





**Brighton & Hove
City Council**

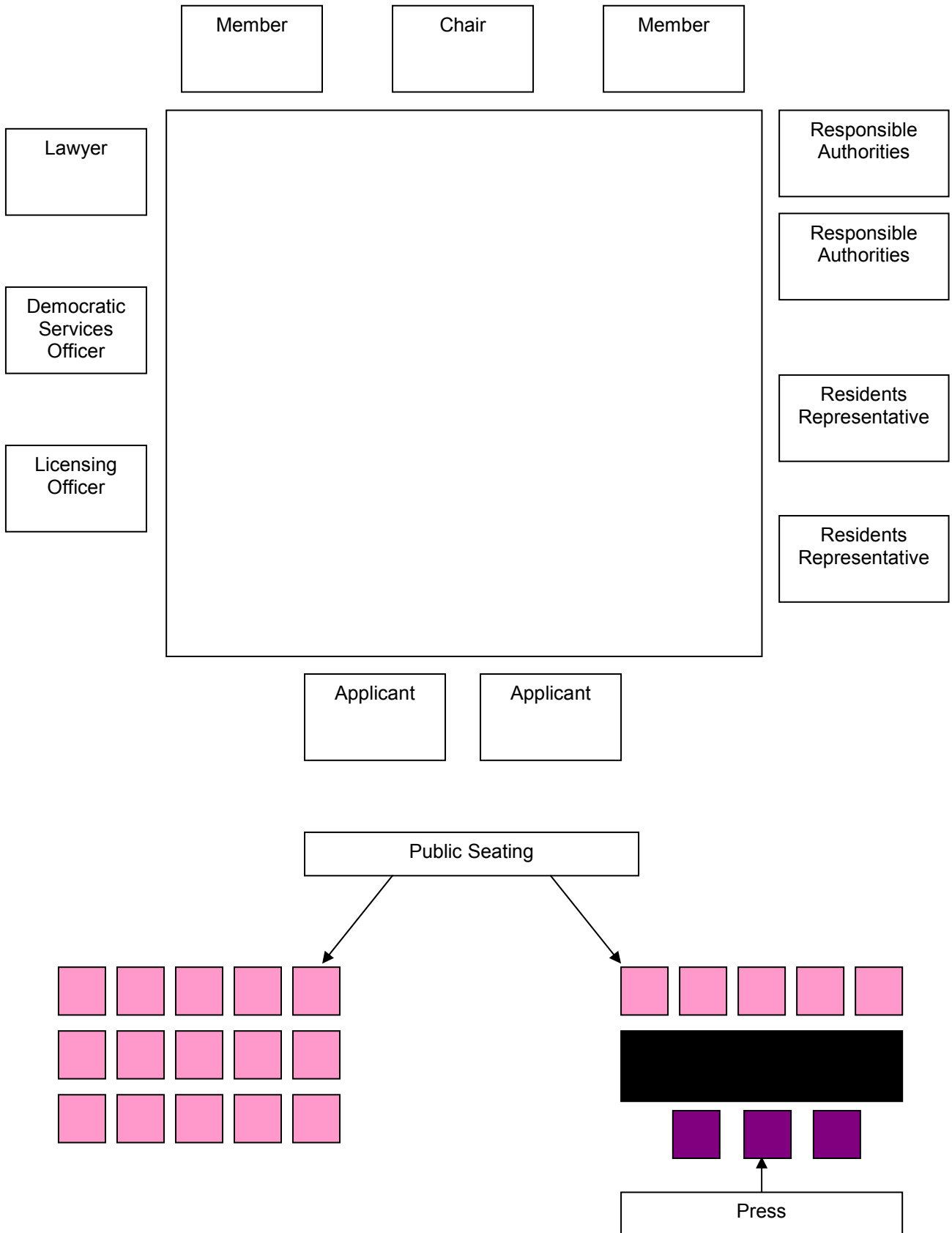
Licensing Panel

(Licensing Act 2003 Functions)

