

Subject:	Additional information relating to annual Report of the Licensing Authority 2015		
Date of Meeting:	30 June 2016		
Report of:	Director of Public Health		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1. This report sets out to provide additional information relating to licensing functions for Brighton & Hove Council carried out during 2015.

2. RECOMMENDATIONS:

- 2.1. That the committee notes the contents of this report.
- 2.2. That officers should continue to monitor trends of applications and illegal activity to inform future policy and report back to committee annually.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1. At the Licensing Committee meeting in March 2016, it was considered that it would be beneficial if Members could receive a further update report to their next scheduled meeting in June which fleshed out the detail behind the figures, for example, geographical spread and details of the different types of operation and premises.
- 3.2. The table below shows the numbers of applications received and processed, plus hearings for the last two years, including those granted, refused and withdrawn.

Licensing Act 2003 figures 2015/2014

<u>1st Jan - 31st December 2015</u>		<u>1st Jan - 31st December 2014</u>	
Number of premises		Number of premises	
- Premises Licences	1363	- Premises Licences	1377
(surrendered)	19	(surrendered)	13

- Club Premises**	38	- Club Premises	39
(surrendered)	1		0
New apps 01.01.15-31.12.15	61	New apps 01.01.14-31.12.14	51
TOTAL fully processed*	48	TOTAL fully processed*	52
(granted)	42	(granted)	46
(refused)	3	(refused)	3
(withdrawn)	3	(withdrawn)	3
Variations		Variations	
TOTAL	21	TOTAL	29
(granted)	16	(granted)	25
(refused)	2	(refused)	3
(withdrawn)	3	(withdrawn)	1
Minor Variations		Minor Variations	
TOTAL	59	TOTAL	50
(granted)	59	(granted)	49
(refused)	0	(refused)	1
Panel hearings (apps)	12	Panel hearings (apps)	16
Reviews	5	Reviews	8
Appeals	3	Appeals	3
TENS hearings	5	TENS hearings	4
TOTAL TENS	1075	TOTAL TENS	903
TENS (granted)	1053	TENS (granted)	884
TENS (refused)	17	TENS (refused)	16
TENS (withdrawn)	5	TENS (withdrawn)	3

3.2.1 *In 2015 a total of 61 new premises applications were received, 48 of which were fully processed between 01.01.15 and 31.12.15. Processing means receiving the application, entering it onto the database, receiving representations and proceeding to a panel hearing, sending out the panel decision letters, writing up the licences, sending out the licence and entering the decision onto the database. There can be some applications received near to the year end that might be counted as an application received but not as an application fully processed (because of 28 day consultation period, 20 day hearing period etc).

3.2.2 **The number of Club Premises licences in 2015 should have been reported as 38 not 31. This is because when the report was run from the computer system it did not count licences which were suspended for non-payment.

3.2.3 **Headline trends**

There was an increase in the number of applications received in 2015.

1st Jan - 31st December 2015		1st Jan - 31st December 2014	
New apps 01.01.15-31.12.15	61	New apps 01.01.14-31.12.14	51
Pub/bar/nightclub	7	Pub/bar/nightclub	7
Convenience Store (off)	10	Convenience Store (off)	10
Restaurant	10	Restaurant	14
Café bar	9	Café bar	1

Late Night Refreshment	1	Late Night Refreshment	3
Large supermarket	0	Large supermarket	3
Petrol station	0	Petrol Station	1
Church	2	Church	0
Cinema	2	Cinema	1
Hotel/guest house	1	Hotel/guest house	0
Other	19	Other	11
-venue	3	-venue	6
-event	3	-event	1
-outside area	2	-outside area	0
-fundraising	1	-fundraising	0
-whisky/wine tasting	1	-whisky/wine tasting	2
-internet sales	3	-internet sales	0
-Big Top	1	-Big Top	1
-LNR with off sales	1	-LNR with off sales	0
-recording studio	1	-recording studio	0
-open market stall/shop/cafe	2	-open market stall/shop/cafe	1
-Café with films	1	- Café with films	0

There were 6 new café bar licences granted in 2013 and 11 restaurants.

3.2.4 Of the 61 applications received during 2015, 26 were for premises within the CIZ and 9 were in the special stress area. Looking at the 26 premises within the CIZ, 3 were granted under exceptional circumstances, 8 were granted after representations had been withdrawn, 6 were granted after no representations were received, 3 were refused and 6 were granted after a panel hearing.

3.2.5 Of the 51 applications received during 2014, 23 were for premises within the CIZ and 6 were in the special stress area. Looking at the 23 premises within the CIZ, 10 were granted after representations had been withdrawn, 7 were granted after no representations were received, 4 were refused, 1 was granted following a panel hearing and 1 was time limited.

