

APPENDIX B

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if appropriate.

You may wish to keep a copy of the completed form for your records.

I London Road Area Local Action Team – via chair Rev. Philip John Wells

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description B & W STORES 29 YORK PLACE	
Post town Brighton	Post code (if known) BN1 4GU

Name of premises licence holder or club holding club premises certificate (if known) MR WAHID KAMEL IBRAHIM

Number of premises licence or club premises certificate (if known) 1445/3/2007/000010/LAPREV

Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the area of the premises
- b) a body representing persons living in the area of the premises

- c) a person involved in business in the area of the premises
- d) a body representing persons involved in business in the area of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address London Road Area Local Action Team (LAT) Rev Philip Wells- London Road Area LAT Chair c/o Calvary Church, 72 Viaduct Road, Brighton, BN1 4ND
Telephone number (if any) 01273682112
E-mail address (optional) philipwells@btinternet.com

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|-----------------------------------------|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 1)

LAT – and licensing objectives.

The London Road Area Local Action Team – LAT – is a community group bringing together residents, traders, police, Ward Councillors, service providers (i.e. drug and alcohol services) for the good of London Road – with a particular interest in “community safety”. It was formed in late 2008 after particular complaints about street drinkers and drug users in the area (e.g. Argus Tuesday 2/9/2008 “Business along London Road say heroin addicts and alcoholics are stealing from their shops to pay for their habits” etc.)

1. Since at least 2008 London Road has had a reported and recognised problem with Street Drinking – this continues to be one of our three policing priorities. This affects at least three of the licensing objectives (1-3) above. Licensing on and off-licence premises has been a sensitive issue and is specifically mentioned in the current area-specific licensing criteria i.e. the Council Statement of Licensing Policy.

It is noteworthy that the problems of crime, disorder, and public nuisance are so serious and well substantiated in London Road that it is specifically mentioned on page 15 of the policy document in the same column as the Special Stress Area.

We monitor this at our monthly meetings.

2. York Place has been a place of special sensitivity and concern over the past years. On 6th July 2010 6.00pm at Moksha Café (York Place) we had a meeting specifically to deal with this issue which resulted in high-level action on various fronts involving the personal intervention of Linda Beanlands the Commissioner for Community Safety.

There is a consistent general concern (see LAT minutes since 2009) and widespread perception (e.g. letters pages in the Argus over past years) that this is an unsafe area to be in, particularly with street drinkers persistently assembling in and around the taxi shelter immediately to the north of St Peter's church just a matter of yards from the premises in question (B&W stores). This group of Street Drinkers is reportedly well stocked with alcohol – anecdotally reported to be high strength, and repeatedly reported to be a cause of disturbance and anti-social behaviour as well as being a major contribution to the sense of a lack of public safety.

3. We would certainly not suggest that these licensed premises are solely responsible for all the problems, but the testimonies presented at the LAT support the idea that these premises are a definite, identifiable (and, hopefully, remediable) part of the larger problem.

Hoped-for Licensing outcomes

We are calling for:

1. thorough retraining of all staff
2. change in licensing condition so as to remove all high-strength alcohol from sale (as have other responsible retailers in the area)

i.e. No beers, ciders or lagers with an ABV content exceeding 6 % will be sold or stored at the premises.
3. A three month suspension of the premises licence to break the cycle of continual visits to the premises by the street drinking community, and to act as a deterrent to other off license premises in the area. This period will enable the Licence Holder to review procedures thoroughly and train all staff.
4. reduction of hours: we see no good reason for the sale of alcohol over the current range 0630-0200. I have heard two separate testimonies that the current Licence Holder exceeds the permitted hours – no doubt this will need to be corroborated by eyewitnesses.

Please provide as much information as possible to support the application
(please read guidance note 2)

Reported evidence from traders and residents

In recent months traders (i.e. beginning with emails dated 7/11/12 "The temporary boarding up of the premises (Grubbs diner – 27 York Place) would certainly help matters enormously for us next door as the street drinkers seem to take little notice of requests to move them on – often returning later the same day (or others taking their place)." and see LAT minutes) have consistently reported problems of disorder, public safety, and public nuisance in the region of B&W off licence and specifically connected with these premises. The connection is in terms of observed clientèle exactly matching those subsequently involved in unacceptable behaviour e.g. brawling, loud and aggressive behaviour. There is no doubt in the minds of eyewitnesses that this behaviour is linked with this supply of alcohol, and high-strength alcohol in particular.

Traders have expressed their problems in terms which have been heartfelt, consistent, and specific, so much so that it was decided that official action needed to be taken.

At our last LAT meeting (4/6/13) it was formally decided to call for a Licensing Review. In this we were supported by Ward Councillor Ian Davey, who volunteered to be named in this connection.

Several residents promised to support this call via their own representations, and so did named traders who are closely involved with, and affected by, the premises, persons, and behaviours involved.

We were also given to understand that various other statutory agencies would be interested in submitting their own strands of evidence on this matter e.g. Equinox, Trading Standards, Police Licensing team.

For these reasons we wish to call for a Licensing Review.

As Chair of a community group I am unable personally to give dates and times of specific incidents – but individual LAT members have emphatically testified to a catalogue of incidents and pressed for a Review to be called. I personally have heard enough to make me believe that the current licensing arrangements are not serving their purpose and need to be reviewed.

I believe this is neither vexatious nor flippant, and a Review will give opportunity for individual representations to be made in detail and for the Review Panel to assess the best way to apply licensing parameters to these premises and this local situation.

Also the Licence Holder will have the opportunity to amend his sales policy in order to be a better neighbour to both his customers and the wider community.

We understand that Brighton is the type of city in which there are many troubled individuals, some of them homeless. They have troubled lives and bring trouble to others – they too are part of the community and deserve our compassion and support rather than our condemnation.

However we find it reprehensible to think that a trader might make financial gain by exploiting the weakness of such people, and to do so via irresponsible sales of high strength alcohol at all hours of the day and night. The Review will give an opportunity for the Licence Holder to distance himself emphatically from any suggestion that he would fall into this category.

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them
- not applicable

Please tick yes

- I have sent copies of this form and enclosures to the other persons and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature



.....
.....
.....Philip
Wells.....

Date 28/6/2013

Capacity

..... Chair – London Road Area Local Action Team
(www.safeinthecity.info).....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

LAT correspondence address c/o Calvary Church, 72 Viaduct Road, BN1 4ND

Post town

Brighton, East Sussex

Post Code

BN1 4ND