Title:	Licensing Panel (Licensing Act 2003 Functions)
Date:	18 March 2013
Time:	10.00am
Venue	Committee Room 1, Brighton Town Hall
Members:	Councillors: Deane, Hawtree and Simson
Contact:	Nathan Birch Democratic Services Officer 01273 2910654 nathan.birch@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

109. TO APPOINT A CHAIR FOR THE MEETING

110. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the main Licensing Committee may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

111. MARVANS NEWS LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

1 - 26

Ward Affected: Preston Park

NOTES: *Applicants, Agents, Representatives from Statutory Authorities and Other Interested Parties are kindly requested to wait outside before the beginning of the hearing until called in together by the clerk.*

There may be more than one item on this agenda, and as such the item you are interested in may not be heard until later in the day. However, the Chairman reserves the right to alter the running order of the agenda at the start of the meeting without prior notice.

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS)

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Nathan Birch, (01273 291354, email nathan.birch@brighton-hove.gov.uk or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 8 March 2013

Licensing Panel (Licensing Act 2003 Functions)

Agenda Item

Brighton & Hove City Council

Subject:	Application for a New Premises Licence under the Licensing Act 2003		
Premises:	Marvans News 84 Beaconsfield Road Brighton BN1 6DD		
Applicant:	Ronak Patel		
Date of Meeting:	18 March 2013		
Report of:	Head of Regulatory Services		
Contact Officer:	Name:	Emma Bricknell	Tel: (01273) 296051
	E-mail:	Emma.bricknell@brighton-hove.gov.uk	
Wards Affected:	Preston Park		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Marvans News

2. RECOMMENDATIONS:

2.1 To determine an application for a New Premises Licence under the Licensing Act 2003 for Marvans News

2.2.1 The application is for:

A New Premises Licence under the Licensing Act 2003

The application proposes:

The premises are a small newsagent/convenience store situated on a main road leading into Brighton. The store is in a parade of shops in what is mainly a commercial area, although residential flats are above and some housing is nearby. The premises wish a licence to retail alcohol for consumption off the premises to compliment the existing offer.

2.2.2 Part P of the application is detailed at Appendix A and the proposed plan of the premises is attached at Appendix B.

2.3 Summary table of proposed activities

	Existing	Proposed
M Supply of Alcohol	N/A	Every Day 08:00 to 21:30 Off Premises

See email in Appendix C from agent regarding change of times

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.2.1 Representations received

Details of the representations made are notified to applicants on receipt by the Licensing Authority using a pro-forma. A summary appears below:

3.2.2 One representation was received. It was received from Sussex Police.

3.2.3 Representation received had the concerns relating to Prevention of Crime and Disorder and Protection of Children from Harm.

3.2.5 Full details of the representation are attached at Appendix D. A map detailing the location of the premises is attached at Appendix E.

4. CONSULTATION

Commentary on licensing policy

4.1 The following extracts from Brighton & Hove City Council Statement of Licensing Policy are considered relevant to this application and numbered as they appear in the policy:

General

- 1.2 The licensing objectives are:-
- (a) Prevention of crime and disorder;
 - (b) Public safety;
 - (c) Prevention of public nuisance;
 - (d) Protection of children from harm.
- 1.3 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events. Any conditions attached to various authorisations will be focused on matters which are within the control of individual licensees and others with relevant authorisations, i.e. the premises and its area.
- 1.5 Each application will be given individual consideration on its merit. Nothing in this policy shall undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to have any such application considered on its individual merits. Similarly, nothing in this policy shall override the right of any person to make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 1.10.4 The licensing authority's preferred position is to ensure planning permission is in place before an application for a licence is made.

In respect of the prevention of crime and disorder

- 2.1 The licensing authority acknowledges that training and good management play a key part in preventing alcohol and drug related crime. The authority expects that all licensees of on-licensed premises attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all bar staff and door supervisors so that drug dealers and users will be deterred from using licensed premises for illegal purposes and that incidents of violence in licensed premises will be reduced. Licensees are also encouraged to attend training programmes to help identify children at risk and issues of basic child protection. It is the duty of the designated premises supervisor (DPS) to train staff on induction concerning conditions on their premises licence.

