

Information and Evidence

**Submitted to assist the Brighton and Hove Licensing
Panel.**

Premises Licence Application

Premises Name: Seven Cellars

Premises Address: Unit 6, Brighton Station, Queens Road BN1 3 XP

Date Friday 27th August 2021

Report Prepared by: Louise Oliver

Introduction

The applicant, an experienced personal licence holder, has submitted this application to make possible the opening of a specialist off-licence at Brighton Station.

Seven Cellars is seeking to obtain a Premises Licence for this site, which is a small single fronted commercial premises, latterly operated as a card shop formerly known as “Cards Galore”.

The applicant’s intention is for these premises to be an asset to the community providing a variety of locally sourced products and well crafted ,well made and small batch products at the ‘Gateway to Brighton’.

A prospectus document was included with the application to expand on the ethos and business plan relating to this drinks-based enterprise.

The application.

This application was submitted in early July and the operating schedule has been carefully worded to reflect the intention to run a genuinely ‘premium’ Off Licence operation at this site, using the current, successful Seven Cellars premises at the Seven Dials as a model.

It is accepted that the proposed hours are outside the ‘Matrix’ in the Brighton and Hove Statement of Licensing Policy [para 3.2 onwards] and the applicant fully understands the Licensing Authority’s policy approach, aimed at ensuring the balance of premises and hours within the City that maintains its character and supports fully the Licensing Objectives in the Licensing Act 2003.

However,

A] The Premises is not sited in the Cumulative Impact Zone, but in the Special Stress Area.

B] The premises is within the Brighton Railway Station concourse, with the additional security and unique situation that this brings.

C] The applicant considers that the application is genuinely exceptional.

The applicant has offered a number of statements in section M of the application demonstrating a genuine commitment to support the Licensing Objectives in full.

The applicant has obtained an agreement as to Premises Licence conditions with Sussex Police, should the Premises Licence be granted.

The applicant has the full support of the station operator – Govia-Thameslink and the British Transport Police (BTP) who have corresponded with Sussex Police. No objections have been raised by BTP which concern the business operating from the station.

It is also very pertinent to state that this is a modest application based on a particularly small site, which is not a high volume/cheap sale premises. The customer offer is responsible and premium priced.

Considering all the above factors, the applicant genuinely considers this proposal to be '**Low Risk**' in relation to the Licensing Objectives based on the size and character of the premises and the carefully targeted nature of the customer offer.

National licensing policy

The Secretary of State's Guidance under section 182 of the Licensing Act 2003 states:-

Crime and disorder

2.1 'Licensing authorities should look to the police as the main source of advice on crime and disorder.....'

8.46 'While applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application.'

The applicant would like to point out that Sussex Police have entered into an agreement in relation to this application and the Licensing Authority is invited to assume that if the Police had anticipated significant detrimental effects on the Licensing Objectives, particularly The Prevention of Crime and Disorder and The Prevention of Public Nuisance, they would have made these clear by presenting representations to the Panel.

Special Stress Area

It is accepted that the premises is within the special stress area set out in the local statement of Licensing policy, however, the policy further states that exceptional applications are required to obtain authorised hours that depart from those set out in the 'Matrix'.

The applicant wishes to emphasise that the CCTV system, staff training and compliance with the relevant law in relation to the sale of alcohol, including the Mandatory Conditions under the Act, are a high priority to this premium 'Off Licence' operation and that she has considerable experience in this sector.

The applicant considers this application to be exceptional for the following reasons:

Our links to the local Sussex Wine Business school as well as Plumpton College and the University of Brighton mean that our approach to the industry is far-reaching. We offer paid

for training for all our staff including professional industry standard qualifications (WSET DIPLOMA) for all our full-time staff members.

We note the Sensible on Strength scheme has been very successful. We will commit to not sell any high strength beers, lagers, or ciders other than craft beer. No big brand cheap and high-strength alcohol will be sold in the business under any circumstances.

We will be providing Sussex based, Sussex made local products for sale to show-case to a wide audience of visitors to the city.

We have experience of opening previously in an area of Special Stress and we have a good record as responsible retailers.

We note that several off-licences have closed in the nearby vicinity to our shop on Dyke Road since we have been in operation. We think there is a direct link. We believe that people will choose a quality off-licence over and above a cheap off-licence selling low cost, high strength alcohol where there is choice available.

The Representation.

The s182 Guidance to the Licensing Act 2003 states

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas.....

The applicant considers that this representation is on 'Policy Grounds' alone and the officer has not raised any other objections to the grant of the Premises Licence.

Conclusion

The applicant, has submitted this modest premises licence application to support their business plan to create a premium 'Off Licence' at this location.

They believe that they have carefully assessed the likely impact of the premises licence application and that they can fully support the Licensing Objectives in the Licensing Act 2003.

The applicant has proposed comprehensive conditions for the premises licence and obtained an agreement with Sussex Police covering the specific wording of conditions for the premises licence, should it be granted.

The applicant has the support of the Station Operator and the British Transport Police.

The response of the applicant to the representations received in this case is reiterate that:

A] The application is genuinely an exception to the local statement of licensing policy; and,

B] The premises is small, and the applicant has considerable experience in the licensed trade, including another successful Brighton site, which they will bring to bear at this

premises to support fully the licensing objectives and enhance the local area, giving a very positive first impression of Brighton to visitors.

The members of the Brighton and Hove City Council Licensing Panel are respectfully requested to **grant** the application for this premises licence with any premises licence conditions that they consider appropriate.

Seven Cellars

