviour on residents can also led to reduced social cohesion in residential communities. v) The Government's Alcohol Strategy, March 2012 in para 3.7 says that 'There is evidence of a link between the number of venues selling alcohol in one area and levels of harm, whether this is crime, damage or harm to young people'. In para 3.9 it says that 'Communities should not have to tolerate alcohol-related crime and disorder.' vi) Safe in the City document on 'reducing Alcohol Related Harm in the City' refers to alcohol misuse being a national problem but experienced to a greater extent in Brighton and Hove and that the increased availability of alcohol in the city is a major part of the problem. vii) The North Laine LAT has 'A reduction of late night noise, particularly from drinkers passing through the area' as its No 1 priority for the area. At most NLCA meetings residents complain of recent incidents which have resulted in a loss of sleep or worse. In conclusion i the draft does not acknowledge the problems that North Laine is experiencing; ii The draft ignores completely the evidence about the impact of the Late Night Economy on the lives of residents; iii the policy would exacerbate problems in North Laine by enabling every cafe in North Laine to have a licence by becoming a cafe/bar under the new matrix; iv the draft takes no account of decisions taken by the Licensing Strategy Meeting on 20 April 2015.

As an older resident I would like to comment that, whilst I appreciate Brighton and Hove is a fun place to be for most people, it is not particularly so for those of us in the older age group. The area around the Western Road end of York Road and Brunswick Road is particularly intimidating in the late evening when one would be returning from the theatre, cinema or visiting friends etc. Many times have I been tempted to go to see an evening show or film, but the thought of arriving back late, alone, at the Norfolk Square bus stop and taking the short walk home - to put it simply - frightens me. Unless I take a taxi - a very expensive alternative on a pension, I rarely go out in the evening. There are just too many licensed premises along this tatty stretch of the road. This could be such a lovely area with a little more thoughtful planning. I will just add that I am a Brunswick Road housing association tenant.

Despite the policy additional requests for licensing are still accepted and in many cases approved.

I live in the Brunswick Town area opposite the Old Market and their late TENS licenses are not appropriate for this area. EBRA resident association has received many complaints. In general I feel that late licenses and the management of guests smoking and/or standing outside venues late at night is not appropriate for my neighbourhood. TOM in particular seemed to be given special treatment by the council even though they are in a minority compared to residents in this area. Also, we have too many licensed premises in East Brunswick

No necessarily about the policy but I object to the overuse of unexplained acronyms and jargon in the preamble to this survey

As a resident of St James St, classification - residential, we are blighted by constant noise pollution and sound blasts from various establishments here, I, personally have noise from "shorts music bar" and the raneghly public house at the same time, being stuck in the middle of 2 such premises ruins every single weekend for me in my own home. I firmly believe that all live music should cease by 10.30pm EVERY night where a street is classified as being residential, it is wholly unfair for business and council to totally ignore the residents right to a peaceful existence. I would also like to see the noise reporting line reintroduced on Fridays, business's here are aware it no longer operates and far exceed acceptable noise levels and licensing hours knowing full well residents have no action to take. Mr D Bloomfield Flat 2 41-45 Saint James st

It's important to protect live music venues as they are part of what makes Brighton a special place to live.

The volume of people pitching up at A&E are of course data on wobbly legs. And not all of them come to the attention of the police. Most of the Statement marries crime and violence with excessive consumption issues and I wonder if I don't see a skewing of data if those not violent or committing crimes, but who end up in A&E, are not coughing up information. (Pardon the pun!). Specifically, I would like everyone presenting as intoxicated at A&E to be asked where they were drinking. A&E attendees could be usefully mapped. It is unacceptable for TENS notices not to be notified to residents so they can brace themselves or leave for the night. Where is Council responsibility for this? And just how are you policing them so you KNOW they are not used to augment profit lines? The noise patrols were abolished! Wording of 3.7.1 is outrageous. If merely extending hours is likely or suspected and a genuine event is not taking place TENS should be withheld. How can that be organised? It is mealy-mouthed prevarication to say "will not be encouraged where the proposal is simply to extend the existing hours of operation". There is a need to deal with student "entitlement" issues. How is being a student a licence too? In their minds it is. "We're students; what do you expect?" is a known refrain. "This is a student area" (code for licensed for excess). They have no training in how to fit in. It has been uber-fashionable to be an uber-oik for sometime now. So they are. Please look at Western Road in Brunswick & Adelaide and consider use of Planning Enforcement or something to raise the tone of alcohol joints there. It is on the edge of a hugely Listed Area that deserves its residential status to be better respected.

The alert on the Statement of Licensing Policy was not sent out from the Brighton and Hove City Council portal until 23/12/15 and the consultation closes today, 5/1/16. If people rely on a BHCC email alert on consultations (as I do) and it isn't sent out at the beginning of a consultation period as in this case, the opportunity to respond could be lost or responses will be very limited due to lack of time. While I am not particularly focused on this consultation, I would like to ensure that alerts are not sent out late. I have not received any explanation as to why the alert in this case was so late, coinciding also with the Christmas and New Year period where people will be less attentive to email messages. Beyond this, I must say I don't find this particular consultation very public friendly. I was only interested in the content that would impinge on taxis, but I find that jargon is being used i.e. "DSA" and "Blue Book" in paragraph 5.4 without any explanation or glossary. My concern is that taxi drivers involved in road traffic incidents such as this: http://www.theargus.co.uk/news/13945843.Taxi_driver_s_case_changes_English_law/ where in a trial in October of last year a taxi driver received nine points on his licence and fines over Â£900 after admitting failing to stop and was found guilty of careless driving in a collision involving a female cyclist, will continue to drive in Brighton and Hove whereas common sense tells you that this should not be possible. My response is merely to highlight this incident and proper procedure.