- 2.2 It is expected that the DPS will spend a significant amount of time on the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.

- 2.4 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.

- 2.5 Measures put in place should support the intentions of Operation Marble (police operational order refers), which aims to prevent incidents of crime and disorder within the night time economy, at weekends. Operation Marble operates with a view to minimising the risk to the public of being a victim of public place violent crime; to reduce incidents of violent crime and public disorder within the City Centre; to deal positively with offences and offenders; to secure and preserve evidence which will assist in the prosecution of offenders and to support the night time economy and the responsibly run businesses within it.

2.7 The Licensing Authority will support:

- 2.7.1 Diversity of premises: ensures that there is a mix of the different types of licensed premises and attracts a more diverse range of customers from different age groups, different communities and with different attitudes to alcohol consumption. It gives potential for positively changing the ambience of the city or an area of it. This will have a positive effect in reducing people's fear of crime and in increasing the number of evening visitors to the city centre. The Community Safety Strategy recognises that too many single uses in a confined area and patrons turning out onto the streets at the same time may create opportunities for violent crime and public disorder and therefore supports: mixed use venues encouraging a wider age balance. A "matrix" approach to licensing decisions has been adopted and is set out below.

Matrix approach for licensing decisions in a Statement of Licensing Policy

	Cumulative Impact Area	Special Stress Area and London Road	Mixed Commercial and Residential Areas (streets containing shopping parades)	Residential Area (mainly residences in street)	Marina
Restaurant	Yes (midnight)	Yes (2am)	Yes	Yes (11.30pm)	Yes
Late Night Takeaways	No	Yes (midnight)	Yes (midnight)	Yes (midnight)	Yes
Night Club	No	No	Yes (3am)	No	Yes
Pub	Yes (11pm)	Yes (11pm)	Yes (3am)	Yes (11pm, midnight Friday and Saturday)	Yes
HVVD (Super pub)	No	No	No	No	Yes
Non-alcohol lead (e.g. Theatre)	Yes (favourable)	Yes (favourable)	Yes (favourable)	Yes	Yes
Off-licence	No	No	No	Yes (8pm)	Local shops only
Members Club	Yes (<100)	Yes (<100)	Yes	Yes (11pm and midnight Friday and Saturday)	Yes

Notes on matrix

Subject to the following, the policy, as represented in the matrix, would be strictly adhered to

- 1) Each application would be considered on individual merit
- 2) Departure from policy is expected only in exceptional circumstances
- 3) Exceptional circumstances will not include quality of management or size of venue except where explicitly stated in policy matrix
- 4) Exceptional circumstances may include: close consultation with Sussex Police and the Licensing Authority, meeting requirements of responsible authorities, an appropriate corporate social responsibility policy, community contribution to offset impact (such as financial contribution to infrastructure), community support, alcohol sale ancillary business activity (demonstrable to responsible authorities and licensing authority, for instance by licence condition allowing authorised officers access to sales accounts), BCRP membership
- 5) The following licensing activities are encouraged and valued by the licensing authority: outdoor regulated entertainment, community based street parties, members clubs, traditional pubs outside the city centre and non-alcohol led licensable activities, particularly within city centre
- 6) Shatterproof drinking receptacles will normally be required by licence condition in alcohol led establishments in the city centre
- 7) Outdoor events will be supported where arranged through the council's event planning process
- 8) Favourable consideration will be given to residential need
- 9) Favourable consideration will be given to local businesses properly engaged with the local licensing authority and responsible authorities

- 2.7.2 Favourable consideration will be given to promoting the city's cultural quarter, live entertainment in pubs, food led operations, developing LGBT and other communities of interest venues, particularly around St James's Street, promoting a family leisure area on the sea front with a more adult leisure centre at night.

