

Appendix C

REP A

From: Redacted

Sent: 08 September 2022 17:40

To: EHL Safety <EHL.Safety@brighton-hove.gov.uk>

Subject: FW: Licence Application Reference Licence-1445/3/2022/02719/LAPREN

SC CON ENDS 09.09.2022 VALID PPN, PCD, PS, PCH (A)

From: Redacted

Sent: 08 September 2022 17:35

To: ehl.safety@brighton-hove.go.uk

Cc: Redacted

Subject: Licence Application Reference Licence-1445/3/2022/02719/LAPREN

Dear Licensing Safety Team,

I would like to register a formal objection to the proposed alcohol licence application for - 130 Lustrells Vale, Saltdean.

The proposal suggests changing the current office at 130 Lustrells Vale into a craft beer bar. Open 7 days a week from 12 noon until 11pm Monday to Friday and 12 noon to 10pm on Sundays. The application also includes the playing of music. Tables in the street and an awning.

Background: I have been a resident on this street for 18 years. This is a fantastic community, populated by a broad demographic of people including families, retired people and people who live in supported accommodation. The street is made up of houses, flats, small shops and Redacted.

There are already a large number of drinking establishments very close to us, Redacted has the Redacted, the Redacted and a number of licensed cafes. There is also the Redacted. A short walk or bus ride is Redacted where they have wonderful, long established pubs.

- **Prevention of crime & disorder**

According to research carried out by the Epidemiology and Community Health, which looks at the impact of local alcohol licencing policies on reported crime rates in England, 13% of all sexual offences and 37% of all violent offences are assumed to be directly attributable to alcohol consumption.

An Alcohol Disorder Zone (ADZ) was declared in Lustrells Vale fairly recently resulting in restricted hours for the Post Office/Shop as underage drinkers were bought alcohol by older people for street consumption. The Post office/shop now closes at 7pm when the street area becomes entirely residential. We believe the Co-op was warned too.

Even with a licensee observing conditions of any licence, should one be granted, alcohol consumption in our residential street is going to lead to an increase in various incidents of reportable crime in our neighbourhood. This will also include Public Order offences in which intoxicated patrons leaving the premises may be heard speaking or shouting to each other, whilst using offensive language. For residents who live in the flats immediately above, shoppers visiting the street and children walking to and from the school, any of the ensuing Public Order Offences will have an impact.

- **Prevention of public nuisance**

As well as patrons committing reportable Public Order Offences, there will be nothing in place to stop intoxicated patrons from talking loudly, singing, shouting and generally causing a public nuisance whilst

leaving the bar at all times of the day. This also includes the nuisance caused by patrons who smoke. The licensee may ask people not to smoke directly outside the bar, but the reality is that they will smoke whilst congregated. For residents in the flats above who have living rooms and bedrooms over the proposed bar, this means that they will not be able to open their windows without the fear of cigarette smoke and noise pollution from entering their homes, even in the height of the summer.

- **Public safety**

Intoxicated patrons using and congregating on a public footway in a residential street will ultimately cause an obstruction for pedestrians with mobility issues, wheelchair users and for parents with push chairs. Local residents are already under pressure to find parking space on the local roads. This bar will increase this pressure as these roads will be used for free parking for the bar. The street already has a parking problem which is a particular problem during school drop-off and pickup times but having increased footfall to a bar will exacerbate this existing problem with an even more negative impact on struggling businesses and shoppers. Even if the licence suggests that all customers should walk or run to the bar, this cannot be policed.

Patrons standing outside the bar under the open windows of residents homes will also have an impact on public safety through second-hand cigarette smoke inhalation.

- **Protection of children from harm**

Since Saltdean Primary & Junior School opened in 1972 it works in close connection with the shopkeepers and residents in our street. During drop-off and pick-up time, the local community respect the needs of parents who use cars to collect children, but even during these times and the support of a lollipop person, it can be chaotic with cars parking on pavements and obstructing the highway. With an increased footfall of patrons to the bar this will be exacerbated.

Some of the school children end their day at Boomerang Kids after school club at the Barn Nursery in the Oval Park. These children form a “walking bus” en route from the school and will need to pass directly in front of these premises.

Attached are 2 sheets with signatures of some of our close neighbours who also are objecting on the same grounds.

If this objection is successful we are happy to speak at the relevant hearing.

