

APPENDIX A

Site details – Jimyings Grocery, 44a George St, Brighton

A. Issues/policy rulings preventing the granting of licence and officer comments:

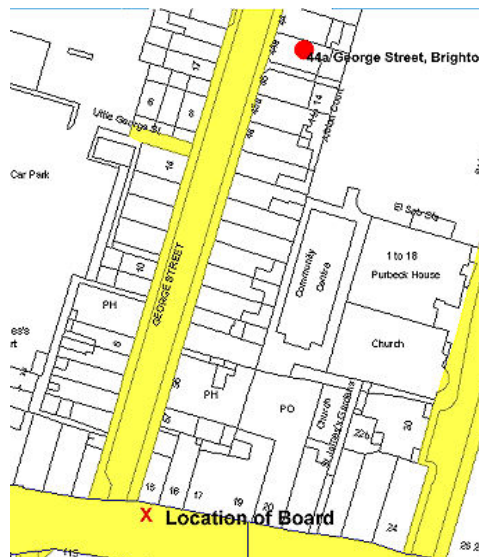
A.1. Council policy states that, except in the case of items within large, waiter-serviced sitting-out areas, no traders' item shall be permitted to be placed more than five metres from the licensed premises. The proposed site licensed premises is in excess of ninety metres from the licensed position applied for (see map below).

A. 2. Policy also requires that all licensed objects must be within sight from a window or door of a licensed premises or in visual range of cctv camera(s) monitored from same. It is not possible to see the proposed board location from 44a George Street.

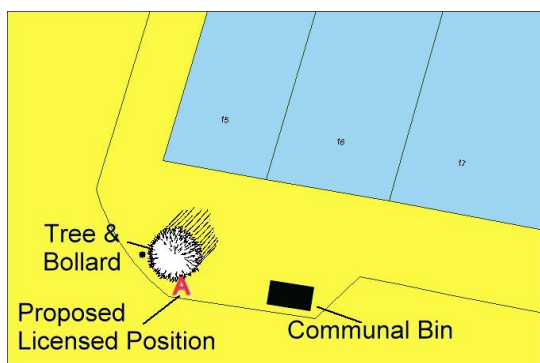
A.3. However, Licensing Committee (Non Licensing Act 2003 Functions) 24 April 2009, Agenda Item 33. Resolution 33.32 item 5a. allows that *"Special consideration will be given to those premises situated in twittens and alleyways regarding this policy"*.

Although George Street is neither an alleyway nor a twitten, the road in which the applicant's shop stands is not subject to the same levels of pedestrian and other traffic as nearby St. James Street (see map). Premises in such a street might therefore be considered to be at disadvantage when compared with premises located in busier streets.

Members may wish to consider whether or not this of itself justifies the application of the principles of the ruling Resolution 33.32 item 5a. in this case.



A.4. Officers believe that the position of the proposed (and past) location of the applicant's board would cause no more of an obstruction to users of the highway than nearby council-placed items: i.e. the communal bin (Cityclean), the tree (Cityparks), the bollard (Sustainable Transport). See images below.



However, it is not clear how the board would be monitored so as to prevent it being moved into the road or onto the adjacent tactile paving (crossing for disabled people).

B) Applicant justification for the setting aside of policy in this case:

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12 MAY 2009

Grounds for Appeal (Explain your reasons for why an exception should be made in your case. You may continue on further sheets and/or provide supporting documents, e.g. drawings, photographs etc. should you so wish)


About the A-board of my business

The A-board in question stands in the site for nearly 6 years on, with a full acknowledgement by Highway Enforcement, Brighton & Hove Council. To carry out a careful surveillance over the site I've made observations personally in recent months. The conclusion from my observation is,

The site is a no-go area as a matter of fact. No common transport needs go through. No wheelchair user tries passing it. No public interests have been apparently affected.

Therefore I see no reason to remove it when it's useful for the local economy.

Signed (Applicant):



Date:

9/5/2009