In respect of the protection of children from harm

The following details and measures are intended to address the need for the protection of children from harm; this includes moral, psychological and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided). It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude children completely).

5.1 Licensees should note the concern of the authority that drink related disorder frequently involves under 18's. To prevent illegal purchases of alcohol by such persons, the committee recommend that all licensees should work with a suitable 'proof of age' scheme and ensure that appropriate identification is requested prior to entry and when requesting alcohol, where appropriate. Appropriate forms of identification are currently considered to be those recommended by police, trading standards officers and their partners in the Licensing Strategy Group (e.g. passport, photo driving licence or pass card).

5.2 It is the licensing authority's expectation that all staff responsible for the sale of intoxicating liquor receive information and advice on the licensing laws relating to children and young persons in licensed premises. Licensed premises staff are required to take reasonable steps to prevent under age sales. The licensing authority will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.

5.4 The licensing authority will not seek to require that access to any premises is given to children at all times – under normal circumstances this will be left to the discretion of the licensee. The following areas give rise to concern in respect of children, who will normally be excluded from premises:-

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises;
- where entertainment of an adult or sexual nature is commonly provided.
- where premises are used primarily or exclusively for the sale and consumption of alcohol and there is little or no seating for patrons

Options may include:-

- limitations on the hours when children may be present;
- age limitations (below 18);
- limitations or exclusions when certain activities are taking place;
- requirements for an accompanying adult;
- full exclusion of people under 18.

- 5.5 Licensees of premises giving film exhibitions will be expected to include in their operating schedules arrangements for restricting children from viewing age restricted films. Such premises will be subject to a mandatory condition requiring that access will be restricted to only those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification, or in specific cases where such certificates have not been granted, the licensing authority. The licensing authority does not intend to adopt its own system of film classification.
- 5.6 Where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. The licensing authority recognises the Children, Families and Schools section as being competent to advise on matters relating to the protection of children from harm.
- 5.7 Children and Young Persons Overview and Scrutiny Council reported on Reducing Alcohol Related Harm to Children and Young People to Licensing Committee who agreed:
- 5.7.3 In determining applications and reviews, applications can only be dealt with on their individual merit. Use of schemes like Think 21 and Challenge 25 are appropriate on a case by case basis. Normally a Challenge 25 condition will be appropriate.
- 5.7.4 A clear causal link between price discounting and disorder will normally lead to the imposition of conditions prohibiting irresponsible promotions. This is now reflected in the new mandatory conditions which can be found on the licensing pages of the council's website.

5.8 Best Practice to protect children from harm

The Council passed a Notice of Motion that licensing committee recommend best practice for both on and off premises to take on board on a voluntary basis, in order to promote responsible licensing.

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Challenge 25 would be the norm, particularly in the off licence trade
- Signage – proxy sale – deterrence

The council will support accreditation schemes, such as Best Bar None and Purple Flag, where appropriate and subject to resources.

Strategic Integration

- 6.5 Specific conditions may be attached to premises licences to reflect local crime prevention strategies. Such conditions may include the use of closed circuit television cameras, use of the NightSafe radio system or accredited scheme, the provision and use of shatterproof drinking receptacles, drugs and weapons search policy, the use of registered door supervisors, specialised lighting requirements, hours of opening.
- 6.6 The licensing authority will have regard to the need to disperse people quickly and safely from the city centre to avoid concentrations which may produce disorder and disturbance.
- 6.8 Other regulatory regimes
- This policy avoids duplication with other regulatory regimes wherever possible.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

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 at a level to allow licensing authorities to fully recover the costs of administration, inspection and enforcement of the regime.

Finance Officer Consulted: Jeff Coates

Date: 26.02.2013

5.2 Legal Implications:

The licensing authority must act to promote the four licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The licensing authority must have regard to its statement of licensing policy and the guidance issued by the Secretary of State in carrying out its functions.

Lawyer Consulted: Rebecca Sidell

Date: 26.02.2013

5.3 Equalities Implications:

Diversity is valued and strong, safe communities are vital to future prosperity. Licensing policy aims to protect children from harm including sale and supply of alcohol to children.

