

APPENDIX C

Sarah Cornell
Licensing Officer
Bartholomew House

Date: 14 November 2017
Your Ref: 2017/05192/LAPREN

Contact: Emma Bullen
Licensing Officer

Tel:
Email:

BP CON ENDS 05.12.17 VALID PCD & PPN (A)

Dear Sarah

Licensing Act 2003
Down Store, 58 Down Terrace, Brighton, BN2 9ZH
Reference: 2017/05192/LAPREN

I wish to make a representation against the application for a new off licence, Downs Store, 58 Downs Terrace, Brighton submitted by ACP Trading Ltd, Victoria House, 18 Dalston Gardens, Stanmore, Middlesex, HA7 1BU on the grounds that it will undermine the licensing objectives of Prevention of Crime and Disorder and Prevention of Public nuisance and is contrary to the Council's Statement of Licensing Policy.

This premises falls within the Licensing Authority's Special Stress Area which is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it..

Our Policy states that new applications for premises within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems faced in these areas.

Some of the Licensing Best Practice measures mentioned in the Council Statement Of Licensing Policy including the installation of CCTV, Challenge 25 Policy, staff training in under age sales and a refusals register have been included in the application. However the application is contrary to policy as the matrix states No to off licences in the special stress area.

The Licensing Authority will always consider the circumstances of each case and whether there are exceptional circumstances to justify departing from its special policy in the light of the individual circumstances of the case.

The premises is located in the Queens Park electoral ward, which according to our Public Health Framework is worst regarding the Health data for Alcohol Related mortality 2013-15, clients in alcohol treatment and A&E attendances with a record of alcohol. 2nd for increasing risk or Higher risk drinking, 3rd worst for alcohol suspected ambulance call outs. Under the Crime and Disorder data it ranks 2nd for Sexual offences and 3rd for criminal damage, Police recorded alcohol related incidents, all violence against the person, all injury violence and non-injury assault.

I therefore make a representation on the grounds of the prevention of crime and disorder and that the application is contrary to policy as it falls within the special stress area. The panel need to determine whether the applicant has demonstrated exceptional circumstances

or proposed adequate measures so that the premises is unlikely to add additional burdens and problems to an already challenging area.

Yours Sincerely

Emma Bullen
Environmental Protection Officer

Ms Becky Pratley
Licensing Officer
2nd Floor, Bartholomew House,
Bartholomew Square,
Brighton BN1 1JP

Date: 24th November 2017

Phone:

E-mail:

BP CON ENDS 05.12.17 VALID PPN & PCD (B)

Dear Ms Pratley

**RE: Licensing Act 2003 - Representation regarding the New Premises
Application 2017/05192/LAPREN Down Store 58-58A Down Terrace, Brighton
BN2 9ZH**

I am writing regarding the above application for an off sales licence from Down Store at 58-58A Down Terrace, Brighton BN2 9ZH in Queen's Park ward.

The application is for a new licence for off sales of alcoholic beverages between 8am and 8pm seven days a week. The applicant has recognised that the premises lie in a designated stress zone (Special Stress Area) as far as the sale of alcohol is concerned and has therefore offered a number of conditions to try and ensure that the operation of these premises will not undermine any of the licensing objectives. These include CCTV, Challenge 25 and no single can or bottle sales. These measures will provide some safeguards for the licensing objectives. However, this off sales licence application does not fit with the approval conditions set out in the licensing matrix in the Statement of Licensing Policy regarding the Special Stress Area.

You will be aware that there is already considerable nuisance, crime and disorder from alcohol consumption in the city. Queen's Park ward is ranked either the second or third worst in the city for the alcohol associated crime and disorder indices we monitor: all violence against the person, all injury violence, non-injury assault, sexual offences, criminal damage and police recorded alcohol-related incidents.

In addition to the above, for the health data we monitor Queen's Park ward is ranked the worst for A&E attendances with a record of alcohol, clients in alcohol treatment and alcohol related mortality (2013-15). The ward is also ranked the second worst for increasing risk or higher risk drinking.

This application if accepted would very likely add to this burden from alcohol, and it cannot be seen as exceptional or as having the effect of reducing the cumulative impact from alcohol. Therefore on the basis that the application is in contradiction with the Licensing Matrix set out in our policy, and that the premises sits in an electoral ward where the impact of alcohol on nuisance, safety, crime and disorder, are all already at a very high level, I wish to register my objection to this licence application.

Yours sincerely,

A handwritten signature in black ink that reads "Peter Wilkinson". The signature is written in a cursive style with a large initial 'P'.

Dr Peter Wilkinson
Consultant in Public Health
Health and Adult Social Care Directorate
Brighton & Hove City Council

Police Station
John Street
Brighton
BN2 0LA

27th November 2017

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

BP CON ENDS 05.12.17 VALID PCD & PNN (C)

Dear Becky Pratley,

**RE: APPLICATION FOR A NEW PREMISES LICENCE FOR DOWN STORE 58-58A
DOWN TERRACE, BRIGHTON, EAST SUSSEX, BN2 9ZH UNDER THE LICENSING ACT
2003. 1445/3/2017/05192/LAPREN.**

I write on behalf of the Chief Officer of Police for Sussex to raise a representation against the grant of the above application on the grounds of the prevention of crime and disorder and public nuisance. We also make reference to the Brighton & Hove City Council (BHCC) Statement of Licensing Policy.

This is a proposed new licence application in the City's Special Stress Area (SSA) which seeks the following hours and licensable activities:

Supply of alcohol (Off Sales)

Every Day: 08:00 – 20:00

Opening hours

Every Day: 08:00 – 20:00

Paragraphs 3.2.1-3 of the Brighton and Hove City Council 2016 Statement of Licensing Policy (SoLP) states:

3.2.1 - This Special Stress Area (SSA) is of concern to the licensing authority because of the relatively high levels of crime and disorder and nuisance experienced within it. The area will be kept under review.

3.2.2 - New and varied applications for premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make positive

proposals to ensure that their operation will not add to the problems faced in these area. Appendix A of the SoLP sets out a list of potential measures the licensing authority considers may be appropriate. These may be more or less appropriate depending upon the style of operation applied for.

3.2.3 On receipt of any application in the SSA, where a relevant representation has been made, the licensing authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix A, Licensing Best Practice Measures. Where discretion has been engaged, those applications which fall short may be refused or conditions applied to comply with policy measures.

The licensing decision matrix on page 16-17 of the Council Statement of Licensing Policy (SoLP) states that new premises applications or premises licence variations asking solely for the 'off' sale of alcohol in the SSA are indicated as a 'No' under the matrix.

The applicant has made specific reference to the Special Stress Area in their application and offered some reasoning how their offered conditions will "ensure that the operation of these premises will not undermine any of the licensing objectives". In the circumstances, Sussex Police are making a representation as the hours applied for fall outside the BHCC decision making matrix and even though the applicant has offered some enforceable conditions; this will also enable a Council Licensing Sub Committee to properly scrutinise the application as described in 3.2.3 above.

We now invite the Licensing Sub Committee to consider the application, along with any other representations that may be submitted, and to make a decision in due course. Sussex Police can provide Police worded conditions should the Committee require.

Yours sincerely,



Lisa Bell
Chief Superintendent
Divisional Commander
Brighton & Hove Division