Best regards

Redacted

REP B

Redacted

8th September 2022

SC CON ENDS 09.09.2022 VALID PPN & PCD (B)

To the Licencing Team

Application for Premises licence or Club Premises licence 130 Lustrells ValeSaltdean

Applicant: Redacted

I am writing to object to the above licence on the following grounds:-

Prevention of crime and disorder.

Lustrells Vale has already been designated an Alcohol Disorder Zone, so to introduce another licenced establishment which will be open from 12.00 midday until 11.00pm 6days a week and 10.00 pm on Sundays seems counter intuitive.

The previous problems such as adults buying drinks for under age drinkers are likely toresurface.

There are well documented links between alcohol consumption and violent crime. Over athird of all violent offences, and over a quarter of sexual offences, are attributable to alcohol misuse.

Prevention of Public Nuisance

However well a licensee attempts to encourage good behaviour they will have noknowledge of what happens outside their premises or after closing time.

The majority of customers may be polite, quiet and considerate but there will inevitably afew who cause problems. Noise, singing, shouting, swearing and cigarette smoke will cause a nuisance to those close by particularly late at night as well as at busy times if patrons spill out on to the pavement. This will have an impact on residents and cause a public nuisance.

Many of us who moved to Saltdean from elsewhere value the quiet atmosphere here. There is a brilliant bus service to the city centre where there is an enormous variety ofnight life and every type of entertainment.

Public Safety

Patrons either seated or standing outside on the pavement will cause obstructions to passers by, particularly to those getting on and off buses, people using walking sticks, mobility scooter users and mothers with buggies.

Lustrells Vale, Glyndebourne Avenue and other local streets are already subjected to careless and thoughtless parking. Residents return home after work to find nowhere to park. A new bar will exacerbate the existing problems for residents as visitors to the bar will use our streets as free pub car parks.

Protection of Children from Harm

The proposed bar will be a short distance from Saltdean's primary and junior school. Many children cross the road after school to buy sweets at the local shop/ post office next to the proposed bar. In fine weather they hang out together and chat on the pavement. In future they will be face to face with afternoon drinkers. In addition some children walk down Lustrells Vale on their way to the after school club at the Boomerang Kids nursery in the Oval Park. This group will also need to navigate round the bar users.

Do we want that for our children?

Yours Sincerely

Redacted

Applicants Response to Representations

130 Lustrells Vale objections

We write in reply to the 2 objections we have received for the above premises. I hope to alleviate the concerns that the objectees have for the introduction of this micropub.

We have spoken with a few local residents who have welcomed the idea of “a decent licensed outlet to frequent” nearby. A few older residents who currently take a bus to Redacted have welcomed the idea of this micropub on their doorstep.

The ethos of a micropub, according to the Micropub Association, is defined as follows:

"A micropub is a small freehouse which listens to its customers, mainly serves cask ales, promotes conversation, shuns electronic entertainment and dabbles in traditional pub snacks.

There may be differences between the pubs; they may or may not have a bar, they might serve beer straight from the cask or through hand pumps. However, they all share a philosophy: a simple pub with the focus on independent and cask beer and conversation for entertainment, with the basic premise of KIS, KIS – **Keep It Small, Keep It Simple**".

Our plan is to open a micropub based on these standards with my husband and myself as proprietors. Our counter objections are as follows:

□ **Prevention of crime & disorder**

- In alignment with local discussions, the opening hours we intend for the micro pub premises are as follows:

3pm – 10pm Tuesday –Friday

12noon – 10pm Saturday

12noon – 6pm Sunday

- Objection on the grounds that Lustrells Vale is a designated Alcohol Disorder Zone (ADZ) are confusing. I have consulted with the relevant authorities and none seem to be aware of this designation. The Licensing Office reply to my

enquiry states:

[Hi Redacted

I have double checked with Police Licensing regarding the ADZ and they have come back with the following: -

Not that we have been made aware of. Looks at meeting notes with the council back in 2009 we said we would only use such a thing as a last result and would be requested by the Chief Officer of Police. I don't think we have ever done one of these.]