5.4 Sustainability Implications:

Licensing policy aims to prevent public nuisance and develop culture of live music, dancing and theatre.

5.5 Crime & Disorder Implications:

Licensing policy aims to prevent crime and disorder and protect public safety.

5.6 Risk and Opportunity Management Implications:

Licensing is a crucial business and employment opportunity and unnecessary regulation might lead to legal challenge.

5.7 Corporate / Citywide Implications:

The success of the city's tourism strategy requires a safe, attractive city centre to improve competitiveness. The Act may significantly change night time economy

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Part P of the Application
2. Appendix B – Proposed Plan of Premises
3. Appendix C – Email from Agent
4. Appendix D – Representation
5. Appendix E – Map of Area

Documents in Members' Rooms

1. Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2011, as amended 20 December 2011.

Background Documents

1. Brighton & Hove City Council, Licensing Act 2003: Statement of Licensing Policy 2011, as amended 20 December 2011.

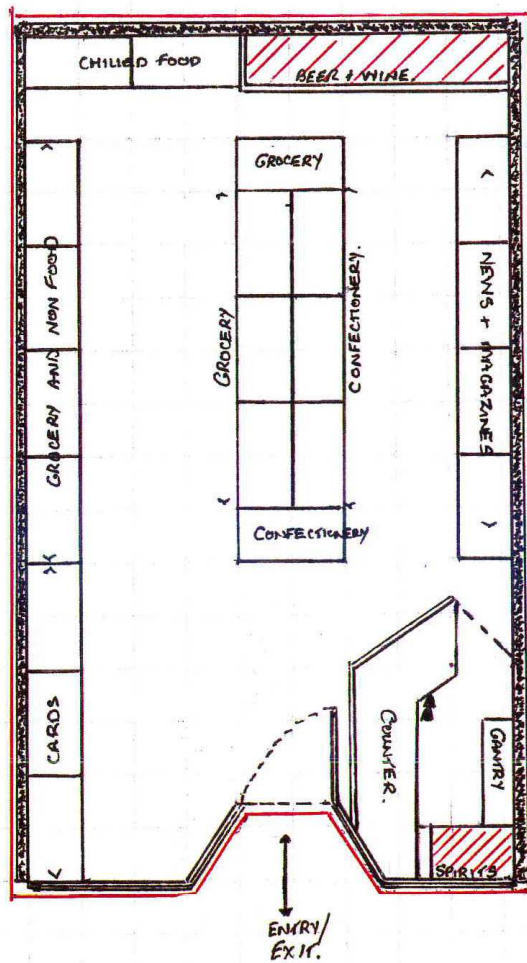
APPENDIX A

Section 18 of 19
LICENSING OBJECTIVES
Describe the steps you intend to take to promote the four licensing objectives:
a) General – all four licensing objectives (b,c,d,e) List here steps you will take to promote all four licensing objectives together.
The store will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.
b) The prevention of crime and disorder
A CCTV system is in operation to provide security and identify any culprit who is intent in causing trouble in store. All images are stored for a period of 31 days after which they can be erased or saved at the request of the police. All current security measures will remain in operation. All staff will be fully trained in the operation of the CCTV to ensure it is operational all the hours of trade. Images will be made available to the police or authorised licensing officer from the council on request.
c) Public safety
Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police. All relevant fire procedures are in place for a store of this size.

<i>Continued from previous page...</i>
d) The prevention of public nuisance
Youths will be encouraged to move from the entrance to the store to prevent the potential of causing nuisance to customers, either in requesting they purchase alcohol on their behalf, or general intimidating behaviour. The entrance to the store is also visible from the till point area, and so can be monitored by the staff. CCTV cameras will also pick up any disturbance in this area.
e) The protection of children from harm
Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Any staff member who may be under the age of 18 must call a senior staff member to take over the sale and complete the transaction. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

APPENDIX B

for your premises.



signage, blankets, sprinklers and alarms showing
 enclosed key
 open to the public
 is one on the premises

Name: NIARNANS NEWS 8A BEACONSFIELD ROAD
 Plan No: GPR 1303/1
 Date: 02/11/13 SCALE 1:50.

