

APPENDIX D

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



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Brighton Police Station



Brighton & Hove Licensing Unit
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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.

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The protection of children from harm

10/02/2013

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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

David Bateup
Police Licensing Officer
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