- We trust the licensing board are aware of the statistics referred to in the objection re consumption of alcohol and crime. We have a collective 40 plus years within the licensed trade and run respectable, law-abiding outlets. One of the police conditions is the installation of CCTV cameras inside and out which will add to the security of the street, deterring anyone with anti social behavioral tendencies. We have no intention to open a Redacted type of outlet. We propose a micropub, the ethos of which promotes peace, community and independent produce. These products will not be sold cheaply, or with any discount type deals.

Public safety

We plan only to have a bench with narrow table outside of each front window; this along with no vertical drinking will limit the amount of patrons outside at any one time. We will certainly not be obstructing the buses or any other pavement users as will not expand across it that far.

With current drink driving laws we do not anticipate any uptake in drivers. Micropubs as a whole do not attract the driving drinker, more the local patron who lives close by so walks to the outlet. Anyone frequenting us from outside of the immediate area, usually Ale and micro-pub enthusiasts, will make use of the bus links mentioned, or other alternative methods.

Protection of children from harm

Children will not be endangered due to the addition of a micropub. This outlet is small; it will not be a Redacted sports bar type of environment with rowdy

patrons, more a licensed café with board games and books. An outlet that welcomes all of the community to sample fine craft produce in the local and independent markets. We feel that the outlet will in fact add additional security to the immediate area.

We trust this explains more our outlook for the premises and diminishes your concerns. We hope to add to the community and keep the Lustrells Vale shopping and hospitality area open for business.

Redacted

Agreed Conditions with Sussex Police

General

1. Authorised staff employed by Sussex Police shall have free access to all parts of the licensed premises at all times licensable activity is taking place or when open to members of the public, for the purpose of inspection to ensure compliance with the terms and conditions of the premises licence and to ensure the promotion of the licensing objectives.
2. In relation to licensable activities to the outside seating area, this will be subject to the premises holding a valid Table and Chairs licence or the appropriate authorisation. Should the licence stipulate times that require the premises to cease use of them earlier than stated on this premises licence, the lesser times will be adhered to.
3. Off sales are only permitted in closed containers and any display of products available for off sales will be behind the serving counter.
4. At least 5 tables with seating will be provide within the venue to dissuade against too many persons vertically drinking.
5. There will be no vertical drinking outside. All customers to be seated at tables with capacity set out by the Table and Chairs licence permitted area.

Prevention of crime & disorder

6. (a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
 - (b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
 - (c) CCTV footage will be stored for a minimum of 31 days
 - (d) 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.
 - (e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
 - (f) Subject to GDPR and legislation, 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 (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.

(g) Any breakdown or system failure will be notified to the police immediately & remedied as soon as practicable.

(h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

5. a) An incident log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week.
 - b) The logbook should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence.
 - c) The premises shall at all times maintain and operate an age-restricted sales refusals recording system (either in book or electronic form) which shall be reviewed by the Designated Premises Supervisor at intervals not to exceed 4 weeks and feedback given to staff as relevant. These refusals recording system shall be available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.
- 6 SIA licensed door supervisors shall be employed on any occasions when a requirement is identified by the licence holder's written risk assessment or requested by Sussex Police in writing at least 48 hours in advance. The written risk assessment will be reviewed at least once every calendar year. The written risk assessment will take into account information or guidance offered by the police, and also taking into account busy periods such as Bank Holidays, Season Variations and other City Centre Events e.g. Pride. The written risk assessment will be available on the premises for inspection by police and authorised officers of the Licensing Authority.

Additional conditions as stated in original application or agreed with another Agency.

Public safety

Additional conditions as stated in original application or agreed with another Agency.

Prevention of public nuisance

Additional conditions as stated in original application or agreed with another Agency.

Protection of children from harm

- 7 (a) 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 recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram. The list of recommended forms of ID may be amended or revised with the prior written agreement of Sussex

Police, the Licensing Authority and Trading Standards without the need to amend the licence or conditions attaching to it.

(b) Signage advertising the "Challenge 25" policy will be displayed in prominent locations in the premises.

- 8 The Premises Licence Holder shall ensure that all staff members engaged or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:

- *The lawful selling of age restricted products

- *Refusing the sale of alcohol to a person who is drunk

Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 12 weeks, with the date and time of the verbal reinforcement/refresher training documented.

All such training undertaken by staff members shall be fully documented and recorded. All training records shall be made available for inspection by authorised officers and staff of the Licensing Authority or the police and officers from the Trading Standards team upon request.

Additional conditions as stated in original application or agreed with another Agency.

