

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

10.00am 14 MAY 2025

VIRTUAL

DECISION LIST

Part One

3 DRACULA'S HOUSE LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

Contact Officer: Corinne Hardcastle Tel: 0127329
Ward Affected: West Hill & North Laine

RE: Licensing Act 2003 – Licensing Panel Hearing Notification of the Determination of Panel.

Licensing panel hearing held virtually via Teams on Wednesday 14th May 2025 in respect of the application for a new premises licence for premises known as Dracula's House, 58 London Road, Brighton, BN1 4JE

The Panel has read all the papers and has listened to the submissions made at the hearing. It has had regard to the statutory guidance and the Statement of Licensing Policy.

This is an application for a new premises licence for a small shop selling Romanian speciality food and a limited range of alcohol for sale off the premises from 08:00 to 21:00 Monday to Saturday and 09:00 to 18:00 on Sunday.

The premises falls within the Special Stress Area (SSA) which, as detailed in the statement of licensing policy, is deemed an area of special concern in terms of the relatively high levels of crime and disorder and public nuisance experienced within it. The Matrix policy approach in the policy indicates a 'no' for off-licences within the SSA.

13 representations were received from a local Councillor, local residents and Local Action Team and trustee of the Black Minority Ethnic Community Partnership on the basis of all 4 licensing objectives and due to the location of the premises within the SSA on London Road.

The applicants have agreed a set of conditions with Sussex Police. These are detailed in the papers and include 80% of all alcohol to be of Romanian origin, location of all the alcohol behind the counter and membership of the Brighton Crime Reduction Partnership (BCRP).

The panel heard from those making representations. They all described the many challenging issues they faced in this area of anti-social behaviour, vulnerable persons and street drinking and highlighted the saturation of the area with off-licences and their concern that another alcohol outlet would only add to the problems they faced. The policy indicated that the application should be refused. There was also concern that the applicants had already put up a placard advertising 'off licence'.

The panel heard from the applicants about the nature of their premises and style of operation. It was a family business. They had another similar shop in Horsham. Their wine and alcohol generally were relatively expensive and not likely to attract street drinkers. The panel and other parties were able to question the applicants about all aspects of their proposed operation and their intentions. They confirmed there would be 2 people on a shift and with alcohol all behind the counter shoplifting would be deterred. The off-licence sign was a mistake and would be removed and they were mindful of the police condition for no external alcohol advertising. Alcohol would be a very small percentage of their overall sales about 5%. They were willing to accept a condition that all alcohol be of Romanian origin.

The panel has considered this application on its individual merits and in terms of the policy and the concerns raised by those making representations. It does consider that it is exceptional to enable departure from the Matrix approach. Primarily this is a small and genuinely specialist shop selling Romanian products. A set of tailored and robust conditions have been agreed with the police. These include that the alcohol for sale will be limited to a small area behind the till counter as shown on the plan which will mitigate shoplifting concerns. The applicants agree to 100% of all the alcohol for sale being of Romanian Origin which reinforces the exceptional characteristics of the application and sets it apart from other premises. The alcohol will also be relatively expensive, and will only constitute a small, almost incidental, part of the products sold. The applicants struck the panel as genuine with some relevant experience and who were determined to make the premises safe and family friendly. The police conditions 2 and 6 are therefore modified as follows:

2. 100% of the alcohol for sale shall be of Romanian origin.
6. There will be no external advertising outside of the premises of alcohol (including any reference to alcohol in general)

The panel do take very seriously the concerns of those who made representations and there is no doubt this is a very challenging area. However, the panel considers that this application is exceptional and is not likely to add to the issues in the vicinity. The police conditions (as modified above) will go onto the licence and will also promote the licensing objectives along with the style and operation of the premises.

The panel therefore grant this application as applied for with all the conditions to be attached to the licence.

The minutes of the panel will be available on the Council's website under the rubric 'Council and democracy'.