3.2.6 Analysis of panel hearings for new applications and variations which have taken place including geographical spread and types of operation/premises. In 2014 there were 16 panel hearings:

Premises name and address	Hearing date	Premises use	Panel decision
Metropolis 50 Preston Road Brighton BN1 4QF	13.01.14	Restaurant	Granted with conditions.
Tattoo Bar M13, 214 Church Road, Hove, BN3 2DJ	21.01.14	Bar	Granted with conditions.
The Valley 8 Pool Valley Brighton BN1 1NJ	31.01.14	Late night refreshment	CIZ - Refused.
Exeter Street Hall 16 - 17 Exeter Street Brighton BN1 5PG	07.03.14	V Hall /Community	Granted.
Hove Newsagent 135 Church Road Hove BN3 2AE	28.04.14	Convenience store (Off)	Granted.
Italian@Home, 93 Mill Lane, Portslade BN41 2DF	02.05.14	Late night refreshment	Granted.
Kebab Nite 50 London Road Brighton BN1 4JD	14.05.14	Late night refreshment	SSA - Variation refused.

Green Orange Turkish Kebab 51 Lewes Road, Brighton BN2 3HW	14.05.14	Late night refreshment	SSA - Variation refused.
Tesco 190-194 Lewes Road Brighton BN2 3LA	24.06.14	Convenience store (Off)	SSA -Granted.
Subway 16 Old Steine Brighton BN1 1EL	24.06.14	Late night refreshment	CIZ - Refused.
Morrison 131 Mill Lane Portslade BN41 2FH	03.07.14	Convenience store (Off)	Granted with conditions.
St Aubyns News 158 Church Road Hove BN3 2DL	14.07.14	Convenience store (Off)	Refused.
Park & Shop Woodingdean Service Station, 534 - 540 Falmer Road Brighton BN2 6ND	11.08.14	Petrol station	Granted.
Subway 20 West Street Brighton BN1 2RS	14.08.14	Late night refreshment	CIZ - Refused.
Plateau 1 Bartholomews Brighton BN1 1HG	11.09.14	Restaurant	CIZ - Refused.
Co-Op 253 Old Shoreham Road Hove BN3 7EB	01.10.14	Convenience store (Off)	Granted with conditions.

3.2.7 In 2015 there were 12 panel hearings:

West Beach Hotel Bar, 135 Kings Road, Brighton BN1 2HX	10.02.15	Café bar	CIZ – Granted exceptional circumstances
Eatalio, 128 Queens Road, Brighton, BN1 3WB	12.05.15	Restaurant	CIZ - Granted with conditions.
Albion Kebabs 61 Queens Road Brighton BN1 3XD	19.05.15	Late night refreshment	CIZ - Variation refused.
Shiv News 79-80 St James's Street Brighton BN2 1PA	08.06.15	Convenience store (Off)	CIZ - Refused.
Eldred News & Post Office 26 Eldred Avenue Brighton BN1 5EG	12.06.15	Convenience store (Off)	Granted with conditions.
E Local Store 33 Western Road Hove BN3 1AF	30.06.15	Convenience store (Off)	CIZ - Variation refused.
Premier 6 Upper Bevendean Avenue, Brighton BN2 4FF	20.08.15	Convenience store (Off)	Refused.
One Church Brighton Gloucester Place Brighton BN1 4AA	28.08.15	V Hall /Community	CIZ - Granted.
Purezza 12 St James Street Brighton BN2 1RE	03.09.15	Café bar	CIZ - Granted with conditions.
Synergy Centre, 78 West Street, Brighton BN1 2RA	02.11.15	Pub/Bar/ Nightclub	CIZ - Refused.
Wine Keg Company, 104A Dyke Road, Brighton, BN1 3JE	18.11.15	Convenience store (Off)	SSA - Granted with conditions.

Charles Street and Envy, 8-9 Marine Parade, Brighton BN2 1TA	18.11.15	Pub/Bar/ Nightclub	CIZ - Granted in part with conditions.
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4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1. Licensing Strategy Group, finance and legal services.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 The costs associated to activities allowable under the Licensing Act 2003 are funded by licence fee income; any variation between expenditure and income generated from licence fees is funded from existing revenue budgets.

Where fees are not set by central government, licence fees are set at a level that it is reasonably believed will cover the costs of providing the service and in accordance with the requirements of the legislation under which they are charged. Licence fees are approved annually at Licensing Committee.

Finance Officer Consulted: Michael Bentley *Date:* 26/05/16

Legal Implications:

5.2 Legal implications are contained within the body of this report.

Lawyer Consulted: Rebecca Sidell *Date:* 26/05/16

Equalities Implications:

5.3 There are no direct equalities implications.

Sustainability Implications:

5.4 There are no direct sustainability implications.

Crime & Disorder Implications:

5.5 Contained in the body of the report.

Risk and Opportunity Management Implications:

5.6 No implications

Public Health Implications:

5.7 Contained within report.

Corporate / Citywide Implications:

5.8 The local licensing delivers support improvement that help businesses comply with the law speedily, easily and economically.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

None – for information only.

7. REASONS FOR REPORT RECOMMENDATIONS

For information only.

SUPPORTING DOCUMENTATION

Appendices: None.

Documents in Members' Rooms

1. None.

Background Documents

1. None.