APPENDIX C

Dean Love

From: Stewart Gibson
Sent: 25 February 2013 13:44
To: EHL Safety
Subject: DEAN Marvans News 84 Beaconsfield Road Brighton

F.A.O Emma Bricknell

Hi Emma.

With regard to the above application which is scheduled for hearing on the 18th March, I write to confirm that my client has offered a reduction in trading hours for the sale of alcohol. We would like the application to now read the sale of alcohol from Monday to Sunday inclusive between the hours of 08:00 to 21:30.

I have already advised David Bateup of this change.

Please could you circulate this change amongst the members prior to the scheduled hearing.

Many thanks

Stewart Gibson
Licence Agent

APPENDIX D

PCH JGB 19/2
CON ENDS 20/2/13 EB (A)



Sussex Police
Serving Sussex

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Brighton Police Station



Brighton & Hove Licensing Unit
4th Floor
Police Station
John Street
Brighton
BN2 0LA

Tel: 101 ext 50826
Fax: 01273 66 55 96

Email: david.bateup@sussex.pnn.police.uk

5th February 2013

The Licensing Technical Support Officers
Environmental Health
Brighton & Hove City Council
Bartholomew House
Bartholomew Square
Brighton
BN1 1JP

Dear Sirs,

RE: APPLICATION FOR A NEW PREMISES LICENCE FOR MARVANS NEWS, 84 BEACONSFIELD ROAD, BRIGHTON, BN1 6DD, UNDER THE LICENSING ACT 2003. 1445/3/2013/00437/LAPREN.

Sussex Police wish to make representations in respect of this new application on the grounds of the prevention of crime and disorder, the protection of children from harm, and in relation to the Council Statement of Licensing Policy. This application is applying for off sales from 06:00 to 23:00 hrs, seven days a week.

We wish to draw the Licensing Committee's attention to the matrix for licensing decisions on page 15 of the current statement of licensing policy. The matrix states that in mixed commercial and residential areas (streets containing shopping parades), no new off licence permissions will normally be granted. The Statement of Licensing Policy states that departure from the policy is expected only in exceptional circumstances.

The applicant has not made any reference whatsoever to the Statement of Licensing Policy and the Decision Making Matrix, nor has any reason been given as to why this application should be an exception to the policy. The applicant does state in section 5 of

their application that “the premises are situated in a parade of shops in what is mainly a commercial area, although residential flats are above and some housing is nearby”. Sussex Police say that this statement supports our contention that this is a mixed commercial and residential area.

Sussex Police therefore invite the Council Licensing Committee to refuse this new licence application.

Should a Committee decide that there are exceptional reasons to depart from the policy and grant a new licence, then Sussex Police invite the Committee to apply the following new and revised conditions to the licence:

The prevention of crime and disorder

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The CCTV cameras and recording equipment must be of sufficient quality to work in normal lighting levels inside the premises at all times. CCTV footage will be stored for a minimum of 28 days and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

No lagers, beers or ciders with an ABV content exceeding 6% will be sold.

During hours when the premises is open for the public outside of the permitted hours for the retail supply of alcohol, all alcohol in the public area of the shop will be concealed by way of secure shutters or blinds. [NB: To be applied in the event that a licence is granted with hours for the supply of alcohol that is less than the opening hours of the premises].

The premises will not provide an alcohol delivery service where alcohol is provided by the premises and delivered to customers' home addresses.

The protection of children from harm

The premises will operate a “Challenge 25” policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences with a photograph or proof of age cards bearing the ‘PASS’ mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

Suitable and sufficient signage advertising the “Challenge 25” policy will be displayed in prominent locations in the premises.

All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales:

- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age restricted products prior to the selling of such products, and verbal reinforcement/refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

The premises shall at all times maintain and operate an age-restricted sales refusals book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading Standards.

