

# LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM 1

10.00AM, WEDNESDAY, 15 SEPTEMBER 2021

VIRTUAL

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# ADDENDUM

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Good Afternoon EHL and Becky,

I am emailing you today to formally withdraw the Sussex Police Representation against the application for Quick Commence Ltd, Unit 6C, Freshfield Industrial Estate, Stevenson Road, Brighton, BN2 0DF.

Sussex Police have been in consultation with Robert Botkai and we have agreed conditions should this licence be granted, please find them attached.

Please see the email thread below confirming that the applicant has agreed to these conditions.

Sussex Police will no longer be attending the hearing for this application on Wednesday 15<sup>th</sup> September.

Kind Regards

Hannah

**To: REDACTED**

**Sent:** 10 September 2021 16:42

**From: REDACTED**

**Subject:** Re: Brighton Freshfields - FW: New Premises Licence Application - Quick Commerce Ltd, Unit 6C, Freshfield Industrial Estate, Stevenson Road, Brighton, BN2 0DF

Hi Hannah

Understood. I did mean that any variation would be at the end of the 12 month period and I am not expecting any sort of Police commitment as to its position on making a representation.

Kind regards

Robert

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**From: REDACTED**

**Sent:** Friday, September 10, 2021 4:33:26 PM

**To: REDACTED**

**Subject:** RE: Brighton Freshfields - FW: New Premises Licence Application - Quick Commerce Ltd, Unit 6C, Freshfield Industrial Estate, Stevenson Road, Brighton, BN2 0DF

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Hi Robert,

Thank you for your email.

I am pleased to say I am happy with the conditions as proposed today and previously discussed.

I will also be happy to agree with quarterly meetings as referenced below.

However, I cannot agree that if within the first 12 months that if a variation is submitted for the 24 hour licence, I will not oppose. I am in full support of working with a premises licence holder and forming a good relationship, however there is much more to a Police Representation.

I will need to consider the crime and disorder statistics across the city especially looking at the impact this would have on our Night Time economy (NTE). As you are aware Brighton has a very lively and impactful NTE and tends to be a pull on Police resources.

I am also heavily invested in working across the city with premises who are selling to under age minors, which was a concern in my representation.

Obviously I am fully aware each application is taken on its own merit and if a representation is raised I will declare what has been achieved over the year and any contact had, however I cannot state now whether in a years' time any variation applications submitted will or will not be opposed too.

If your client is happy and satisfied with my answer above and still happy to agree to the conditions I will be satisfied and withdraw the Police Representation.

I have logged on from home in order to check emails and my work phone is still playing up. My personal number **REDACTED** if you wish to discuss anything.

If not please let me know you are satisfied with the above and I will withdraw my representation.

Kind Regards

Hannah

**From:** REDACTED

**Sent:** 10 September 2021 15:12

**To:** REDACTED

**Cc:** REDACTED

**Subject:** RE: Brighton Freshfields - FW: New Premises Licence Application - Quick Commerce Ltd, Unit 6C, Freshfield Industrial Estate, Stevenson Road, Brighton, BN2 0DF

Hi Hannah

I am sorry this has taken so long. Thank you for your time on this.

I attach:

- Conditions from operating schedule with tracked changes discussed
- Clean copy operating schedule.

You will see that our client has agreed that alcohol will only be delivered between the hours of 0800 and 2400.

This is on the basis that you have agreed that the question of a 24 hour variation can be revisited during the 1<sup>st</sup> 12 months of the licence. We will be in touch with you every 3 months to review the impact of the licence and if you are satisfied that the licence has not had an impact on the

licensing objectives you will not oppose a variation to 24/7. I fully acknowledge that there is no commitment or obligation on the police not to oppose a variation application but the above represents an understanding that enables us to move forward. I should be grateful if:

1. You confirm that the police will now withdraw its representation; and
2. You agree to the quarterly discussions as referenced above.

I will send the attached to the licensing officer so that the Committee will see them before the hearing next week.

Many thanks and kind regards

Robert





Quick Commerce  
Freshfields Brighton

Draft Operating Schedule as at 3 September 2021 clean copy

1. The sale of alcohol from the premises shall be for delivery only by a delivery rider. Members of the public will have no access to the premises.
2. (a) Digital CCTV and appropriate recording equipment to be installed, 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 guidance 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.
3. An incident log/register shall be maintained to record all incidents of crime and disorder occurring on delivery of products. This log/register will be available for inspection by a police officer or other authorised officer on request.
4. Alcohol will only be delivered to residential and business addresses.
5. Alcohol will not be delivered to customers at a park, in an open space or the beach.,
6. Delivery riders must be instructed to abort delivery where that sale is believed to be a "street sale" or to an open space. All such instances will be recorded in the refusals/incidents log.
7. The premises licence holder shall not sell beer, lager or cider with an alcohol content over 6.5% ABV (alcohol by volume) save for products agreed (email will suffice) with the police. This restriction shall not apply in respect of the specialist branded, premium priced products - for example craft ales, local or microbrewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider.
8. There shall be no sale of spirits in vessels smaller than 35cl.
9. Members of the public will not be allowed to enter the premises.
10. Riders will be permitted to collect orders and deliver on foot, by pedal bike, electric bike (or other electric vehicle) only.
11. Riders will not be permitted to smoke in the immediate vicinity of the premises.
12. Riders will not be permitted to congregate in the immediate vicinity of the premises.

13. Riders will be instructed not to loiter in the vicinity of residential premises.

14. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.

15. Prominent, clear and legible notices must be displayed at all exits requesting staff and couriers to respect the needs of local residents and to leave the premises and the area quietly.

16. All delivery riders will be employed directly by the licence holder or a group company of the licence holder.

17. The premises licence holder will ensure that an age verification policy will apply whereby all delivery riders will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

18. All delivery riders shall receive training in age restricted sales.

- Induction training must be completed and documented prior to the delivery of alcohol by the rider.
- Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.

Training records will be available for inspection by a police officer or other authorised officer on request.

Training records will be electronically stored by the licence holder for a period of 12 months.

19. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.

20. All riders shall be trained to record refusals of sales of alcohol in a refusals log/register. The log/register will contain:

- details of the time and date the refusal was made;
- the identity of the rider refusing the sale;
- details of the alcohol the person attempted to purchase.

This log/register will be available for inspection by a police officer or other authorised officer on request.

21. All alcohol sale orders shall be made via an online platform for delivery only and must be paid for by debit or credit card or other mobile payment or digital wallet service.

22. An alcohol verification sticker shall be applied to the delivery package so that alcohol can be easily retrieved by the delivery person to prevent an illegal sale. Details of the order (including the type, amount of alcohol, name, and address of the customer) must be included with the order. All delivery drivers and riders must allow any Police Constable or Local Authority Officer to inspect any alcohol or order details on request.

23. There shall be no delivery that includes alcohol from the premises between 0000 and 0800.