The above conditions apply to all staff including spouses, family members and friends who work in the premises and sell alcohol.

I enclose an email confirmation from Mr Gibson for the applicant agreeing to the above new conditions being added to the licence, should it be granted.

Yours faithfully,



Graham Bartlett
Chief Superintendent
Divisional Commander
Brighton & Hove Division

-----Original Message-----

From: Stewart Gibson [mailto:stewart.gibson@gpretail.co.uk]

Sent: Monday 04 February 2013 19:54

To: Bateup David 63941

Subject: RE: Premises licence application for Marvans News, 84 Beaconsfield Road, Brighton

Dear Mr. Bateup.

Thank you for your email below. I am happy to accept the conditions you propose. The majority of these are contained in the operating schedule, albeit worded differently, so we are happy to accept all conditions as suggested.

Kind regards

Stewart Gibson
Licence Agent
07976844694

From: David.Bateup@sussex.pnn.police.uk [mailto:David.Bateup@sussex.pnn.police.uk]
Sent: 01 February 2013 13:14
To: stewart.gibson@gpretail.co.uk
Cc: Claire.Abdelkader@sussex.pnn.police.uk
Subject: Premises licence application for Marvans News, 84 Beaconsfield Road, Brighton

Mr Gibson,

WITHOUT PREJUDICE

Sussex Police are in receipt of your premises licence application for the above premises.

The Brighton & Hove City Council Statement of Licensing Policy states that in mixed use commercial and residential areas, no new off licence applications will normally be granted. Accordingly Sussex Police will, in support of the policy, be making representations against your client's application .

In the meantime however, we request the following conditions are added to the licence, should it be granted:

The prevention of crime and disorder

Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The CCTV cameras and recording equipment must be of sufficient quality to work in normal lighting levels inside the premises at all times. CCTV footage will be stored for a minimum of 28 days and the management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime. The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy. The management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk for the police without difficulty or delay and without charge to Sussex Police. Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

No lagers, beers or ciders with an ABV content exceeding 6% will be sold.

During hours when the premises is open for the public outside of the permitted hours for the retail supply of alcohol, all alcohol in the public area of the shop will be concealed by way of secure shutters or blinds. [NB: To be applied in the event that a licence is granted with hours for the supply of alcohol that are less than the opening hours of the premises].

The premises will not provide an alcohol delivery service where alcohol is provided by the premises and delivered to customers home addresses.

The protection of children from harm

10/02/2013

The premises will operate a "Challenge 25" policy whereby any person attempting to buy alcohol who appears to be under 25 will be asked for photographic ID to prove their age. The only forms of ID that will be accepted are passports, driving licences with a photograph or proof of age cards bearing the 'PASS' mark hologram. The list of approved forms of ID may be amended or revised with the prior written agreement of Sussex Police and the Licensing Authority without the need to amend the licence or conditions attaching to it.

Suitable and sufficient signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive the following training in age-restricted sales:

- The premises licence holder will ensure that all staff members engaged in selling alcohol on the premises shall receive induction training as to the lawful selling of age restricted products prior to the selling of such products, and verbal reinforcement/refresher training thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- All age-restricted sales training undertaken by staff members shall be fully documented and recorded. All training records shall be made available to Sussex Police and Brighton & Hove Trading Standards Service upon request.

The premises shall at all times maintain and operate an age-restricted sales refusals book which shall be reviewed by the Designated Premises Supervisor at intervals of no less than 4 weeks and feedback given to staff as relevant. This refusals book shall be available upon request to police staff, Local Authority staff and Trading Standards.

The above conditions apply to all staff including spouses, family members and friends who work in the premises and sell alcohol.

Please can you consult with your client and come back to me. If we can agree on the above conditions, then we will still make a representation against the application in line with the Council Statement of Licensing Policy, but ask the Committee to impose the above mutually agreed conditions on the licence, should it be granted.

Thank you.

David

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APPENDIX E

